



COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

SPECIAL TUOLUMNE COUNTY PLANNING COMMISSION
BOARD OF SUPERVISORS CHAMBERS, 4TH FLOOR
COUNTY ADMINISTRATION CENTER
2 SOUTH GREEN STREET
JANUARY 29TH, 2025
6:00 p.m.*

48 Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
(209) 533-5633
(209) 536-1622 (Fleet)
(209) 533-5616 (fax)
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(209) 533-5698 (fax – Roads)
www.tuolumnecounty.ca.gov

***The doors to the County Administration Center will be opened at 5:30 p.m.**

You may submit written comments by U.S. mail at 2 South Green Street, Sonora, CA 95370, or email (CDD@tuolumnecounty.ca.gov) for retention as part of the administrative record. Comments will not be read during the meeting.

PLANNING COMMISSION BUSINESS:

1. Reports from Commissioners and Staff

** Reports are a brief oral report from a Commission member and/or County staff, and no Commission action will occur. This item is not intended to include in-depth presentations or reports, as those matters should be placed on an agenda for discussion**

2. Report from the Agricultural Advisory Committee Representative

3. Meeting Minutes of September 18th, October 16th and November 20th, 2024

PUBLIC COMMENT: 15 minutes

The public may speak on any item not on the printed agenda. No action may be taken by the Commission.

PUBLIC HEARING:

1. **TINY HOUSE VILLAGE, 1)** Mitigated Negative Declaration for Site Development Permit SDP22-006; 2) Site Development Permit SDP22-006 to allow a recreational development consisting of twelve guest cabins, swimming pool, yoga dome, and associated infrastructure on a 14.1± acre parcel zone C-K (Commercial Recreation) under Title 17 of the Tuolumne County Ordinance Code (TCOC).

The project site is located at 23003 and 23015 Sprague Road East in the community of Groveland. Within a portion of Section 29, Township 1 South, Range 17 East Mount Diablo Baseline and Meridian and within Supervisorial District 4. Assessor's Parcel Numbers 066-260-039.

The Minutes, Staff Reports, and environmental documents for the items referenced in this Agenda are available for review at the Tuolumne County Community Development Department Monday through Thursday, 8:00 a.m. 3:00 p.m., Fourth Floor, A.N. Francisco Building, 48 Yaney, Sonora, California, and online at www.tuolumnecounty.ca.gov.

Any other materials related to the items referenced in this Agenda that are provided by the County to the

Planning Commissioners prior to the meeting are available for review at the Tuolumne County Community Development Department 48 Yaney, Sonora, California, and will be available at the meeting. Any materials provided to the Planning Commissioners during the meeting by the County will be available for review at the meeting, and materials provided by the public will be available for review at the Community Development Department the day following the meeting.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at (209) 533-5633. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (28CFR Part 35 ADA Title II).

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Tiny House Village

SURFACE/MINERAL

RIGHTS OWNER: Tri Cap Properties, Inc and Boss Girl Pro, LLC c/o Stephanie Wohlfiel

APPLICANT: Stephanie Wohlfiel

DATE: January 21, 2025

PROJECT AND LOCATION

PROJECT

DESCRIPTION:

1. Site Development Permit SDP22-006 to allow a recreational development consisting of twelve guest cabins, swimming pool, yoga dome, and associated infrastructure on a 14.1± acre parcel zoned C-K (Commercial Recreation) under Title 17 of the Tuolumne County Ordinance Code (TCOC).
2. Mitigated Negative Declaration for Site Development Permit SDP22-006.

LOCATION: The project site is located at 23003 and 23015 Sprague Road East in the Community of Groveland. Within a portion of Section 29, Township 1 South, Range 17 East Mount Diablo Baseline and Meridian and within Supervisorial District 4. Assessor's Parcel Numbers 066-260-039.

GENERAL PLAN: The project site is designated Parks and Recreation (R/P) by the Tuolumne County General Plan land use diagrams. Table 1.3 of Technical Background Report of the 2018 General Plan indicates that the C-K zoning district is compatible with the R/P land use designation.

GENERAL INFORMATION

Site Description

The project site consists of a 14.1± acre parcel located at 23003 and 23015 Sprague Road East, approximately 6 miles east of the townsite of Groveland. The site is located outside of the identified community of Groveland-Pine Mountain Lake as indicated in the Tuolumne County General Plan. The site is currently developed with a single-family dwelling, well, and onsite sewage disposal system. Vegetation on the site includes ponderosa pines (*Pinus ponderosa*), incense cedar (*Calocedrus decurrens*), black oak (*Quercus velutina*), and annual grass species. The average slope of the parcel is 20%. The slopes in the area of development are averaging approximately 13%. Parcels directly west and southwest of the project site are public land under the jurisdiction of the US Forest Service. Parcels directly south and southeast contain the RR (Rural Residential) General Plan designation and are utilized as residential parcels under private ownership.

Project Description

The project proposes a recreational development consisting of twelve guest cabins, a swimming pool, yoga dome, and associated infrastructure. The guest cabins would consist of twelve prefabricated mobile units that are rented out for overnight stays. The units are built on a chassis with wheels and would meet the "park trailer" definition as established by the State of California Department of Housing and Community Development (HCD). The units would not be placed on

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a permanent foundation. Each cabin would consist of one bedroom, bathroom, living room and kitchen. There are two different styles of cabins proposed. The first style the "Puebla", would consist of 399 square feet of interior square footage and an attached 105 square foot covered porch. The second style the "Sophia", would consist of 399 square feet of interior square footage with a loft and an attached 137 square foot two-story deck. The first-floor deck would be covered, and the second story deck would be uncovered. The facility would be open year-round. Amenities on site would include an outdoor pool and exercise/yoga dome that would be offered for overnight guests only. The yoga dome would also be prefabricated. The dome would be 400 square feet in size and would be placed on a deck that is constructed on site. Elevations and floor plans of the proposed cabins and yoga dome are provided in Attachment 2 through 5 below in this report.

Water would be provided via the existing on-site well. For less than 14 connections, the facility would be permitted as a State Small Water System permitted through Tuolumne County Environmental Health. If the number of connections exceeds 14, the system would need to be permitted as a Small Public Water System through the State Water Board. A 50,000-gallon water tank would be installed adjacent to the well to help provide water distribution to the facility. The project would utilize onsite wastewater treatment systems. A new septic system would be installed to support the guest units.

The facility would be accessed via a driveway off Sprague Road and internal access would be provided via a looped roadway. A larger parking lot would be adjacent to the cabins, with a second smaller parking lot adjacent to the pool and yoga dome. Development of the facility would occur within an approximately 2.2± acre portion of the 14.1± acre site, adjacent to the area of the existing single-family residence, driveway, well, and septic system. The remaining area of the site would not be disturbed by project activities. The facility would consist of three separate "neighborhoods" each containing 4 guest units.

Since the guest units are built on a chassis with wheels meeting the park trailer definition, the facility would be under the construction and operational jurisdiction of HCD. HCD would issue grading and building permits for the facility once all County approvals and reviews have been conducted.

ENVIRONMENTAL EVALUATION

In accordance with the California Environmental Quality Act (CEQA), the Environmental Coordinator for the County has conducted an Initial Study to determine whether the proposed project may have a significant effect on the environment. Based on the analysis in the Initial Study, the Environmental Coordinator has determined that although the project, as originally proposed, had a potential to have a significant effect on the environment, the project has been modified by incorporating measures to mitigate the potential impacts into the conditions of approval; therefore, a Mitigated Negative Declaration has been prepared. Pursuant to Section 21091 of the Public Resources Code, the Mitigated Negative Declaration was made available for public review. The public review period was 30 days in length and closed on February 15, 2024. A total of five responses were received during the public review period. Of these, four were responses from public agencies and one response was from a non-public agency. The comments are addressed in the Response to Comments in the Final IS/MND. No substantial changes to the Initial Study were required due to the comment letters and recirculation was not required.

The evaluation of environmental impacts involves several key procedures. The County must consider all aspects of the project, including on-site, off-site, cumulative, direct, indirect, construction, and operational impacts. After that analysis, then staff determines if an impact is potentially significant, less than significant with mitigation, or less than significant. If mitigation measures reduce an impact to less than significant, a "Negative Declaration" should describe these measures and how they address the impact.

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The environmental review checklist highlights that none of the twenty resource areas analyzed in the CEQA document has the potential to significantly impact the environment. Several resource areas had impacts identified that were reduced to a less than significant level with the incorporation of mitigation measures. This means that while the project might pose an impact in certain areas, comprehensive mitigation strategies could address these concerns. All other factors are not expected to be significantly impacted. This staff report will focus on several resource areas that were raised as concerns by stakeholder agencies and the public:

Biological Resources	Public Services
Hydrology and Water Quality	Wildfire
Noise	Transportation
Utilities and Service Systems	

Biological Resources:

The project site spans elevations of 2,925 to 3,020 feet above sea level and is characterized by ponderosa pine and montane hardwood-conifer habitats, which cover 75% of the 14.1-acre site. These habitats are considered third priority in the Tuolumne County Wildlife Handbook, valuable but common wildlife habitats. No critical habitats or sensitive wetland/riparian areas are present on the site.

Biological Impact Analysis:

- **a) Special Status Species:** Great gray and California spotted owls have been observed on nearby U.S. Forest Service land. Mitigation Measure BIO-1 mandates pre-construction bird surveys to protect nesting birds if construction overlaps with the breeding season (February 1 to August 31). No critical habitats were identified on-site.
- **b, c) Sensitive Habitats:** The site lacks riparian and wetland areas, and development will occur in minimally vegetated areas, ensuring no impact on sensitive habitats.
- **d) Wildlife Corridors:** The undisturbed 11.9 acres will connect with adjacent Forest Service land, preserving wildlife corridors.
- **e) Oak Woodlands:** The site does not meet the criteria for oak woodlands, and no significant tree canopy will be affected.
- **f) Habitat Conservation Plan:** The project is outside any conservation plan area and complies with local environmental guidelines.

Mitigation Measures:

- **BIO-1:** A pre-construction survey for nesting birds will be conducted. If nests are found, measures like maintaining a 500-foot buffer may be enforced to minimize disturbance. This will be monitored by the Land Use and Natural Resources Division. This assessment concludes that impacts on biological resources would be less than significant with mitigation.

Public Services:

- **Fire Protection:** The project site is served by the Tuolumne County Fire Department (TCFD) with mutual aid from the Groveland Community Services District (GCSD) and CAL FIRE. Fire protection for the project was reviewed to ensure compliance with the National Fire Code, California Fire Code, and Tuolumne County regulations. A fire impact analysis estimated about one annual call for fire/emergency services, not significantly impacting existing resources. GCSD noted that the project site is distant from its water system, has a reliable well, and is outside GCSD's sphere, so it is covered under cooperative agreements with TCFD and CAL FIRE. CEQA regulations and applicable case law on this issue demonstrate the threshold concerns only the environmental effects associated with

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the provision of new or altered physical public service facilities. Response times, service ratios, and other performance objectives are relevant to the analysis only within the context of whether or not new or expanded facilities would be required to meet defined objectives related to those service objectives, and what the environmental effects would be of providing those facilities. Please refer to Master Response 2: Utilities and Service Systems, for more information on this topic.

- **Police Protection:** The Tuolumne County Sheriff's Division and California Highway Patrol (CHP) provide law enforcement. The project's impact on police services is minimal and would not require additional facilities.
- **Schools:** With three full-time employees and one on-site manager, the project is unlikely to strain local schools, and applicable school fees will be paid, resulting in a less than significant impact.
- **Parks and Recreation:** The development will offer on-site recreational amenities, thus not significantly increasing demand for nearby public parks or recreational facilities.
- **Other Public Facilities:** Due to the small number of employees and transient nature of guests, the project will not substantially increase demand for additional public facilities like churches, hospitals, or government buildings.

Conclusion: The project will have a less than significant impact on fire protection, police services, schools, parks, and other public facilities, with no mitigation measures required.

Hydrology and Water Quality:

The project site, located within the Tuolumne River watershed, is served by an on-site private well and septic system, as it is not part of a regulated groundwater basin. The Central Valley Regional Water Quality Control Board oversees water quality standards, and compliance with the Tuolumne County Water Quality Plan and best management practices (BMPs) will be required during construction. Tuolumne County does not have one continuous aquifer for water storage, as individual wells utilize water stored in fractured rock formations. Since the on-site well adequately serves the proposed development, capable of producing well above the 2,043-gallon daily average at approximately 17,000 gallons per day. The project site is not expected to deplete the groundwater in the project area. More information can be found in Appendix B: Hydrogeologic Analysis.

Regulatory Overview:

- **Stormwater Management:** Under the NPDES, projects disturbing over one acre must submit a Notice of Intent (NOI) and prepare a Stormwater Pollution Prevention Plan (SWPPP) with BMPs to minimize runoff, erosion, and sediment movement. This project will comply, as verified by the Tuolumne County Engineering Division.
- **Flood and Water Quality:** The site is within FEMA's Zone X, indicating minimal flood risk, and will incorporate measures to control stormwater and protect surface water.

Analysis of Potential Impacts:

- **a) Water Quality:** Runoff could transport sediments off-site during construction, but adherence to a SWPPP and local septic regulations will prevent significant impacts to water quality.
- **b) Groundwater Resources:** A hydrogeologic study confirmed adequate groundwater recharge and well capacity to meet project needs without affecting local groundwater levels.

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- **c) Grading and Erosion Control:** The project will implement an erosion control plan, dust suppression, and grading practices, as required by Title 12 of the Tuolumne County Ordinance Code.
- **d) Flood Risks:** Located in Zone X, the project site has low flood risk, with no impact on habitable structures.
- **e) Pollution Prevention:** BMPs, as part of the SWPPP, will reduce potential pollution and align with county water quality goals.

Conclusion: The project will have a less than significant impact on water quality, groundwater, and flood risk with no mitigation measures required.

Wildfire:

The project site, located in a high fire hazard severity zone within a State Responsibility Area, is supported by Tuolumne County's Multi-Jurisdictional Hazard Mitigation Plan, which includes emergency response and evacuation protocols. The Tuolumne County Sheriff's Office manages evacuations using real-time updates via emergency notifications and media.

Analysis of Potential Impacts:

- **a) Emergency Response and Evacuation:** The project includes internal roadway construction that would not interfere with existing roads or evacuation routes. State Highway 120 would serve as an emergency evacuation route. Since the project does not modify the road system or include activities impeding the evacuation process, impacts on emergency plans are less than significant.
- **b-d) Wildfire and Slope Stability:** With gentle slopes (5-9%) in the development area and adherence to fire regulations, the project does not significantly increase wildfire risks, nor does it impact drainage or landslide potential. The mobile units are prefabricated with fire-safety standards, and building and grading plans will undergo fire safety reviews.

Fire Safety Policy Compliance:

- **Policy 9.A.1:** The project has been coordinated with Tuolumne County Fire Prevention Division.
- **Policy 9.E.3 and Policy 17.E.2:** The project will meet state and county fire regulations, including defensible space standards.

Conclusion: With adherence to fire safety codes and emergency procedures, the project poses a less than significant impact on wildfire risks or emergency evacuation. No mitigation is required.

Noise:

Noise on the project site, primarily generated by nearby traffic and occasional industrial activities, is measured in decibels (dB) using A-weighted sound levels (dBA) to align with human hearing sensitivity. The project will follow noise standards outlined in the Tuolumne County General Plan, including limiting construction noise and ensuring operational noise meets allowable limits.

Noise Analysis:

- **a) Construction Noise:** Short-term noise from construction activities, particularly during grading and site preparation, will be limited to daytime hours (7:00 a.m. to 7:00 p.m., Monday through Saturday) under Mitigation Measure NOI-1.

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Prefabricated units and minimal foundation work will keep construction noise temporary and controlled, resulting in a less than significant impact.

- **Operation Noise:** Daily operational noise from guests is expected to blend with existing highway noise. To prevent excessive noise, Mitigation Measure NOI-2 restricts noise levels to 50 dBA during the day and 45 dBA at night, ensuring impacts remain less than significant.
- **b) Vibration:** Vibration from construction equipment will be minimal and confined to daytime hours. Given the distances of sensitive structures, vibration impacts will be negligible and less than significant.
- **c) Airport Noise:** The site is located over three miles from the nearest airport, Pine Mountain Lake Airport, with no expected impact from airport noise.

Mitigation Measures:

- **NOI-1:** Limits construction hours.
- **NOI-2:** Restricts operational noise levels at the property line to 50 dBA during the day and 45 dBA at night.

These measures will be monitored by the Housing and Community Development Department (HCD) to ensure compliance, keeping noise impacts less than significant.

Transportation:

The project site will be accessed from State Route 120 and Sprague Road East, with internal access provided by a looped roadway and designated parking areas. Tuolumne County Transit provides public transit services nearby, though no sidewalks or bike lanes exist in the project area.

Analysis of Transportation Impacts:

- **a) Traffic Impact and Compliance:** The project aligns with county transportation policies. No traffic study was required since the project's estimated traffic generation falls below thresholds for daily and peak-hour vehicle trips. The project is subject to Traffic Impact Mitigation Fees based on the "Hotel/Motel/Resort/Bed and Breakfast" category.
- **b) Vehicle Miles Traveled (VMT):** With 12 guest units and three full-time employees, the project does not exceed the county's VMT thresholds. It primarily serves existing visitors to the area and is not expected to generate significant new travel demand.
- **c) Hazardous Design:** The driveway and internal roadways will be reviewed by the Engineering Division and Fire Prevention Division to meet county safety standards, ensuring no hazardous design impacts.
- **d) Emergency Access:** The design meets requirements for emergency vehicle access, including sufficient road width, clearance, and turnarounds. Reviews by the Engineering and Fire Prevention Divisions will verify compliance with applicable codes.

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Conclusion: The project's transportation and circulation impacts are less than significant, with no mitigation measures required.

Utilities and Service Systems:

The project site relies on an on-site well for water and a private sewage disposal system for wastewater, with no requirement to connect to public utilities based on C-K zoning. Electrical service is provided by PG&E, while telecommunications and garbage collection are readily available in the area.

Utilities and Infrastructure Analysis:

- **a) Utilities and Stormwater:** Existing electrical, telecom, and drainage facilities are adequate, with on-site detention/retention for stormwater. Minor electrical upgrades and propane for fire pits may be needed, but impacts remain less than significant.
- **b) Water Supply:** The on-site well meets the project's water needs, with no significant impact on groundwater supply. Since the on-site well adequately serves the proposed development, capable of producing well above the 2,043-gallon daily average at approximately 17,000 gallons per day. The project site is not expected to deplete the groundwater in the project area. More information can be found in Appendix B: Hydrogeologic Analysis.
- **c) Wastewater:** A new on-site septic system will support the guest units. Public sewer is unavailable within required proximity, so connection is not mandated, resulting in no impact on public sewer capacity. As indicated in the purpose of the C-K zoning found in Section 17.14.010 of the TCOC, which states the purpose is that the commercial and mixed-use zoning districts and establishes regulations for permitted uses, conditional uses, minimal parcel size, building intensity, and minimum residential density. Except as otherwise noted, development within these districts shall be served with public water, public sewer, paved streets and adequate police and fire protection according to the General Plan with applicable federal, State, and local regulations concerning the provision of water and sewage disposal to serve the development. Additionally, Chapter 3 "Utilities" of the Tuolumne County General Plan and Chapter 13.08 of the TCOC indicate that public sewer is considered available if it is located 300 feet or less from the proposed building as measured over an existing public right of way of public utility easement.
- **d, e) Solid Waste:** Weekly waste collection by Moore Bros Scavenge will dispose of waste at the Highway 59 Landfill, which has adequate capacity. Compliance with local waste management regulations will maintain impacts at a less than significant level.

Conclusion: The project will have a less than significant impact on utilities and infrastructure, with no mitigation measures required.

RECOMMENDATION

1. Community Development Department staff recommends approval of the Mitigated Negative Declaration prepared for Site Development Permit SDP22-006 based upon the following findings:
 - A. The proposed project will not result in significant adverse impacts to the environment.

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- B. The Mitigated Negative Declaration was prepared in accordance with the California Environmental Quality Act (CEQA) and State and County guidelines for the implementation of CEQA.
- C. The Mitigated Negative Declaration reflects the independent judgment of the County of Tuolumne.
- D. Pursuant to Section 21081.6(a)(1) of the Public Resources Code, a reporting and/or monitoring plan has been prepared, as incorporated into the Conditions of Approval for Site Development Permit SDP22-006, in order to avoid significant effects on the environment.
- E. The Conditions of Approval of Site Development Permit SDP22-006 are roughly proportional to the respective potential environmental impacts associated with the proposed project.
- F. Pursuant to Section 21081.6(a)(2) of the Public Resources Code, the custodian and location of the documents and materials which constitute the record of proceedings upon which this decision to adopt the Mitigated Negative Declaration has been made are as follows:

Clerk of the Board of Supervisors, 2 South Green Street, Sonora, California.

Environmental Coordinator/Community Development Department Director,
Tuolumne County Community Development Department, 48 Yaney Ave., Sonora,
California.

- 2. Community Development Department staff recommends approval of Site Development Permit SDP22-006 based upon the following findings and subject to the attached conditions 1 through 56:
 - A. The proposed development is consistent with the Tuolumne County General Plan.
 - B. The proposed development is in accordance with the Tuolumne County Ordinance Code.
 - C. Under the circumstances of the particular case, the proposed use will not be substantially detrimental to the health, safety or general welfare of persons residing or working in the neighborhood of such proposed use, or be substantially detrimental or injurious to property and improvements in the neighborhood.
 - D. The potential environmental effects of the proposed project were analyzed in an Initial Study/Mitigated Negative Declaration (IS/MND) prepared in accordance with CEQA, and it has been determined that the proposed project will have no significant effect on the environment with the implementation of mitigation measures identified in the IS/MND.

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General Plan

3. The project site consists of a 14.1± acre parcel zoned C-K with the R/P General Plan land use designation. The C-K zoning is codified in Chapter 17.14 of the TCOC. Parcels immediately to the south and east of the site contain the RR (Rural Residential), ER (Estate Residential) and LDR (Low Density Residential) General Plan designations and are developed with residential uses. Parcels in the vicinity mainly consist of publicly designated parcels under the jurisdiction of the US Forest Service. Table 1.3 of the Community Development and Design Element of the General Plan indicates that the existing C-K zoning district is consistent with the R/P General Plan land use designation of the project site.
4. The following Goals, Policies and Implementation Programs of the Tuolumne County General Plan also pertain to this project:

Goal 6.D: *Promote the development of commercial, industrial, agricultural, and recreational facilities and tourism uses to provide jobs for County residents and diversify the local economy.*

Implementation Program 6.D.a: *Encourage and support private sector initiatives to develop recreational and tourist-oriented facilities.*

Policy 6.D.2: *Promote a diverse, countywide tourist industry that relates to the agricultural, historical, cultural, recreational, and natural attractions of the County.*

Policy 6.D.3: *Encourage the expansion of the tourist industry by supporting new development that serves that industry.*

Policy 6.D.6: *Identify areas within the County which will be appealing to, and capable of accommodating, the amount of industrial and other employment-generating development required to meet the County's needs over the planning horizon of this General Plan.*

Goal 6.E: *Encourage the retention and expansion of existing businesses, attraction of new business and industry and assist in entrepreneurial programs to generate local employment opportunities, reduce retail leakage out of the county trade area and diversify the local economy, while maintaining its environmental and cultural integrity.*

The project would allow the development of twelve guest cabins offered for overnight stay, in support of the above Goals, Policies, and Implementation Programs of the General Plan.

Tuolumne County Ordinance Code

5. The project site is zoned C-K under Title 17 of the Tuolumne County Ordinance Code (TCOC). The purpose of the C-K district is to encourage well-planned and integrated resort and vacation-oriented commercial complexes in which the developer may incorporate innovative design techniques. The proposed project would allow the development of twelve guest cabins offered for overnight stay, which is consistent with the purpose of the C-K zone.
6. Pursuant to the TCOC Chapter 17.14 the C-K zoning district, “hotels and motels” and “recreational development” are permitted uses. Therefore, the proposed project is a

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permitted use in the C-K zoning district.

7. Section 17.100.030 indicates that a Site Development Permit must be secured to ensure that certain types of proposed developments will serve to achieve a design which is desirable prior to construction within the C-K zoning district. The Site Development Permit process is intended to ensure that certain types of proposed developments will serve to achieve a design that consistent with the purpose for that land use. The Site Development Permit is different from the Use Permit in that the review is limited to the physical development of the site, and not if the use is an appropriate land use for the property. As indicated throughout this report and the IS/MND, the project conforms to these standards.

Site Development Permit Findings

8. Chapter 17.100.030 of the TCOC requires that evidence be shown that the proposed project meets the necessary findings for a Site Development Permit. Below are the required findings for a Site Development Permit application and staff's responses to each point

- A. *The proposed development is consistent with the Tuolumne County General Plan.*

Consistency with the Tuolumne County General Plan is discussed and demonstrated in #3, and #4 above in this report.

- B. *The proposed development is in accordance with the Tuolumne County Ordinance Code.*

Consistency with the Tuolumne County Ordinance Code is discussed and demonstrated in #5, #6, #7, #8 above in this report.

- C. *Under the circumstances of the particular case, the proposed use will not be substantially detrimental to the health, safety or general welfare of persons residing or working in the neighborhood of such proposed use, or be substantially detrimental or injurious to property and improvements in the neighborhood.*

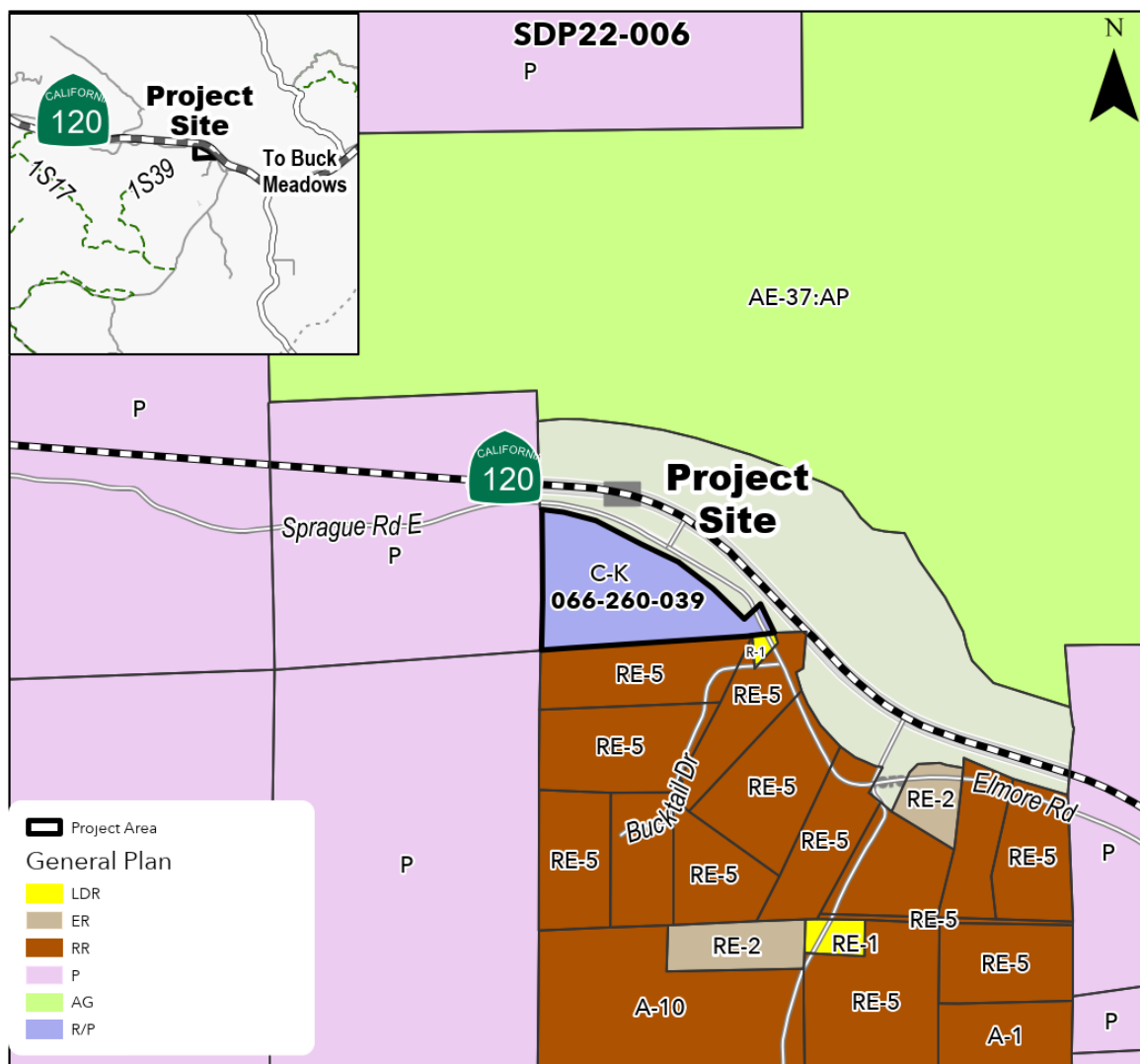
As discussed and demonstrated throughout the IS/MND and the agenda report, the project would not be detrimental to the health, safety, or general welfare of the public.

- D. *The potential environmental effects of the proposed project were analyzed in an Initial Study/Mitigated Negative Declaration (IS/MND) prepared in accordance with CEQA, and it has been determined that the proposed project will have no significant effect on the environment with the implementation of mitigation measures identified in the IS/MND.*

This IS/MND was prepared in accordance with CEQA and there is evidence throughout the agenda report and IS/MND that the proposed project will have no significant effect on the environment with implantation of mitigation measures identified in the IS/MND.

PREPARED BY: Clark Sintek, Planner II

Attachment 1: Agenda Map



Project: SDP22-006

Owner: Tri Cap Properties Inc

Applicant: Boss Girl Pro, LLC c/o Stephanie Wohfiel

APN: 066-260-039

Acres: 14.1± acres

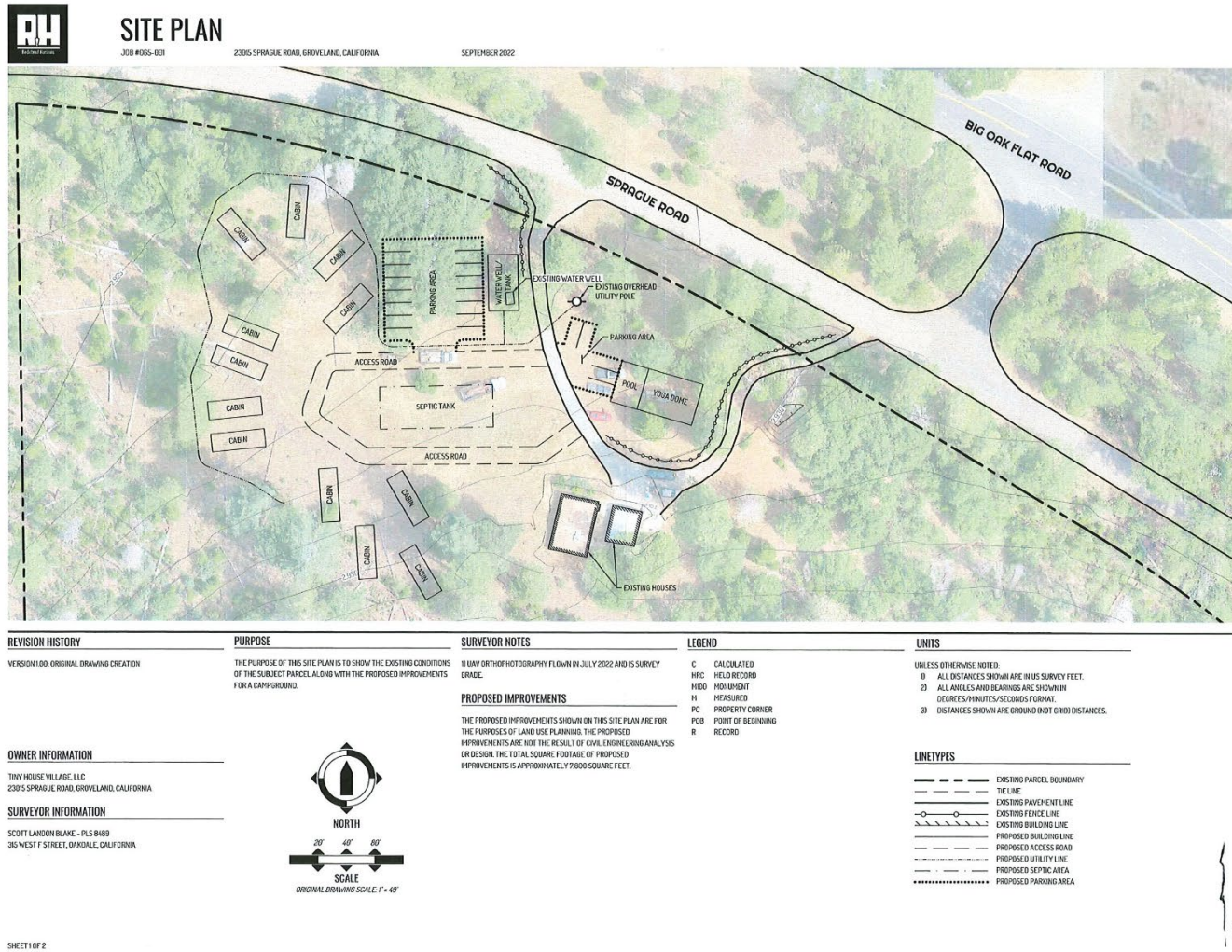
Current Zoning: C-K

Current General Plan Designation: R/P

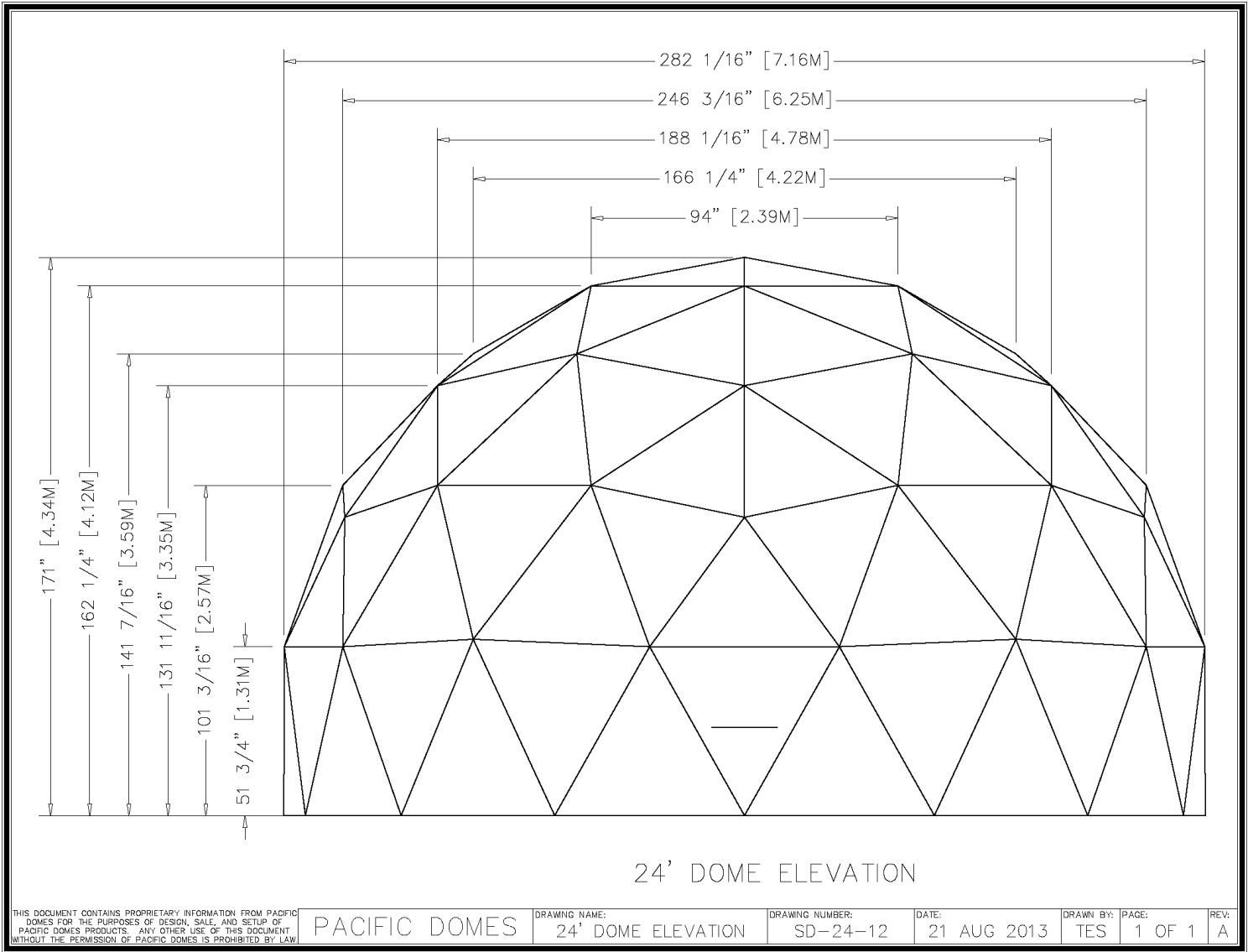
Project Description: Site Development Permit SDP22-006 to allow recreational development consisting of twelve guest cabins, swimming pool, yoga dome, and associated infrastructure on project site.

Path: S:\Planning\PROJECTS\Site Development Permit\2022\SDP22-006 Tiny House Village LLC\SDP22-006_Initial\SDP22-006_Initial.aprx Date Saved: 10/16/2023 9:12

Attachment 2: Site Plans



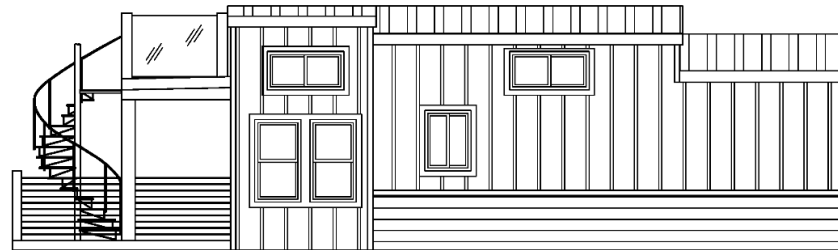
Attachment 3



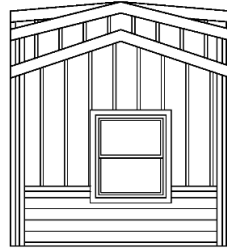
Attachment 4

				CUSTOMER: REBUILDING GREEN (NAVISION REVISION # 1)	
RIGHT					
REAR		FRONT			
LEFT					
299 N. Smith Ave., Corona CA 92880		APPROVER'S SEAL		MODIFICATIONS	
PROPRIETARY AND CONFIDENTIAL THESE DRAWINGS AND SPECIFICATIONS ARE ORIGINAL PROPRIETARY AND CONFIDENTIAL MATERIALS OF CHAMPION HOME BUILDERS INC. COPYRIGHT © 1976-2021 BY CHAMPION		2-SEE REV LOG		SR 2-3-21	
		MODEL: 6346R (ATH-11 SP) 37-10/512-10-1BR		SHEET NO.: AE-101	
		TITLE: ELEVATION STD		PAGE: 1 OF 1	
		DATE: 02-01-21		SCALE: 1/8" = 1'-0"	
		DRAWN BY: SP		CHECKED BY:	
		FILENAME: 6346R-LT101			

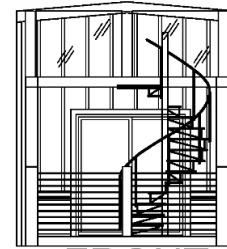
Attachment 5



RIGHT



REAR



FRONT



LEFT

CUSTOMER: SILVERCREST ATH-15 DISPLAY
(NAVISION REVISION # NONE)



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APPROVER'S SEAL

MODIFICATIONS
2-SEE REV LOG SR 1-24-19

MODEL: 4841R (4444R SP)
48/11-2-1BR
TITLE: ELEVATION
STD

DATE: 01-23-19 SCALE: 1/8" = 1'-0" FILENAME: 4841R-LT101
DRAWN BY: Srobertson CHECKED BY:

SHEET NO.: AE-101
PAGE: 1 OF 1

CONDITIONS OF APPROVAL
Tiny House Village
SITE DEVELOPMENT PERMIT SDP22-006
Revised January 21, 2025

General Conditions:

1. LU As a condition of the grant of approval of this Permit, and as a continuing condition of approval of the Permit, developer/permittee/applicant/property owner/subdivider, and the successor in interest shall defend, indemnify, save and hold harmless the County of Tuolumne, its elected and appointed officials, officers, agents, employees and volunteers from any and all claims, actions, proceedings, or liability of any nature whatsoever (including attorney's fees and costs awards) arising out of, or in connection with the County's review or approval of the application or project on which this condition is imposed, or arising out of or in connection with the acts or omissions of the above described person, and his/her/its agents, employees, or contractors, during any work performed in connection with the application or project. With respect to review or approval, this obligation shall also extend to any effort to attack, set aside, void, or annul the approval of the project including any contention the project approval is defective because a county ordinance, resolution, policy, standard, or plan is not in compliance with local, state or federal law. With respect to acts or omissions of the above described person and his/her/its agents, employees, or contractors, the obligation hereunder shall apply regardless of whether the County prepared, supplied, or approved plans, specifications or both. If the defense right is exercised, the County Counsel shall have the absolute right to approve any and all counsel employed to defend the County. To the extent the County uses any of its resources to respond to such claim, action or proceeding, or to assist the defense, the above described person will reimburse County upon demand. Such resources include, but are not limited to, staff time, court costs, County Counsel's time at its regular rate for non-County agencies, or any other direct or indirect cost associated with responding to, or assisting in defense of, the claim, action, or proceedings. For any breach of this obligation the County may, without notice, rescind its approval of the application or project to which this covenant/condition is attached. (TCOC, Section 17.98.110(H))

2. BD Building Permits are required for all non-exempt structures being constructed on this project site pursuant to Section 105 of the California Building Code. (TCOC, Section 17.98.110(H))

3. ED Secure a Grading Permit from the Engineering Division of the Department of Public Works (DPW) prior to any grading on site. (TCOC, Section 12.20.050)

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4. ED On-site roads shall be designed in accordance with Chapter 11.12 of the TCOC. Basic road design and construction standards shall meet Title 11 requirements. All on-site roads shall be paved. "Roads" shall not include internal trails and paths intended for pedestrian use. (TCOC, Chapter 11.12)

Conditions to be met prior to issuance of a Grading Permit:

5. ED A Grading Plan shall be submitted to the Engineering Division of the DPW for review and approval. (TCOC, Section 12.20.100)
6. ED Secure a Road Encroachment Permit from the Engineering Division of the Department of Public Works for any work proposed within the County right-of-way along Memorial Drive. The encroachment shall require an encroachment detail plan submitted for review and approval. (TCOC, Chapter 12.04)
7. ED/LU A parking area plan shall be submitted to the Engineering Division of DPW for review and acceptance. Plans shall address internal traffic circulation, parking stall layout and include necessary striping, marking, and signing. The parking plan shall be submitted in connection with the site grading and drainage plans. (TCOC, Section 17.98.110(H))
8. ED A Drainage Plan for the project site shall be prepared that specifies how runoff on the site will be managed in order to protect water quality and surrounding property. The plans will be developed with detailed runoff calculations to appropriately size culverts, bridges, detention/retention ponds/areas, and roadside ditches to meet the drainage requirements of the project site. The purpose of the plan will be to prevent the creation of localized on- or off-site flooding and to prevent any negative water quality effects off-site. As envisioned, stormwater would be collected through grass buffers and detention ponds, where it would settle, then be metered out to the groundwater of the onsite ephemeral drainages. The plan shall be submitted to the Engineering Division of the Department of Public Works of Tuolumne County for review and approval prior to the issuance of a grading permit. The plan shall also be provided to Caltrans for review. The Drainage Plan shall also address the following:
1. The project site including the parking lot drainage and other areas where development may contribute to runoff.
 2. The increased runoff and effect to downstream drainages, culverts, and adjacent property.
 3. On-site detention/retention. This feature may be proposed as subsurface under the parking area.
- (TCOC sections 11.04, 11.12, 16.26.180)
9. ED Provide proof that slope and drainage easements have been obtained or provided in such locations as necessary to accommodate cut and fill slopes, setbacks, and flow from the site. Also provide a 15-foot wide drainage easement along all existing pipes that are not located in a road and public utility easement. (TCOC, Section 17.98.110(H))

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10. ED Submit to the State Water Resources Control Board Storm Water Permitting Unit, a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit – California’s National Pollution Discharge Elimination System (NPDES) general permit for construction related storm water discharges for the disturbance of one acre or more. Disturbances of less than one acre may also require an NOI for coverage under the NPDES General Permit for construction-related storm water discharge and the State Water Resources Control Board Permitting Unit shall be contacted for determination of permit requirements. Commercial and Industrial developments may require an NOI even if less than one acre is to be disturbed. Obtain coverage or an exemption from these requirements. The scope of work shall also include construction activities on-site and off-site related to GCSD utility work. (CEQA, Section 15041, [Initial Study, “Hydrology and Water Quality”])
11. APCD Any construction or site activities that create fugitive dust emissions shall implement dust suppression methods using either water or chemical stabilizer/suppressants. A water truck or other dust suppression equipment shall be on site at all times. The frequency of dust suppression measures shall be dependent on whether visible dust emissions are present. (TCAPCD Rule 505 - Conditional Approval)
12. APCD Should serpentine or ultramafic rock be found on site, a Dust Mitigation Plan pursuant to Air District Rule 908 - Asbestos ATCM, shall be submitted to the Air District prior to any building or site work. (TCAPCD ATCM 908 - Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations)
13. APCD Any construction activities, road construction, road maintenance, or grading that disturbs naturally occurring asbestos, serpentine, or ultramafic rock shall be subject to TCAPCD Rules and Regulations, Regulation IX, Rule 908 unless specifically exempted under Sections (C) or (D)(3). All dust mitigation requirements shall be implemented and maintained throughout the duration of the construction or grading activity.

a. Requirements for Road Construction and Road Maintenance Activities:

- i. Equipment and operations must not cause any visible dust crossing project boundaries;
- ii. Unpaved roads, area subject to vehicle traffic, storage piles, and disturbed areas shall be kept adequately wetted, treated with dust suppressants, or covered with material that contains less than 0.25% asbestos;
- iii. Construction vehicle speeds shall be limited to 15 mph; and

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iv. Track out from any road construction project is prohibited on any paved public roadway.

14. APCD Exposed serpentine gravel is prohibited on the project site, unless exempted pursuant to TCAPCD Rules and Regulations, Regulation IX, Rule 904 Section (F) or Rule 908 Section (C) or (D)(3). No person shall use apply, sell, supply, or offer for sale or supply any restricted material (as defined in subsection (I)(20) of Rule 904) for surfacing, unless it has been tested and determined to have an asbestos content that is less than 0.25 percent. Any roadway including road shoulders or any surface that is subject to vehicular travel or pedestrian access must be completely covered with non-restricted material. (California Health and Safety Code, Sections 93105 and 93106)
15. APCD Any aggregate rock used for surfacing material that contains greater than 0.25% asbestos shall be incorporated into or completely covered by asphalt concrete, Portland cement concrete, or other similarly cemented material. (TCAPCD ATCM 904 - Asbestos ATCM for Surfacing Applications)
16. APCD Existing County or State paved roads and streets adjacent to the construction site shall be cleaned as necessary to limit track out and prevent fugitive dust. (TCAPCD Rule 505 -Conditional Approval)
17. APCD Open burning of vegetation for land clearing purposes shall be prohibited without a valid burn permit from the District. (TCAPCD Rule 310.2(A) - Land Development Clearing)
18. APCD CARB mobile equipment regulations shall be adhered to for all diesel fired mobile sources used at this site during construction. (CCR Title 13 Section 2449 et al)
19. APCD Any diesel fired portable equipment used at this site during construction shall comply with the ATCM for Diesel PM from Portable Engines Rated at 50 BHP or Greater. (CCR Title 17 Section 93116)
20. APCD EPA certification shall be provided for any woodstoves proposed for use in structures on this real property. Fireplaces are discouraged. (2018 General Plan, Implementation Program 12.C.a; CEQA, Chapter 15, Policy 15.C.1)
21. APCD Demolition or renovation of a structure may disturb asbestos containing material, which would require a survey and/or notification to the U.S. EPA and California Air Resources Board (CARB) as per the National Emissions Standards for Hazardous Air Pollutants (NESHAP). (Asbestos NESHAP, 40 CFR Part 61, Subpart M, Section 61.145 Standard for Demolition and Renovation)
22. ED A Grading Plan shall be submitted to the Engineering Division of the DPW for review and approval. (TCOC, Section 12.20.100)

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23. LU/ED Secure an Encroachment Permit from the California Department of Transportation (Caltrans) District 10 Permit Office prior to any work within the State right-of-way along State Route 120, including temporary traffic control operations, and within any extended jurisdictional areas of impact appurtenant to the actual State right-of-way. The County environmental document and appropriate environmental studies must be submitted with this application. Provide a copy of the Caltrans Encroachment Permit to the LUNR Division of CDD and Engineering Division of DPW. (TCOC, Section 17.98.110(H))
24. ED/LU A parking area plan shall be submitted to the Engineering Division of DPW for review and acceptance. Plans shall address internal traffic circulation, parking stall layout and include necessary striping, marking, and signing. The parking plan shall be submitted in connection with the site grading and drainage plans. (TCOC, Section 17.98.110(H))
25. ED A Drainage Plan for the project site shall be prepared that specifies how runoff on the site will be managed in order to protect water quality and surrounding property. The plans will be developed with detailed runoff calculations to appropriately size culverts, bridges, detention/retention ponds/areas, and roadside ditches to meet the drainage requirements of the project site. The purpose of the plan will be to prevent the creation of localized on- or off-site flooding and to prevent any negative water quality effects off-site. As envisioned, stormwater would be collected through grass buffers and detention ponds, where it would settle, then be metered out to the groundwater of the onsite ephemeral drainages. The plan shall be submitted to the Engineering Division of the Department of Public Works of Tuolumne County for review and approval prior to the issuance of a grading permit. The Drainage Plan shall also address the following:
1. The project site including the parking lot drainage and other areas where development may contribute to runoff.
 2. The increased runoff and effect to downstream drainages, culverts, and adjacent property.
 3. On-site detention/retention. This feature may be proposed as subsurface under the parking area.
- (TCOC Sections 11.04, 11.12, 16.26.180)
26. ED Provide proof that slope and drainage easements have been obtained or provided in such locations as necessary to accommodate cut and fill slopes, setbacks, and flow from the site. Also provide a 15-foot wide drainage easement along all existing pipes that are not located in a road and public utility easement. (TCOC, Section 17.98.110(H))
27. ED Submit to the State Water Resources Control Board Storm Water Permitting Unit, a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit – California’s National Pollution Discharge Elimination System (NPDES) general permit for construction related storm water discharges for the disturbance of one acre or more. Disturbances of less than one acre may also require an NOI for coverage under the NPDES General Permit for construction-related storm water discharge and the State Water Resources Control Board Permitting Unit shall be contacted for determination of permit requirements.

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Commercial and Industrial developments may require an NOI even if less than one acre is to be disturbed. Obtain coverage or an exemption from these requirements. (TCOC, Section 17.98.110(H))

Conditions to be met prior to issuance of a Building Permit for any phase of development:

28. LU Submit a photometric lighting plan to the Land Use and Natural Resources Division of the Community Development Department for review and approval prior to the installation of any exterior lighting. The lighting plan shall incorporate the following: direct the light downward to the area to be illuminated, install shields to direct light and reduce glare, utilize low rise light standards or fixtures attached to the buildings, and utilize low- or high-pressure sodium lamps instead of halogen type lights. The lighting plan shall comply with the International Dark Sky Association standards and fixtures shall have the International Dark Sky Fixture seal of approval. (CEQA Section 15041, [AES-1, "Aesthetics"])
29. FPD The required fire flow shall be on site, tested and approved by Tuolumne County Fire Prevention prior to the issuance of any Building Permits. (TCOC Chapter 15.20.010)

Conditions to be met prior to construction or grading on the project site during any phase of development:

30. ED Prior to the construction of any site improvements or grading on the site, 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. (TCOC, Chapter 12.20)

Conditions to be met during the construction phase for any phase of development:

31. LU Should buried, unforeseen archaeological deposits be encountered during any construction activity, work must cease within a 50-ft. radius of the discovery. If a potentially significant discovery is made, it must be treated in accordance with 33 CFR 325, Appendix C which generally states that the lead agency must be notified immediately of the find to ensure that mitigation and management recommendations are developed. In the event that human remains, or any associated funerary artifacts are discovered during construction, all work must cease within the immediate vicinity of the discovery. In accordance with the California Health and Safety Code (Section 7050.5), the Tuolumne County Sheriff/Coroner must also be contacted immediately. If the remains are deemed to be Native American, the coroner must notify the NAHC, which will in turn appoint and notify a Most Likely Descendent (MLD) to act as a tribal representative. The MLD will work with a qualified archaeologist to determine the proper treatment of the human remains and associated funerary objects. Construction activities will not resume until the human remains are exhumed and official notice to proceed is issued. (CEQA, Section 15041, [CUL-1, Cultural Resources])

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LU The applicant shall be required to retain and compensate for the services of a Tribal monitor/consultant who is approved by the Tuolumne Band of Me-Wuk Tribe. The monitor/consultant will only be present on-site during the construction phases that involve ground disturbing activities. Ground disturbing activities are defined as activities that may include pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, or trenching, within the project site. The Tribal Monitor/consultant will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. A copy of the monitoring logs or a report shall be provided to the LUNR Division of CDD. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources. (CEQA, Section 15041, [CUL-2, Cultural Resources])

32. LU

If a cultural resource is discovered during the activities authorized by this Permit, the person in possession of the parcel for which the permit was issued and all persons conducting any activity authorized by this permit shall comply with the following provisions:

- A. The person discovering the cultural resource shall notify the Community Development Department 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 Community Development Department 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, septic areas, driveways or utility lines, grading and vegetation removal, plus 300 feet. On parcels of less than 2 gross acres, the area of disturbance equals the boundaries of the parcel.
- 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 the Community Development Department may continue. A qualified professional, as defined in Section 17.04.1910 of the Tuolumne County Ordinance Code, such as an archaeologist or an historian, shall be allowed to conduct an evaluative survey to evaluate the significance of the cultural resource.
- D. When the cultural resource is determined to not be significant, the qualified professional or Community Development Department shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the Community Development Department.

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- E. When a resource is determined to be significant, the resource shall be avoided with said resource having boundaries established around its perimeter by a qualified professional archaeologist or historian or a cultural resource management plan shall be prepared by a 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 qualified professional shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the Community Development Department. All further activity authorized by this permit shall comply with the cultural resources management plan.

A cultural resource is any building, structure, object, site, district, or other item of cultural, social, religious, economic, political, scientific, agricultural, educational, military, engineering or architectural significance to the citizens of Tuolumne County, the State of California, or the nation which is 50 years of age or older or has been listed on the National Register of Historic Places, the California Register of Cultural Resources, or the Tuolumne County Register of Cultural Resources. (TCOC, Section 14.10.150)

33. LU

For construction activities expected to occur during the nesting season of raptors (February 1 to August 31) and migratory birds, a pre-construction survey by a qualified biologist shall be conducted to determine if active nests are present on or within 500 feet of the project site where feasible. Areas that are inaccessible due to private property restrictions shall be surveyed using binoculars from the nearest vantage point. The survey shall be conducted by a qualified biologist no more than seven days prior to the onset of construction. If no active nests are identified during the pre-construction survey, no further mitigation is necessary. If construction activities begin prior to February 1, it is assumed that no birds will nest in the project site during active construction activities and no pre-construction surveys are required. If at any time during the nesting season construction stops for a period of two weeks or longer, pre-construction surveys shall be conducted prior to construction resuming.

If active nests are found on or within 500 feet of the project site, the applicant shall notify CDFW and explain any additional measures that a qualified biologist plans to implement to prevent or minimize disturbance to the nest while it is still active. Depending on the conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the 500-foot buffer without impacting the breeding effort. Appropriate measures may include restricting construction activities within 500 feet of active raptor nests and having a qualified biologist with stop work authority monitor the nest for evidence that the behavior of the parents have changed during construction. Nests that are inaccessible due to private property restrictions shall be monitored using binoculars from the nearest vantage point. Appropriate measures would be implemented until the young have fledged or until a qualified biologist determines that the nest is no longer active.

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Construction activities may be halted at any time if, in the professional opinion of the biologist, construction activities are affecting the breeding effort. Mitigation Measures BIO-1 is required prior to ground disturbance or construction activities on site and would be verified by the LUNR division prior to the issuance of a grading permit or a Building Permit. (CEQA, Section 15041, [BIO-1, "Biological Resources"])

34. LU/BD Construction activities shall be conducted during the hours of 7:00 a.m. to 10:00 p.m. Monday through Saturday. Exterior noise levels shall not exceed 65 dBA Lmax between the hours of 10:00 p.m. and 7:00 a.m. Construction activities shall be prohibited on Sunday and County Holidays. (CEQA, Section 15041, [NOS-1, "Noise"])
35. ED All soils disturbed by grading shall be reseeded or hydro-mulched or otherwise stabilized as soon as possible. Emergency erosion control measures shall be utilized as requested by County officials. (TCOC, Title 12)
36. BD/ED The contractor shall be responsible for dust abatement during construction and development operations. A water truck or other watering device shall be on the construction site on all working days when natural precipitation does not provide adequate moisture for complete dust control. Said watering device shall be used to spray water on the site at the end of each day and at all other intervals, as need dictates, to control dust. (TCOC, Section 12.20.370)
37. ED Exposed serpentine gravel is prohibited on the project site. (17 California Code of Regulations, Section 93106)
38. AG All hay, straw, hay bales, straw bales, seed, mulch or other material used for erosion control or landscaping on the project site shall be free of noxious weed seeds and propagules. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (Food and Agriculture Code, Sections 6305, 6341 and 6461)
39. AG All equipment brought to the project site for construction shall be thoroughly cleaned of all dirt and vegetation prior to entering the site, in order to prevent importing noxious weeds. (Food and Agriculture Code, Section 5401)
40. AG All material brought to the site, including rock, gravel, road base, sand, and top soil, shall be free of noxious weed seeds and propagules. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (Food and Agriculture Code, Sections 6305, 6341 and 6461)
41. AG The property owner shall maintain and implement an effective program for the monitoring and control of noxious weeds. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of

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Conditions to be met prior to the issuance of a final HCD permits. These conditions shall apply for any phase of development:

42. LU The final project shall meet all requirements mandated by federal, state or local law. Federal or state law may require additional obligations beyond those required by these conditions or local requirements, including additional analysis of environmental or other issues, over which the County has no control. (TCOC, Section 17.98.110(H))
43. LU/BD All construction on the site shall adhere to the site plan approved by Tuolumne County. Any significant deviation from the plans shall require approval of supplemental plans submitted by the property owner. (TCOC, Section 17.98.110(H))
44. LU/BD The applicable Traffic Impact Mitigation Fee shall be paid to Tuolumne County prior to the initial availability and occupancy of any transient oriented accommodation. Based on the proposed use of hotel/motel/resort/bed and breakfast, the current fee is \$3,134 per unit. For the 12-cabin development, the total TIMF due based on the current fee would be \$37,608. The final TIMF fees will be due prior to the issuance of a Certificate of Occupancy by the Building and Safety Division. The TIMF will be calculated and due prior to each phase of development based on the number of units in each phase. (TCOC, Chapter 3.54)
45. ED Drainage improvements shall be installed in accordance with approved drainage plans. Any significant deviation from the plan shall require approval of supplemental plans submitted by the property owner. (TCOC, Title 12)
46. FPD For dead-end fire apparatus access roads in excess of 150 feet in length, an area for turning fire apparatus around shall be provided as approved by the Tuolumne County Fire Prevention Division. (CFC, Section 503)
47. FPD/ED Roads shall be provided within 150 feet of all portions of the exterior walls of the proposed buildings. The roads shall be constructed to have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13'6". The roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide all-weather driving capabilities. Signs shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both. The roads shall be posted with signs stating "No Parking Fire Lane" or other language as approved by Fire Prevention. The number and location of the signs shall be as approved by Fire Prevention. Red striping on the exterior boundaries of fire access roads shall be used to identify areas of roads and prohibit vehicle obstruction. The configuration of the fire apparatus access roads shall be indicated on the site plan and shall be approved by Fire Prevention. Fire apparatus access roads shall not be blocked in any manner, including parking of vehicles. (CFC Sections 503, TCOC Title 11)

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Conditions to be met prior to the issuance of a Certificate of Occupancy by the Building and Safety Division of the Community Development Department for development:

48. EH Pursuant to California Code of Regulations (CCR) Title 22, Division 4, Public Swimming Pools, all public pools shall register with the Environmental Health Division of the CDD prior to operating.
- a.) An inspection will be needed prior to opening and operating the pool to ensure it meets the standards under CCR Title 22.
 - b.) Any future upgrades or remodeling of the pool must be approved by the Environmental Health Division.(CCR, Title 22, Division 4)

On-Going conditions:

49. EH All storage and removal of refuse, rubbish, and recyclables shall be in compliance with the requirements specified in TCOC, Chapter 8.05 and CCR Title 14 and Title 27. (TCOC, Chapter 8.05)
50. SW Excepting disruptions in normal refuse collection schedules, refuse shall not be allowed to remain on the premises for more than seven days unless it is satisfactorily composted, used as animal food, used as soil amendments, or some other beneficial use provided such use does not create a nuisance. (TCOC, Section 8.05.035)
51. SW Persons hauling solid waste from their residence or solid waste produced in the course of their own business (including building contractors) are required to deliver solid waste only to facilities identified and authorized by the Tuolumne County Board of Supervisors by Resolution, including the Cal Sierra Transfer Station, the Pinecrest Transfer Station, or the Groveland Transfer Station. (TCOC, Section 7.12.050)
52. SW If a business located on the project site generates more than four (4) cubic yards of solid waste per week, recycling is required, even if this quantity of generation happens only occasionally. Recycling can include subscribing to recycling service provided by the franchise hauler of the collection area, self-hauling recyclables to a recycling center, or donating recyclables to a charitable cause. Space shall be included on the project site for recycling and garbage receptacles. (Natural Resources, Division 7, Chapter 9.1, Sections 18835-18837)
53. EH The handling, use or storage of hazardous materials on-site both in construction and operation of the facility shall be in compliance with Chapter 13.24 of the Tuolumne County Ordinance Code, Chapter 6.95 of the California Health and Safety Code, and Title 19 of the California Code of Regulations. The handling, storage or use of hazardous materials, above threshold quantities, shall be permitted by the Tuolumne County Environmental Health Division, Certified Unified Program Agency (CUPA). (TCOC, Chapter 13.24; CHSC, Chapter 6.95; and CCR, Title 19)

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54. LU The noise levels generated by activities on the project site must adhere to the following exterior noise limits as measured at the property lines:

Zoning Classification of Receiving Property	No Noise Level (dB) of Sound Source	
	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
RE-1, RE-2, RE-3, RE-5, RE-10, C-O, C-1, C-S, BP	50 Leq. (1 hour) ¹	45 Leq. (1 hour) ¹

¹Leq. 1 hour refers to the average noise level measured over a one hour period.

(CEQA, Section 15041, [NOI-2, "Noise"])

55. APCD Prior to the burning of any vegetation on the project site, or burning associated with the project, obtain a burn permit from the Tuolumne County Air Pollution Control District (APCD), the United States Forest Service, and/or the California Department of Forestry. Only clean dry vegetation shall be burned on the site on a California Air Resources Board declared permissive burn day. Applicant shall comply with all open burning regulations pursuant to APCD Regulation III – *Open Burning*, including but not limited to prohibiting the use of fires to dispose of construction/demolition debris, and garbage. (California Health and Safety Code; California Public Resources Code Sections 41800 & 41802; General Plan, Implementation Program 12.D.d; TCAPCD Rules and Regulations, Regulation III)
56. LU All lighting for the proposed project shall be designed to direct the lighting downward to the area to be illuminated, install shields to direct light and reduce glare, utilize low rise light standards, and utilize low or high pressure sodium lamps instead of halogen type lights. Exterior lighting fixtures shall have the International Dark Sky Fixture seal of approval. The project proponent will be required to submit a photometric lighting plan to show consistency with the above provisions. ((CEQA, Section 15041, [AES-1, "Aesthetics"])

A Notice of Action shall be recorded for Conditions 1 through 56 to notify all owners of this parcel of the conditions of this entitlement and these responsibilities. Any violations observed by the Community Development Department during regular site inspections or in response to complaints shall be referred to the agency having jurisdiction over the condition for resolution or referred to the Code Compliance Officer for enforcement. (TCOC, Section 17.98.110(H))

COMMUNITY DEVELOPMENT DEPARTMENT CONTACT PERSON: Clark Sintek

LU = Land Use & Natural Resources
ED = Engineering Development Division
BD = Building & Safety Division
ALUC = Airport Land Use Commission

SUR = Surveying Division
FPD = Fire Prevention Division
APCD = Air Pollution Control District

EH = Environmental Health Division
SW = Solid Waste
AG = Agricultural Commissioner

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COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

November 20, 2024

To: Tuolumne County Planning Commission
From: Clark Sintek, Planner II
Subject: Response to Comments
Initial Study/Mitigative Negative Declaration (IS/MND) Comments
Tiny House Village (SDP22-006) - Assessor's Parcel Number: 066-260-039

48 Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
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Response to Comments

This document includes a reproduction of, and response to, compiled similar topic points from each comment letter received during the public review period on the IS/MND referenced above. Responses are also provided for specific topics. Comments are presented in their original format attached to this report.

The responses to the comments on the Initial Study/Mitigated Negative Declaration represent a good-faith, reasoned effort to address the environmental issues identified by the comments. Under the State CEQA Guidelines, the County is not required to respond to all comments on the IS/MND, but only those comments that raise environmental issues regarding the adequacy of the CEQA document. In accordance with CEQA Guidelines 15088 and 15204, the County has independently evaluated the comments and prepared the attached written responses describing the disposition of any significant environmental issues raised. CEQA does not require the County to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. Rather, CEQA requires the County to provide a good faith, reasoned analysis supported by factual information.

SPECULATION WITHOUT SUBSTANTIAL EVIDENCE

Some comments assert or request that impacts should be considered significant or that significance conclusions in the IS/MND should be revised based on opinion without providing substantial evidence in support of their assertion. Substantial evidence includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts (CEQA Guidelines Section 15064[b]). Argument, speculation, unsubstantiated opinion or narrative, evidence that is clearly inaccurate or erroneous, or evidence that is not credible does not constitute substantial evidence (CEQA Guidelines Section 15064[a]). Trying to forecast the proposed project's physical impacts on the environment based upon opinion without substantial evidence supporting the assertion would require a level of speculation that is inappropriate for an EIR. Under CEQA Guidelines Section 15145, if, after thorough investigation, a lead agency finds that a particular impact is too speculative for evaluation; the agency should note its conclusion and terminate discussion of the impact.

Determining whether a project may have a significant effect on the environment is "based on substantial evidence in light of the whole record" (CEQA Section 21082.2[a]). As noted above, CEQA Guidelines Section 15064 defines substantial evidence as facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. Argument, speculation, unsubstantiated opinion or narrative, evidence that is clearly inaccurate or erroneous, or evidence that is not credible does not constitute substantial evidence. Where a commenter provides no facts or other substantial evidence to support an assertion that the physical environment could ultimately be significantly impacted as a result of the proposed project, the Final IS/MND is not required to analyze or mitigate for the asserted but unsubstantiated impact. Section 15204(c) of the CEQA Guidelines further advises reviewers that comments should be accompanied by factual support. Reviewers should explain the basis for their comments, and should

submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

Letters were received from the following entities:

- Governmental Agencies: Tuolumne County Public Works, Groveland Community Services District, State Water Resources Control Board (SWRCB)
- Non-Governmental Organizations: Central Sierra Environmental Resource Center

Where the same comment has been made more than once, the response may direct the reader to another part of the Response to Comments.

Master Response 1: Public Services

CEQA's evaluation of Public Services impacts is defined to include only those impacts that would arise from the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental effects. The precise significance criteria used in CEQA Guidelines Appendix G (XV)(a) states:

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: 1) Fire protection; 2) Police protection; 3) Schools; 4) Parks; and 5) Other public facilities?

CEQA regulations and applicable case law on this issue demonstrate the threshold concerns only the environmental effects associated with the provision of new or altered physical public service facilities. Response times, service ratios, and other performance objectives are relevant to the analysis only within the context of whether or not new or expanded facilities would be required to meet defined objectives related to those service objectives, and what the environmental effects would be of providing those facilities.

Regarding emergency response times, service ratios, and other performance criteria, the rural nature of the County creates difficulties in defining what is acceptable and what is not. As previously stated in the IS/MND on page 79, Fire protection services would be provided via Tuolumne County Fire and other agencies through the agreements discussed above in this report. The project has been reviewed by the Tuolumne County Fire Prevention Division (FPD) for consistency with the National Fire Code, California Fire Code, California Building Code, the Tuolumne County General Plan and Ordinance Code. Any future development on the project site will be subject to the rules and regulations contained in these documents, as well as applicable state rules, as the operations of the project will be under the authority of the Housing and Community Development Department.

As a part of the Terra Vi development project, emergency response was evaluated in a BAE Urban Economics report titled "Fire Impact Analysis for Terra Vi Lodge" (SCH# 2019110286). The BAE report found that based on an analysis of emergency calls to other resorts in the Groveland area, there are approximately 0.079 calls per accommodation unit. This analysis did not include other types of calls that resort visitors may trigger, such as car accidents or medical calls in other area locations, as that identifying information was not available from the data sources.

Applying this rate to this project, the estimated annual call for fire or emergency medical service to the project site would be approximately one. This does not represent a significant increase in demand on services provided by the GCSD, TCFD, USFS, or CAL FIRE. Application and enforcement of the above-mentioned code requirements would reduce impacts related to fire hazard and fire protection. The project would not require the provision of new or physically altered fire protection facilities. Therefore, there would

be a less than significant impact.

Based upon the realities imposed by distance and availability of resources, the County has not adopted a specific emergency response time standard for the remote areas of the County. This reality is articulated in both the General Plan and in the operational plans of the relevant service providers. Accordingly, there is no impact to a specified response time or staffing ratio requirement that would be triggered by the Project, and the Project would not trigger a requirement for the construction of new or expanded public services facilities that could cause a significant environmental effect. Based on the established significance criteria in CEQA, the Project's impacts related to public services would be less than significant.

All-hazard emergency response service to the Project site and the surrounding area is currently provided by Tuolumne County and supplemented by Groveland Community Services District (GCSD), though resources from other providers (CALFIRE, USFS, NPS) also could be dispatched to the site depending on the type of incident and resource availability. In the Highway 120 corridor, GCSD responds to emergencies within its district, and also to out-of-district areas like the Project site and the surrounding area through its mutual aid agreement with the County.

Commenters expressed concern regarding funding and maintaining the Mutual Aid Agreement. GCSD states that the fire station will respond to the Project site under the mutual aid agreement so long as a County staffed fire engine is located permanently in Groveland. However, this is an opinion of the commentor and compliance with the Mutual Aid Agreement is not contingent on the presence of a County engine in Groveland. The agreement relays that departments shall respond into the areas identified by their specific color on the maps identified in the agreement (agreement is available for review at the Community Development Department at the address above, Monday through Thursday 8AM to 3PM). The concept and practice of dispatching the closest, most appropriate resource to any and all emergencies would be utilized without regard to jurisdiction or statutory responsibility of either the resource dispatched or the agency wherein the incident occurs. The Mutual Aid Agreement is set to be renewed in 2024 prior to the expiration of the existing Agreement. If the agreement is not renewed the next available resource would respond such as CALFIRE located off Merrell Road in Groveland. If CALFIRE was unavailable to respond the next available resource would be dispatched so on so forth. This strategy is also referred to as "move up and cover" and is how emergency response services are dispatched throughout the County.

Commenters also suggest that the Project must annex to the boundaries of GCSD for the District fire department to respond to emergency calls on the site. However, because GCSD is a party to the Mutual Aid Agreement, fire response will be provided to the site as described above-failure to do so would be a violation of said agreement. Annexation is not a requirement to receive fire response. Emergency services would be provided by Tuolumne County and GCSD, or other providers, as dictated under the Mutual Aid Agreement.

Commenters also reference the Terra Vi and Under Canvas resort projects on the Highway 120 corridor. The District references that the project should be conditioned to require a "Fair Share" payment to offset the cost of providing emergency response services. CEQA's evaluation of Public Services impacts is defined to include only those impacts that would arise from the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental effects. In general, response times, service ratios, and other performance objectives are relevant to a CEQA analysis only within the context of whether or not new or expanded facilities would be required to meet defined objectives related to those service objectives, and what the environmental effects would be of providing those facilities. As the project will not trigger new or expanded facilities the impacts are less than significant and no mitigation is needed regarding the payment of a fair share fee.

However, to assist with providing emergency response services to the Project, County could add a condition of approval for the Project to pay a fair share fee of its need for emergency response efforts on the Highway 120 corridor, if substantial evidence demonstrated a disproportionate impact from the project on emergency services. Because the funding of emergency response is outside the scope of CEQA, this contribution would need to be considered as a Condition of Approval. Proceeds from the fee would be utilized to offset the cost of providing emergency services to the project, and to assist the County with equipment and staffing needs.

Currently, the County is conducting a study evaluating the potential for a commercial County Services Impact Fee to be adopted, which would collect funds at the time of a Building Permit for a development's fair share draw on County services. Additional efforts by County staff are underway to increase emergency response availability on the Highway 120 corridor. Until a County program is adopted, the applicant will be required to pay an annual fair share contribution to Tuolumne County for their need of emergency services, if such a Condition of Approval is required of the Project. This fair share fee would be collected for the life of the project, or until another substantially similar funding mechanism is in place.

Example Potential Condition of Approval:

The Applicant, at the time of the issuance of the first building permit for the Project ("Anniversary Date"), shall pay an annual fee per unit to the Tuolumne County ("Annual Fee"). The payment of the Annual Fee shall represent the Project's fair share of costs associated with the provision of emergency services to the Project. The payment of the Annual Fee shall continue until such time as the County develops its own alternative fee or program for fire and emergency services or until the County develops an alternative fee program for the area, inclusive of the Project site, at which time the Annual Fee shall cease and the Applicant shall pay the County's alternative fee or participate in the County's program for fire and emergency services. Payment of the Annual Fee shall be deemed due and payable on the Anniversary Date each year until an alternative program is instituted by the County.

Master Response 2: Utilities and Service Systems

Comments were received regarding if the proposed project will have adequate water for the Project demand. As previously stated in the IS/MND, the project site would be served via an existing well. The site is not located within a groundwater basin that is subject to the Sustainable Groundwater Management Act or subject to a Groundwater Sustainability Plan.

As stated in the IS/MND within the Utilities and Service Systems section, the Project is served via a private well. Per the Commercial Recreational zoning development is not required to connect to public water.

Tuolumne County does not have one continuous aquifer for water storage, as individual wells utilize water stored in fractured rock formations. Since the on-site well adequately serves the proposed development, capable of producing well above the 2,043-gallon daily average at approximately 17,000 gallons per day. The project site is not expected to deplete the groundwater in the project area. More information can be found in Appendix B: Hydrogeologic Analysis.

Chapter 13.20 of the TCOC provides guidance on management of groundwater within Tuolumne County. The purpose of Chapter 13.20 is to establish an effective county policy that will assure that the overall economy and environment of Tuolumne County are protected from the impacts of the exportation of groundwater out of the county. All wells within Tuolumne County must be constructed and maintained in accordance with Chapter 13.16 and 13.20 of the TCOC. Relying on adopted codes for compliance, such as building codes, is routine for ensuring safe and orderly development. No information is provided that the existing regulatory framework for the location and construction of wells across the County will result in an impact on groundwater.

The prohibition against affecting the use of surrounding property provides a mechanism for the County to ensure the actions associated with using well water for the Project does not affect adjacent properties. If on-site wells are not feasible and Proof of Groundwater is not approved by the County, the project proponent would be required to explore alternative water sources, and this change to the project description would necessitate further environmental and CEQA review and additional project approvals.

The project site is served via a private, on-site sewage disposal system. A new sewer system would be constructed and installed to support the guest units. As indicated in the purpose of the C-K zoning found in Section 17.14.010 of the TCOC, which states the purpose is that the commercial and mixed-use zoning districts and establishes regulations for permitted uses, conditional uses, minimal parcel size, building intensity, and minimum residential density. Except as otherwise noted, development within these districts shall be served with public water, public sewer, paved streets and adequate police and fire protection according to the General Plan with applicable federal, State, and local regulations concerning the provision of water and sewage disposal to serve the development. Additionally, Chapter 3 "Utilities" of the Tuolumne County General Plan and Chapter 13.08 of the TCOC indicate that public sewer is considered available if it is located 300 feet or less from the proposed building as measured over an existing public right of way of public utility easement. The nearest public sewer system is extant within approximately 12,300 ft of the project site; hence the public sewer is not considered available. Therefore, pursuant to the Tuolumne County General Plan and Chapter 13.08 of the TCOC, the project is not required to connect to public sewer. As indicated in the "Geology and Soils" section above in this report, the project would not result in a significant impact related to use of a septic system. As the site would not connect to public sewer with a wastewater treatment provider, there would be no determination by a provider regarding capacity. Therefore, there would be no impact.

Comments were made regarding the hydrogeologic report. The report provided the necessary information to addresses the questions within the Appendix G Checklist of the State CEQA Guidelines and was submitted by a licensed hydrologist. Further documentation can be found in the IS/MND.

Comment	Comment	Response
Comment Letter A- State Water Resources Control Board		
A-1	The IS/MND indicates that a total of three full time employees (one that lives on-site) would be required on-site [PDF page 59] and twelve prefabricated mobile units would be rented out for overnight stays [PDF page 3]. Providing domestic water to the mobile unit guests and employees would meet the definition of a public water system if it would serve 25 individuals daily at least 60 days out of the year. The DDW encourages potential new public water systems to connect with nearby community water systems where possible, rather than forming a new public water system. Groveland Community Services District is a nearby system. Note: If the Project would create a public water system, the applicant should coordinate with nearby water systems to determine if another system may provide water for their drinking water needs. If no nearby system will agree to serve the Project, the applicant will need to submit a Health and Safety Code section 116527(b) technical report to DDW. The County should then reflect what was determined by the applicant through the coordination process in the IS/MND.	Comment noted. The applicant is working with the State Water Board since this development would serve 25 individuals at least 60 days out of the year. They are completing the requirements to satisfy the state.
A-2	Please indicate if a new public water system will be formed by the Project. If so, please include "Division of Water Quality" and "for a General Construction Stormwater Permit", and "Division of Drinking Water" and "for a water supply permit", under "Other Agencies Approvals- State Water Resources Control Board" (PDF page 4).	Comment noted. The State Water Resource Control Board is requiring a public water system and is working with the applicant to fulfill those requirements.
A-3	Discuss the new and existing water system components that would become part of the new public water system. Will water for fire protection be provided by the domestic water system or will there be a separate non-potable supply for fire flow? If the domestic water system will provide domestic supply and fire flow, is the well capacity and amount of stored water sufficient to meet both fire flow and drinking water needs?	Water is currently provided via an on-site private well and sewer services are provided via a private on-site sewage disposal system, both of which serve the existing residence on site. The estimated water needs for the site would be up to 140 gallons per day with the pool requiring up to 30,000 gallons per year to operate. This would account for all operations of the facility, single family residence, and guest usage. Including the pool estimates, the average daily use would be as much as 2,043 gallons per day. Based on the well and estimated groundwater recharge, Condor concluded that the site would be able to use up to 2,768 gallons per day, which meets the project demand.

A-4	The IS/MND indicates “In the event that the well goes dry in Tuolumne County, steps would be taken by the property owner to deepen, further test potential sites on the parcel, or contract with a well company to have water trucked in and stored on the site.” Please indicate in the IS/MND that trucking in water and storing it at the site would be an interim solution and not permitted by the Yosemite District as a permanent solution to a well going dry.	Comment noted. The project proponent is adding a 50,000 gallon water holding tank to take pressure off the well in times of peak use.
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Comment	Comment	Response
Comment Letter B - Groveland Community Services District (GCSD)		
B-1	HAZARDS AND HAZARDOUS MATERIALS Section: Q: Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? District Response: The document failed to evaluate and document the ability of the Groveland Community Services District Fire Department (GCSD or District) to meet its adopted emergency response standards for emergency calls occurring within the District boundaries when an emergency call occurs at the project location. If the District Fire Department were to respond to an emergency call at the project site, the ability to implement its own emergency response plan standard would be impaired and creates a hazard to life and property.	Under the IS/MND Hazards and Hazardous Materials Section, County and State adopted wildfire policies are analyzed. This comment references the Groveland Community Services District's Emergency Response Standards which are not County adopted policies.
B-2	There is no fire station, other than GCSD Station 78, within 45 minutes travel time of the project location, with a guaranteed fire engine, staffed full time, year round and able to respond to emergency calls at the project site. The Tuolumne County Fire engine currently collocated at the GCSD Station 78 is only contracted to be in that location until August 2024. The preparer of the environmental documents never contacted the District to discuss the availability of the Groveland Fire Department or its ability to respond to the project site.	The comment does not discuss the adequacy of the IS/MND. The project was noticed in accordance with County Ordinance Code and State CEQA requirements. GCSD was notified of the project as a stakeholder agency on five various occasions. Six instances of comments/correspondence were received from GCSD regarding the project. Refer to Master Response 1.

B-3	The document failed to evaluate and document the ability of the Groveland Community Services District Fire Department (GCSD or District) to meet its adopted emergency response standards for wildland fire calls occurring within the District boundaries when an emergency call occurs at the project location. If the District Fire Department were to respond to an emergency call at the project site located outside the District boundaries, the ability of the District would be impeded to respond to an evolving wildfire scenario within the District boundaries, indirectly exposing people to a significant risk of loss, injury or death while the fire burns unchecked until the single District engine and crew can respond back from the project location to the incident scene.	The project is not located within the District boundaries. The District currently responds outside the district boundaries per the Mutual Aid Agreement. Mutual aid agreements Refer to response B-1 and Master Response -1 Public Services.
B-4	The County Policy 9.A.1 was not followed: Actively involve fire protection agencies within Tuolumne County in land use planning decisions.	Comment is noted and does not discuss the adequacy of the IS/MND. County records indicate that feedback was solicited from the District no less than four times. Three comment letters were received from the district. Additionally, the District was included on all required noticing for the project.
B-5	The County Policy 9.E.3 was not followed: Require new development to be consistent with State and County regulations and policies regarding fire protection.	Refer to Master Response 1 - Public Services.
B-6	The document states that the estimated water needs for the site would be up to 140 gallons per day with the pool requiring up to 30,000 gallons per year to operate. Is the 140 gallons per day a per-cabin water usage estimate or overall daily demand for all cabins, which is not possible?	Refer to Master Response 2 and Response A-3.
B-7	Although the groundwater well is reported to produce an adequate supply of water using a two hour pump test, there is no analysis to show the ability of the well to continue to pump the required amount of water beyond the two hours, when it will run continuously, around the clock at that rate throughout the summer.	Refer to Master Response 2.

B-8	District Response: The County of Tuolumne does not operate a fire station in the Groveland area, nor does it currently fund the CAL FIRE Amador Plan in Groveland, which provided a non-fire season staffed engine to respond to 911 calls. The County currently funds the cost to collocate a staffed fire engine at the Groveland CSD Fire Station 78, under an agreement through August 2024. Without a county fire station in the area and lacking a perpetual agreement for the staffed county fire engine to remain in Groveland, there is no assurance that the project will be provided fire protection services by the County. Without a County staffed engine within 45 minutes of the project site, they cannot provide effective mutual aid, and the District is left as the only responding fire department unless a staffed CAL FIRE engine is located in its Merrell Road Station. The GCSD fire department will respond to the project site under the Mutual Aid Agreement, so long as a staffed County fire engine is located permanently in Groveland. The project must annex to the boundaries of GCSD for the District fire department to respond to emergency calls on the project site as the first-in, or only engine.	Refer to Master Response 1.
B-9	The Project analysis states: "The project is not required to receive fire protection services from GCSD since they are not located within their district." This statement is not consistent with LAFCo law and the District is not required to provide services to the site BECAUSE the project is located outside its boundaries.	Refer to Master Response 1.
B-10	The project evaluation goes on to state: "Fire protection will be provided to the site as it currently receives services under either agreement, and annexation is not required for the site to receive fire protection response." This statement is only correct if a County funded engine and crew is permanently located in Groveland; in a new staffed County fire station or collocated with GCSD permanently (with station improvements). Otherwise, this is a false and inaccurate statement.	Refer to Master Response 1.

Comment #	Comment	Response
Comment Letter C- Central Sierra Environmental Resources Center (CSERC)		
C-1	Our Center's staff has carefully reviewed the proposed Initial Study/Mitigated Negative Declaration ("Proposed MND") and submits the following comments. The 13 proposed lots range in size from 5 acres to approximately 10 acres ("Proposed Project"). The parcel is approximately 82 acres ("Site"). The Site is located within the Identified Community of Groveland. The Site is not located within the boundaries of the Groveland Community Services District ("GCSD"); however, it is adjacent to the GCSD water system and within the GCSD Sphere of Influence.	Comment does not address the adequacy of the ISMND.
C-2	This commercial recreational lodging operation as proposed would not utilize any public water or public sewer service. Reliance on a single domestic well and one small, 10,000 gallon water tank is being proposed for the entire project. The Proposed MND repeatedly relies on the erroneous assumption that Section 17.31.010 of the TCOC allows a C-K zoned project to not be connected to public water. However, that section makes no mention of water whatsoever. While the proposed project may not be "required" to be connected to public water, that does not mean that it should not be connected. Special Commercial (C-S) zoning - not C-K zoning - expressly provides for development in areas with no access to public water or sewer service.	Refer to Master Response 2. The proposed storage tank is going to be 50,000 gal in order to offset well usage during the peak season. Based on the historic and recent well gpm tests, this development can safely be supported by the current well.
C-3	Our Center recommends that annexation by the GCSD should be required as part of this proposed project. As the GCSD noted in its advisory response, the Site is only approximately 4,000 feet from the District's connection and there have been at least 4 documented well failures near the Site.	If the proposed project were to be annexed by GCSD, there are concerns of growth inducing impacts if the water lines are extended. The site is approximately 3,500 ft from the nearest water connection.
C-4	Further, the Proposed MND relies heavily on Condor Earth's analysis which was presumably paid for by the project proponents. Unsurprisingly, Condor Earth's report concludes that there is sufficient water in the water table to sustain the anticipated water use of the project as proposed. However, the report contains at least two significant errors. Condor Earth used a recharge rate of 15% of total rainfall during a normal water year (approximately 36 inches of rain) to calculate the amount of water it estimates will recharge the groundwater. Condor Earth then uses the exact same recharge rate for drought years - despite the differences in ground runoff, evaporation, and transpiration (uptake) by vegetation. There will also likely be an increased demand for groundwater by not only the users of the Site's well but also by other nearby wells during drought years, further drawing down the water table.	Refer to Master Response 2.

C-5	The second significant error in Condor Earth's report is that it based its calculations on the domestic well's capacity from a well test completed in 1987 - 37 years ago. It did not test the domestic well's current capacity and apparently ignored or was not presented with the proposal from Precision Pump Service, Inc that the pump it would provide would produce only 7 gallons per minute. This is more than a 40% reduction and renders Condor Earth's projections meaningless.	Refer to Master Response 2. The difference in gallons per minute(gpm) observed in the initial 2-hour test in 1987 12-gpm and the test completed in 2022 of 7-gpm, is the result of load density changes on that particular aquifer as more wells are drilled in the near vicinity. The average daily use of the proposed project is 2,043 gallons and would require the on-site well to produce approximately 1.4-gpm, which would be more adequately served by the current on-site well.
C-6	Moreover, while Condor Earth acknowledges other nearby well failures in the past, its speculation that those wells "likely" just weren't drilled deep enough or too close together is just mere speculation and begs the question of how much demand the groundwater table in this area can handle. Also of note, Condor Earth does not address the impact to the water table by the nearby Firefall Ranch project or its proposed expansion.	Refer to Master Response 2. The proposed storage tank of 50,000 gal is going to help offset strain on the local water table.
C-7	The Proposed MND lists two General Plan Implementation Program criteria that it asserts are met by this proposed project. However, the Proposed MND ignores the three General Plan Goals and at least one Implementation Program that the proposed project not only doesn't meet but, is directly contrary to: Policy 3.A.1: Encourage the siting of new urban development either within or adjacent identified communities to maximize the use of existing infrastructure and encourage the logical extension of public water services infrastructure. When new urban development is proposed to be located outside but adjacent to identified communities, it should be located in proximity to existing water supply infrastructure. Policy 3.A.2: Require new commercial development to be served by public water systems, except for development in areas designated as Special Commercial on the General Plan land use diagrams. Policy 3.A.5: Protect the geologic landscape for water quality and quantity and the functionality of the geology for water recharge from new development. Implementation Program 3.C.b - Assist and support actions by larger water purveyors and special districts to incorporate and maintain existing smaller systems and isolated privately or mutually-owned water supply systems	The consistency with the General Plan is discussed in the Staff Report.

C-8	The proposed project provides for the installation of three new septic tanks in addition to the existing septic system. According to the Project Site Plan provided with the Proposed MND, there is at least one septic tank which is in close proximity to the domestic well. The risk of failure by the septic tank - particularly if it is the original one and not one of the newly installed tanks - and its proximity to the only water source for the Site cannot honestly be deemed to be a less-than-significant risk. At a bare minimum, the following Mitigation Measures should be added: 1. Annual testing of the well should be required to be completed and reported to the County Environmental Health Department for each of the first 5 years (after construction is complete and commercial operations begin). 2. Prior to any occupancy of the newly constructed tiny homes, it should be required that the County certifies that the newly constructed septic system is sufficiently large enough and adequately designed and engineered so as to assure there will be no contamination of groundwater or pooling of septic effluent during the 6-month wet season when soils are often fully saturated and when snow may cover the surface of the ground.	Refer to Master Response 2.
C-9	FIRE AND EMERGENCY SERVICES There is no dispute that the Site is located in the Very High Fire Hazard Severity Zone. Fire and emergency response for the proposed project is first the responsibility of the County. County services are already stretched too thin. Unlike other areas being developed along the Highway 120 corridor (Terra Vi Lodge and Under Canvas), the area surrounding the Site has not burned recently. Given the miles of distance from the nearest engine station and the high flammability of the fuels on the Site, there is the double-sided risk of a wildfire trapping guests and staff on Site and the risk of a fire ignited at the Site rapidly spreading out into the wildland interface area around the Site. The three proposed propane fire pits should not be allowed. They create a significant and unnecessary fire risk. Guests or staff could accidentally misuse the fire pits or a fire pit could malfunction resulting in personal injury or fire - both of which add an unnecessary strain to County emergency services. The Proposed MND states and then cursorily concludes: "As a part of the Terra Vi development project, emergency response was evaluated in a BAE Urban Economics report titled "Fire Impact Analysis for Terra Vi Lodge" (SCH# 2019110286). The BAE report found that based on an analysis of emergency calls to other resorts in the Groveland area, there are approximately 0.079 calls per accommodation unit. This analysis did not include other types of calls that	Comment noted. Please refer to Master Response 1

	resort visitors may trigger, such as car accidents or medical calls in other area locations, as that identifying information was not available from the data sources. Applying this rate to this project, the estimated annual call for fire or emergency medical service to the project site would be approximately one. This does not represent a significant increase in demand on services provided by the GCSD, TCFD, USFS, or CAL FIRE." Page 78.	
C-10	The Proposed MND fails to consider other types of emergency calls or the cumulative impacts when considering the already approved, but not completed large scale development projects in the area and the additional proposed development projects also in the area that are still in the planning phase, such as the Boyer - Expansion of Firefall Ranch and the proposed Long Gulch development - all outside of the GCSD. It also fails to consider the other types of emergency calls guests are likely to make. Of note, the proposed 10,000 gallon water tank is not sufficiently large enough to provide any meaningful fire protection, and no hoses or other associated fire preparedness items are being proposed.	Comment noted. Please refer to Master Response 1. The storage tank on site has been increased to 50,000 gallons.
C-11	The direct and cumulative impact of the proposed project on Fire and Emergency Services is potentially significant. CSERC recommends that a one-time Fire Service Mitigation Fee be required to be paid to the County and/or GCSD in the amount of \$200,000 to mitigate the impact on Fire and Emergency Services. This Mitigation Fee is supported by General Plan Policy 6.8.1: "Support a schedule of reasonable and justified mitigation fees for new development to pay its proportional share of the cost of expanding services and infrastructure."	This is outside the scope of the CEQA Questions
C-12	BIOLOGICAL RESOURCES The Proposed MND acknowledges that "the Tuolumne County Geotechnical Interpretive System (GIS) Maps indicate that the special animal species the great gray owl (<i>Strix nebulosa</i>) and California spotted owl (<i>Strix occidentalis occidentalis</i>) have been known to occur within the vicinity of the project site on nearby USFS parcels." Proposed MND page 29. The Proposed MND does provide a Mitigation Measure regarding the nesting season for raptors and migratory birds. However, the Proposed MND also states "Mitigation has been included that requires preconstruction surveys to identify the presence of these species, avoid or remove them from the construction area (if they are present), and establish disturbance buffers to ensure they are not disturbed during construction." Proposed MND, page 91. To be	Comment noted. This was a typographical error and has been corrected

	clear, this language should be corrected by deleting the language regarding removing birds from the area.	
C-13	GEOLOGY AND SOILS The Proposed MND provides contradictory information regarding both the slope of the Site and of the area proposed to be developed: "The average slope of the parcel is 20%. The slopes in the area of development are averaging approximately 13%." Proposed MND, page 3. But later: "The guest cabins, swimming pool, yoga dome, and associated infrastructure would be developed within the area of the site that is relatively flat, so minor grading associated with the project would occur. The project documents indicate that grading would be approximately 1-2 feet below grade for the guest cabins, swimming pool and yoga dome." Proposed MND, page 47. And "The average slope of the project site is 11 %, with the area of development slopes averaging approximately 5-9%." Proposed MND, page 47-8. Correction for consistency and clarity regarding both the Site's slope and the slope of the area proposed to be developed is needed in order for a proper analysis of the potential environmental impacts.	Comment noted. This was a typographical error. The area of development is relatively flat. The varied slope percentages take in the entire 14.1 acre parcel.

Errata to the Tiny House Village SDP22-006

Initial Study/Mitigated Negative Declaration

Page of IS/MND and location	Changes (RED is added text, strike-through is deleted text.)
Page 2, Paragraph 1 – Introduction and Regulatory Guidance	This Initial Study/Proposed Mitigated Negative Declaration (IS/Proposed MND) has been prepared by Tuolumne County to evaluate potential environmental effects from a recreational development consisting of twelve guest cabins, swimming pool, yoga dome, and associated infrastructure on a 14.1± acre parcel zoned C-K (Commercial Recreation) in Groveland, California. resulting from the rezone to General Commercial, outdoor storage of commercial equipment, vehicles, and materials, and grading for these uses in East Sonora, in Tuolumne County, California.
Page 3, Paragraph –3 Site Description:	The project site consists of a 14.1± acre parcel located at 23003 and 23015 Sprague Road East, approximately 6 miles east of the townsite of Groveland. The site is located outside of the identified community of Groveland-Pine Mountain Lake as indicated in the Tuolumne County General Plan. The site is currently developed with a single-family dwelling, well, and onsite sewage disposal system. Vegetation on the site includes ponderosa pines (<i>Pinus ponderosa</i>), incense cedar (<i>Calocedrus decurrens</i>), black oak (<i>Quercus velutina</i>), and annual grass species. The average slope of the parcel is 20%. The slopes in the area of development are averaging approximately 13%. Parcels directly west and southwest of the project site are public land under the jurisdiction of the US Forest Service. Parcels directly south and southeast contain the RR (Rural Residential) General Plan designation and are utilized as residential parcels under private ownership.
Page 4, Paragraph 1	Water would be provided via the existing on-site well. For less than 14 connections, the facility would be permitted as a State Small Water System permitted through Tuolumne County Environmental Health. If the number of connections exceeds 14, the system would need to be permitted as a Small Public Water System through the State Water Board. A 50,000 10,000-gallon water tank would be installed adjacent to the well to help provide water distribution to the facility. The project would utilize onsite wastewater treatment systems. A new septic system would be installed to support the guest units. Three separate septic tanks would be installed, with each tank supporting 4 guest units. Each would be designed and built to support 4 bedrooms.

Page 17-18, Paragraph 6	a) New sources of light and glare would be introduced. To ensure that any lighting installed in the future would not create a significant impact, Mitigation Measure AES-1 has been incorporated. Mitigation Measure AES-1 2-would require that prior to the issuance of a building permit from HCD, a lighting plan will be required implementing Dark Sky lighting, such fixtures that minimize glare while reducing light trespass and skyglow. Mitigation Measure AES-1 will require any exterior lighting to incorporate the following: direct the light downward to the area to be illuminated, install shields to direct light and reduce glare, utilize low rise light standards or fixtures attached to the buildings, and utilize low- or high-pressure sodium lamps instead of halogen type lights. The project proponent will be required to submit a photometric lighting plan to show consistency with the above provisions. Consistency with Mitigation Measure AES-1 2-will be reviewed by Community Development Department (CDD) staff upon notification from HCD of an application for a building permit to their agency. The lighting plan will be required to be reviewed and approved by CDD Staff prior to approval of the HCD local entitlement approval form. There would be a less than significant impact with mitigation.
Page 29, Paragraph 2	The Tuolumne County Geotechnical Interpretive System Geographic Information System (GIS) Maps indicate that the special animal species the great gray owl (<i>Strix nebulosa</i>) and California spotted owl (<i>Strix occidentalis occidentalis</i>) have been known to occur within the vicinity of the project site on nearby USFS parcels. No other species listed on the CNDDDB have been known to occur within the project site or within the vicinity.
Page 47, Paragraph 5	The project site is not located within a delineated fault zone or located within a known liquefaction zone or seismic landslide zone as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map. The project site has been located on the Tuolumne County Geotechnical Interpretive System Geographic Information System (GIS) Map. This map indicates that there are no faults located on the project site or within the vicinity of the project site. The nearest fault as identified on the Tuolumne County Geotechnical Interpretive Map is approximately 7.6± miles west of the project site. However, this fault is not identified as a capable fault within the GIS map. Therefore, there will be no impact.

Page 48, Paragraph 6	e) The site contains a private, on-site sewage disposal system associated with the existing residence on site. A new septic system would be constructed to serve the guest units. A new system would be constructed and installed to support the guest units. Three separate septic tanks would be installed, with each tank supporting 4 guest units. Each would be designed and built to support 4 bedrooms As indicated in the purpose of the C-K zoning found in Section 17.31.010-14 of the TCOC, development within the C-K zoning is not required to connect to public water. Additionally, Chapter 3 “Utilities” of the Tuolumne County General Plan and Chapter 13.08 of the TCOC indicate that public sewer is considered available if it is located 300 feet or less from the proposed building as measured over an existing public right of way of public utility easement and the nearest public sewer system is extant within approximately 12,300 ft of the project site, hence public sewer is not considered available. Therefore, pursuant to the Tuolumne County General Plan and Chapter 13.08 of the TCOC, the project is not required to connect to public sewer. Any septic system requires a permit to be reviewed and issued by the Tuolumne County Environmental Health Division, in accordance with Title 13 of the TCOC. The systems must be maintained in accordance with Title 13. Compliance with applicable regulations would result in a less than significant impact.
Page 62, Paragraph 4	Water would be provided via the existing on-site well. For less than 14 connections, the facility would be permitted as a Small Water System permitted through the County Environmental Health Division. If the number of connections exceeds 14, the system

	would need to be permitted as a State Small Public Water System permitted through the State Water Board. However, since the development would serve 25 individuals at least 60 days out of the year, the facility would be permitted as a Small Water System with the State Water Board. In the event of a well failure, the applicant would truck in potable water to supply the site. This measure would only be allowed in an emergency for a short period of time. Ongoing use of trucked water, with onsite storage, would not be permitted by the Water Board. If future well failure occurs and a suitable potable water source, approved by the Water Board, is not secured onsite, the use would be required to cease, as the project would no longer be in compliance with the Conditions of Approval.
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Page 83, Paragraph 1	a) Goals, policies, and implementation programs regarding Tuolumne County's circulation system, including transit, roadway, bicycle, and pedestrian facilities, are contained within the Transportation Element in Chapter 4 of the 2018 General Plan. Specific road design standards are found in Titles 11 and 15 of the Tuolumne County Ordinance Code. Although grading and building permits would be issued through HCD, the Engineering Division of the Department of Public Works would review and approve plans for conformity to the adopted County Road improvement standards. Pursuant to Chapter 3.54 of the TCOC, would require the payment of applicable Traffic Impact Mitigation Fees (TIMF). The applicable TIMF would be the "Hotel/Motel/Resort/Bed and Breakfast" use, which is set at \$3,134 per unit and must be paid prior to approval of the HCD local entitlement approval form.
Page 83, Paragraph 3	b) This project has been determined to not exceed the County of Tuolumne established VMT threshold of 41.7

	VMT per employee for commercial projects. The project is proposing 12 guest units with 3 full time employees on site. The project will not generate significant employee trips. Traveler profiles primarily would be one vehicle for each rented unit. Multiple vehicles are not anticipated to associate with individual overnight bookings of the units. Travelers to this area are primarily drawn to this location for the world-renowned recreational activities and breathtaking views of Yosemite National Park. This project is not large enough to generate new trips to the park but small enough to primarily serve the existing visitor population. Therefore, the project in whole is not generating unprecedented VMT or significant emissions resulting from VMT.
Page 83, Paragraph 4	c) Project plans that have been submitted to staff do not indicate that any hazardous or incompatible designs are proposed. The driveway plans and internal circulation roadways will be reviewed by the Engineering Division of the Department of Public Works and the Tuolumne County Fire Prevention Division to ensure compliance with Title 11 of the Tuolumne County Ordinance Code and Title 45 to ensure that the onsite circulation will not introduce hazardous or incompatible design prior to the sign off for HCD to issue grading permits on site. The project will also be reviewed by HCD for compliance with their regulations relative to road design. Therefore, there will be a less than significant impact.
Page 83, Paragraph 5	d) The proposed driveways and internal roadways will be designed and constructed in accordance with all applicable regulations contained in Title 45—11 of the Tuolumne County Ordinance Code and the California Fire Code to allow for sufficient emergency vehicle access, including width and clearance of the roadways, the surfacing of the roadways, and

	turnaround bulbs and hammerheads for emergency vehicles to be able to turn around. The project would be reviewed by the Engineering Division and Fire Prevention Division prior to HCD issuing grading permits on the site. The project will also be reviewed by HCD for compliance with their regulations relative to road design. Therefore, there will be a less than significant impact.
Page 87, Paragraph 2	c) The project site is served via a private, on-site sewage disposal system. A new system would be constructed and installed to support the guest units. As indicated in the purpose of the C-K zoning found in Section 17.31.010 of the TCOC, development within the C-K zoning is not required to connect to public water. Additionally, Chapter 3 “Utilities” of the Tuolumne County General Plan and Chapter 13.08 of the TCOC indicate that public sewer is considered available if it is located 300 feet or less from the proposed building as measured over an existing public right of way of public utility easement and the nearest public sewer system is extant within approximately 12,300 ft of the project site, hence the public sewer is not considered available. Therefore, pursuant to the Tuolumne County General Plan and Chapter 13.08 of the TCOC, the project is not required to connect to public sewer. As indicated in the “Geology and Soils” section above in this report, the project would not result in a significant impact related to use of a septic system. As the site would not connect to public sewer with a wastewater treatment provider, there would be no determination by a provider regarding capacity. Therefore, there would be no impact.

Page 88, Paragraph 2	Mitigation actions provided in the Plan range from improving water supply systems and conveyance systems for potential fire needs, initiating fuel thinning and chipping projects in high priority areas, to updating existing and preparing new fire protection and evacuation plans. The Plan states that Tuolumne County
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	Fire Protection District/CAL FIRE along with seven fire districts and one city fire department provide life and property emergency response. In addition to services traditionally provided by most fire protection agencies nationwide, these agencies work cooperatively with the U.S. Forest Service and the National Park Service in providing wildfire response in Tuolumne County. Although there are existing plans, programs, ordinances, and regulations in place within the County, wildland fire risks and the potential for future fire hazards occurring within the County is considered high (Tuolumne County 2018).
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Initial Study/Mitigated Negative Declaration

Tiny House Village

Site Development Permit SDP22-006



Lead Agency:

Tuolumne County
Community Development Department
48 Yaney Avenue
Sonora, California 95370
209-533-5633
www.tuolumnecounty.ca.gov

Owner/Applicant:

Tri Cap Properties, Inc and Boss Girl Pro, LLC
Stephanie Wohlfel

January 16, 2024

INTRODUCTION AND REGULATORY GUIDANCE

This Initial Study/Proposed Mitigated Negative Declaration (IS/Proposed MND) has been prepared by Tuolumne County to evaluate potential environmental effects from a recreational development consisting of twelve guest cabins, swimming pool, yoga dome, and associated infrastructure on a 14.1± acre parcel zoned C-K (Commercial Recreational) in Groveland, California.

This document has been prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and the *State CEQA Guidelines* (California Code of Regulations Section 15000 et seq.). An initial study is prepared by a lead agency to determine if a project may have a significant effect on the environment (*State CEQA Guidelines* Section 15063[a]), and thus to determine the appropriate environmental document. In accordance with State CEQA Guidelines Section 15070, a “public agency shall prepare...a proposed negative declaration or mitigated negative declaration...when: (a) The Initial Study shows that there is no substantial evidence...that the project may have a significant impact on the environment, or (b) The Initial Study identifies potentially significant effects but revisions to the project plans or proposal are agreed to by the applicant and such revisions would reduce potentially significant effects to a less-than-significant level.” In this circumstance, the lead agency prepares a written statement describing its reasons for concluding that the project would not have a significant effect on the environment and, therefore, does not require the preparation of an Environmental Impact Report (EIR). By contrast, an EIR is required when the project may have a significant environmental impact that cannot clearly be reduced to a less-than-significant effect by adoption of mitigation or by revisions in the project design.

As described in the environmental checklist (Section 2), the project would not result in any unmitigated significant environmental impacts. Therefore, an IS/Proposed MND is the appropriate document for compliance with the requirements of CEQA. This IS/Proposed MND conforms to these requirements and to the content requirements of *State CEQA Guidelines* Section 15071.

PUBLIC REVIEW REQUIREMENTS

Under CEQA, the lead agency is the public agency with primary responsibility over approval of the project. Tuolumne County is the CEQA lead agency. The purpose of this document is to present information to decision-makers and the public about the environmental consequences of implementing the project. This disclosure document is being made available to the public for review and comment. This IS/Proposed MND will be available for a 30-day public review period from January 16, 2024, to February 15, 2024.

Supporting documentation referenced in this document is available for review at:
Tuolumne County Community Development Department
48 Yaney Avenue, Sonora, CA 95370

Comments must be postmarked by February 15, 2024, and should be addressed to:
Clark Sintek, Community Development Department
Tuolumne County Community Development Department
2 South Green Street, CA 95370
csintek@co.tuolumne.ca.us

After comments are received from the public and reviewing agencies, Tuolumne County may (1) certify the MND and approve the project; (2) require additional environmental analysis; or (3) disapprove the project. If the project is approved, the applicant may proceed with the project.

PROJECT INFORMATION

DATE: July 10, 2024

SURFACE/MINERAL

RIGHTS OWNERS: Tri Cap Properties, Inc and Boss Girl Pro, LLC c/o Stephanie Wohlfiel

APPLICANT: Stephanie Wohlfiel

PROJECT

DESCRIPTION: Site Development Permit SDP22-006 to allow a recreational development consisting of twelve guest cabins, swimming pool, yoga dome, and associated infrastructure on a 14.1± acre parcel zoned C-K (Commercial Recreation) under Title 17 of the Tuolumne County Ordinance Code (TCOC).

LOCATION: The project site is located at 23003 and 23015 Sprague Road East in the community of Groveland. Within a portion of Section 29, Township 1 South, Range 17 East Mount Diablo Baseline and Meridian and within Supervisorial District 4. Assessor's Parcel Numbers 066-260-039.

SITE

DESCRIPTION: The project site consists of a 14.1± acre parcel located at 23003 and 23015 Sprague Road East, approximately 6 miles east of the townsite of Groveland. The site is located outside of the identified community of Groveland-Pine Mountain Lake as indicated in the Tuolumne County General Plan. The site is currently developed with a single-family dwelling, well, and onsite sewage disposal system. Vegetation on the site includes ponderosa pines (*Pinus ponderosa*), incense cedar (*Calocedrus decurrens*), black oak (*Quercus velutina*), and annual grass species. The average slope of the parcel is 20%. The slopes in the area of development are averaging approximately 13%. Parcels directly west and southwest of the project site are public land under the jurisdiction of the US Forest Service. Parcels directly south and southeast contain the RR (Rural Residential) General Plan designation and are utilized as residential parcels under private ownership.

DETAILED

PROJECT

DESCRIPTION: The project proposes a recreational development consisting of twelve guest cabins, a swimming pool, yoga dome, and associated infrastructure. The guest cabins would consist of twelve prefabricated mobile units that are rented out for overnight stays. The units are built on a chassis with wheels and would meet the "park trailer" definition as established by the State of California Department of Housing and Community Development (HCD). The units would not be placed on a permanent foundation. Each cabin would consist of one bedroom, bathroom, living room and kitchen. There are two different styles of cabins proposed. The first style the "Puebla", would consist of 399 square feet of interior square footage and an attached 105 square foot covered porch. The second style the "Sophia", would consist of 399 square feet of interior square footage with a loft and an attached 137 square foot two-story deck. The first-floor deck would be covered, and the second story deck would be uncovered. The facility would be open year-round. Amenities on site would include an outdoor pool and exercise/yoga dome that would be offered for overnight guests only. The yoga dome would also be prefabricated. The dome would be 400 square feet in size and would be placed on a deck that is constructed on site. Elevations and floor

plans of the proposed cabins and yoga dome are provided in Figures 4 through 8 below in this report.

Water would be provided via the existing on-site well. For less than 14 connections, the facility would be permitted as a State Small Water System permitted through Tuolumne County Environmental Health. If the number of connections exceeds 14, the system would need to be permitted as a Small Public Water System through the State Water Board. A 50,000-gallon water tank would be installed adjacent to the well to help provide water distribution to the facility. The project would utilize onsite wastewater treatment systems. A new septic system would be installed to support the guest units. Three separate septic tanks would be installed, with each tank supporting 4 guest units. Each would be designed and built to support 4 bedrooms.

The facility would be accessed via a driveway off Sprague Road and internal access would be provided via a looped roadway. A larger parking lot would be adjacent to the cabins, with a second smaller parking lot adjacent to the pool and yoga dome. Development of the facility would occur within an approximately 2.2± acre portion of the 14.1± acre site, adjacent to the area of the existing single-family residence, driveway, well, and septic system. The remaining area of the site would not be disturbed by project activities. The facility would consist of three separate “neighborhoods” each containing 4 guest units.

Since the guest units are built on a chassis with wheels meeting the park trailer definition, the facility would be under the construction and operational jurisdiction of HCD. HCD would issue grading and building permits for the facility once all County approvals and reviews have been conducted.

Other Agency Approvals:

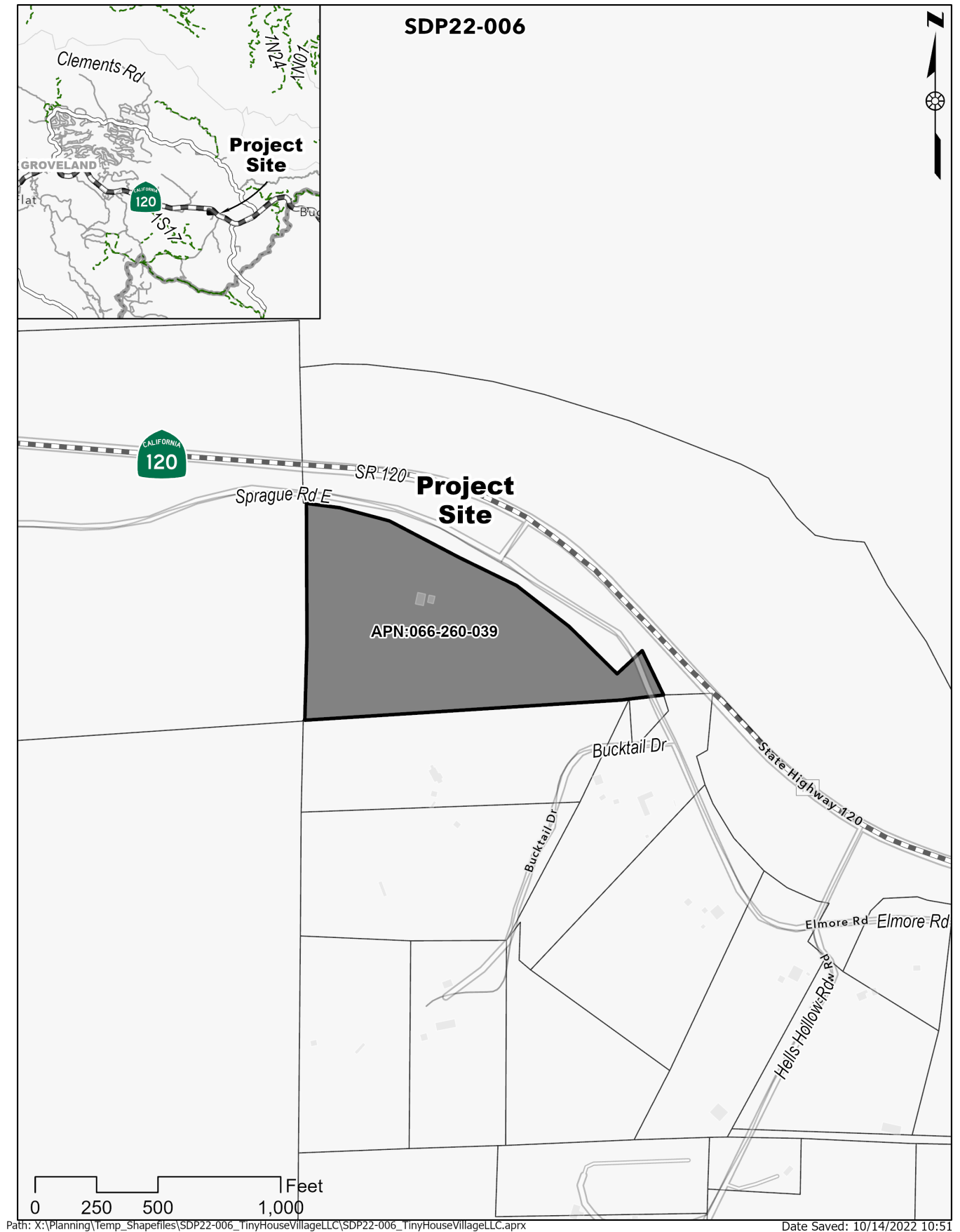
In addition to County review and approval, the project would require permit issuance approvals from other agencies. These agencies would serve as responsible and trustee agencies pursuant to *CEQA Guidelines* Section 15381 and Section 15386, respectively. This document provides the necessary environmental information for discretionary actions by these agencies.

- California Department of Fish and Wildlife (CDFW) –Reviews/approves project for compliance with applicable rules and regulation, specifically impacts to sensitive plant, animal, and wetland/riparian habitat. Collects CDFW filing fee for review of project environmental document.
- US Fish and Wildlife Service – Reviews/approves applicable rules and regulation, specifically impacts to sensitive plant, animal, and wetland/riparian habitat. The authority to contact regarding buffer protection zones for elderberry shrubs.
- Native American Heritage Commission
- State Water Resources Control Board
- Tuolumne County—for encroachment permits, grading permit review, Environmental Health review.
- Housing and Community Development - for grading permits and building permits

Consultation Pursuant to Public Resources Code Section 21080.3.1:

In accordance with Senate Bill 52, formal consultation letters were sent to the contacts for the Chicken Ranch Rancheria of Me-Wuk Indians and Tuolumne Band of Me-Wuk Indians Tribes. AB 52 consultation letters we sent via certified mail and regular mail on March 13, 2023. To date, neither Tribe has requested consultation.

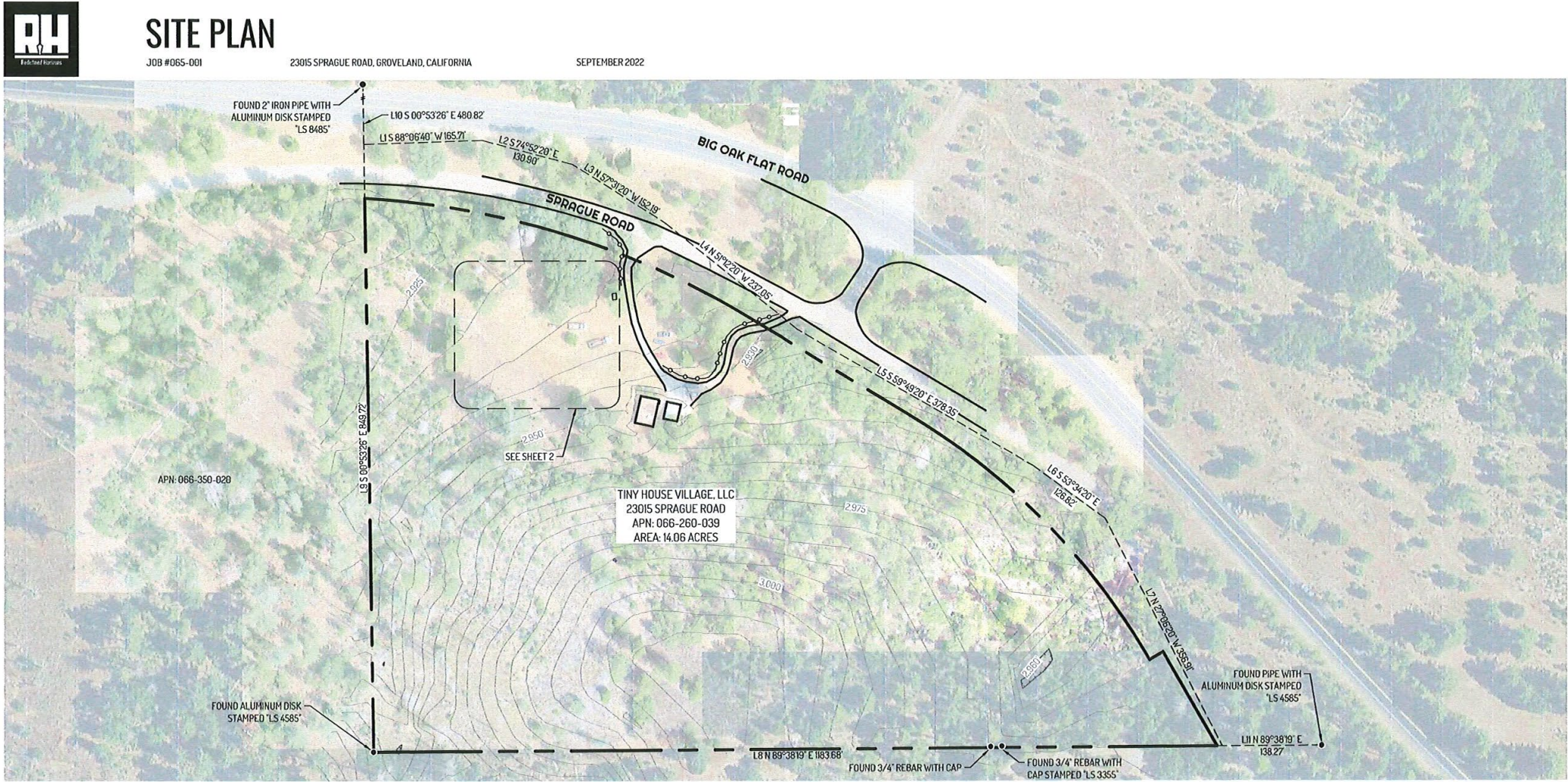
Figure 1: Project Site



Path: X:\Planning\Temp_Shapefiles\SDP22-006_TinyHouseVillageLLC\SDP22-006_TinyHouseVillageLLC.aprx

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Figure 2: Overall Parcel Site Plan



REVISION HISTORY

VERSION 1.00. ORIGINAL DRAWING CREATION

PURPOSE

THE PURPOSE OF THIS SITE PLAN IS TO SHOW THE EXISTING CONDITIONS OF THE SUBJECT PARCEL ALONG WITH THE PROPOSED IMPROVEMENTS FOR A CAMPGROUND.

SURVEYOR NOTES

1) UAV ORTHOPHOTOGRAPHY FLOWN IN JULY 2022 AND IS SURVEY GRADE.

PROPOSED IMPROVEMENTS

THE PROPOSED IMPROVEMENTS SHOWN ON THIS SITE PLAN ARE FOR THE PURPOSES OF LAND USE PLANNING. THE PROPOSED IMPROVEMENTS ARE NOT THE RESULT OF CIVIL ENGINEERING ANALYSIS OR DESIGN. THE TOTAL SQUARE FOOTAGE OF PROPOSED IMPROVEMENTS IS APPROXIMATELY 7,800 SQUARE FEET.

LEGEND

- FOUND MONUMENT AS NOTED
- C CALCULATED
- HRC HELD RECORD
- MID0 MONUMENT
- M MEASURED
- PC PROPERTY CORNER
- POB POINT OF BEGINNING
- R RECORD

UNITS

- UNLESS OTHERWISE NOTED:
- 1) ALL DISTANCES SHOWN ARE IN US SURVEY FEET.
 - 2) ALL ANGLES AND BEARINGS ARE SHOWN IN DEGREES/MINUTES/SECONDS FORMAT.
 - 3) DISTANCES SHOWN ARE GROUND (NOT GRID) DISTANCES.

LINETYPES

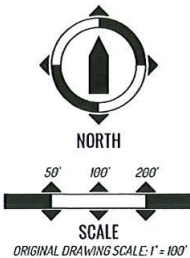
- EXISTING PARCEL BOUNDARY
- - - TIE LINE
- EXISTING PAVEMENT LINE
- - - EXISTING FENCE LINE
- - - EXISTING BUILDING LINE
- PROPOSED BUILDING LINE
- PROPOSED ACCESS ROAD
- PROPOSED UTILITY LINE
- PROPOSED SEPTIC AREA
- PROPOSED PARKING AREA

OWNER INFORMATION

TINY HOUSE VILLAGE, LLC
23015 SPRAGUE ROAD, GROVELAND, CALIFORNIA

SURVEYOR INFORMATION

SCOTT LONDON BLAKE - PLS 8489
315 WEST F STREET, OAKDALE, CALIFORNIA



RECEIVED

SEP 29 2022

Community Development
Department

Figure 3: Project Site Plan

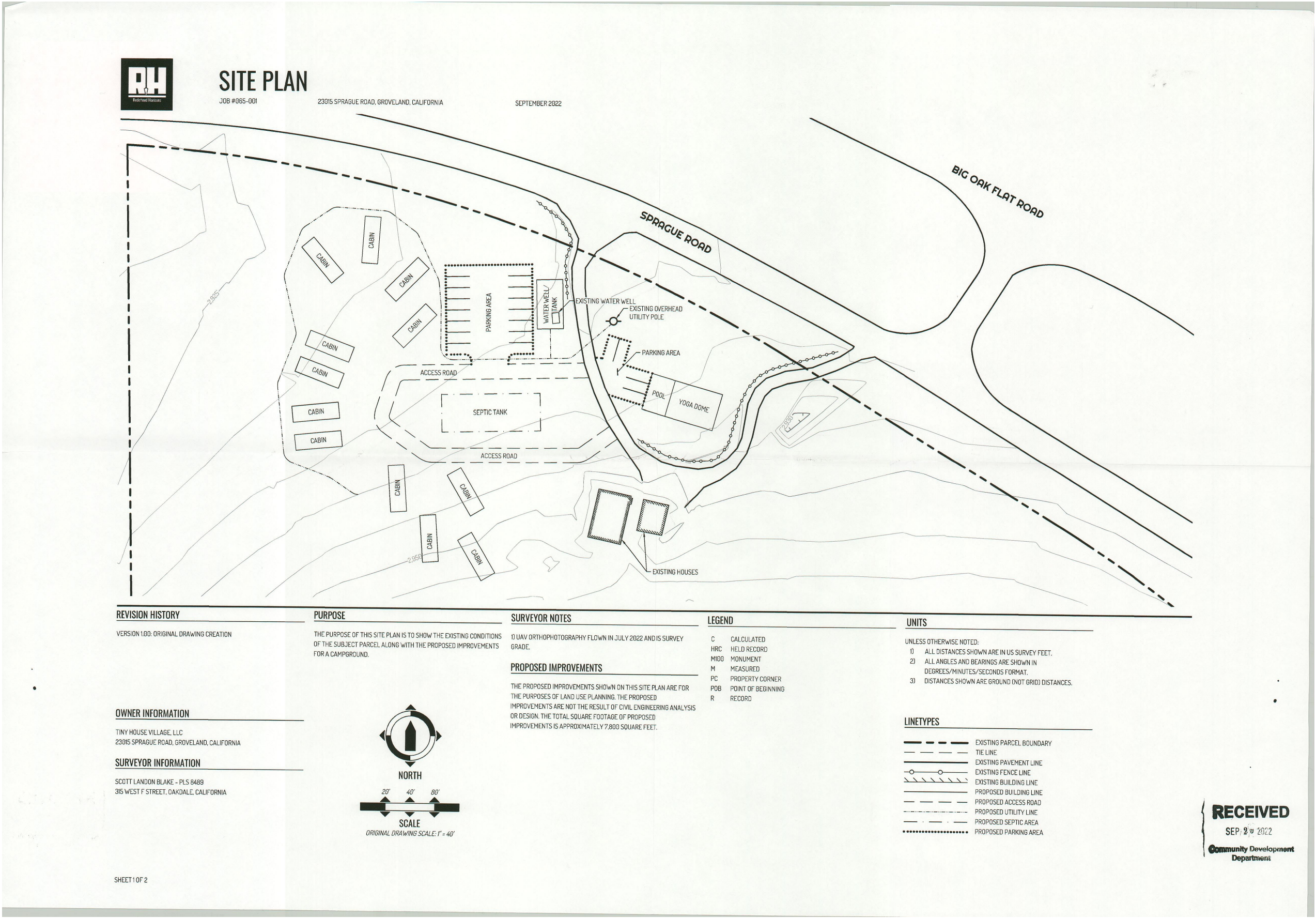


Figure 4: Puebla Style Elevation

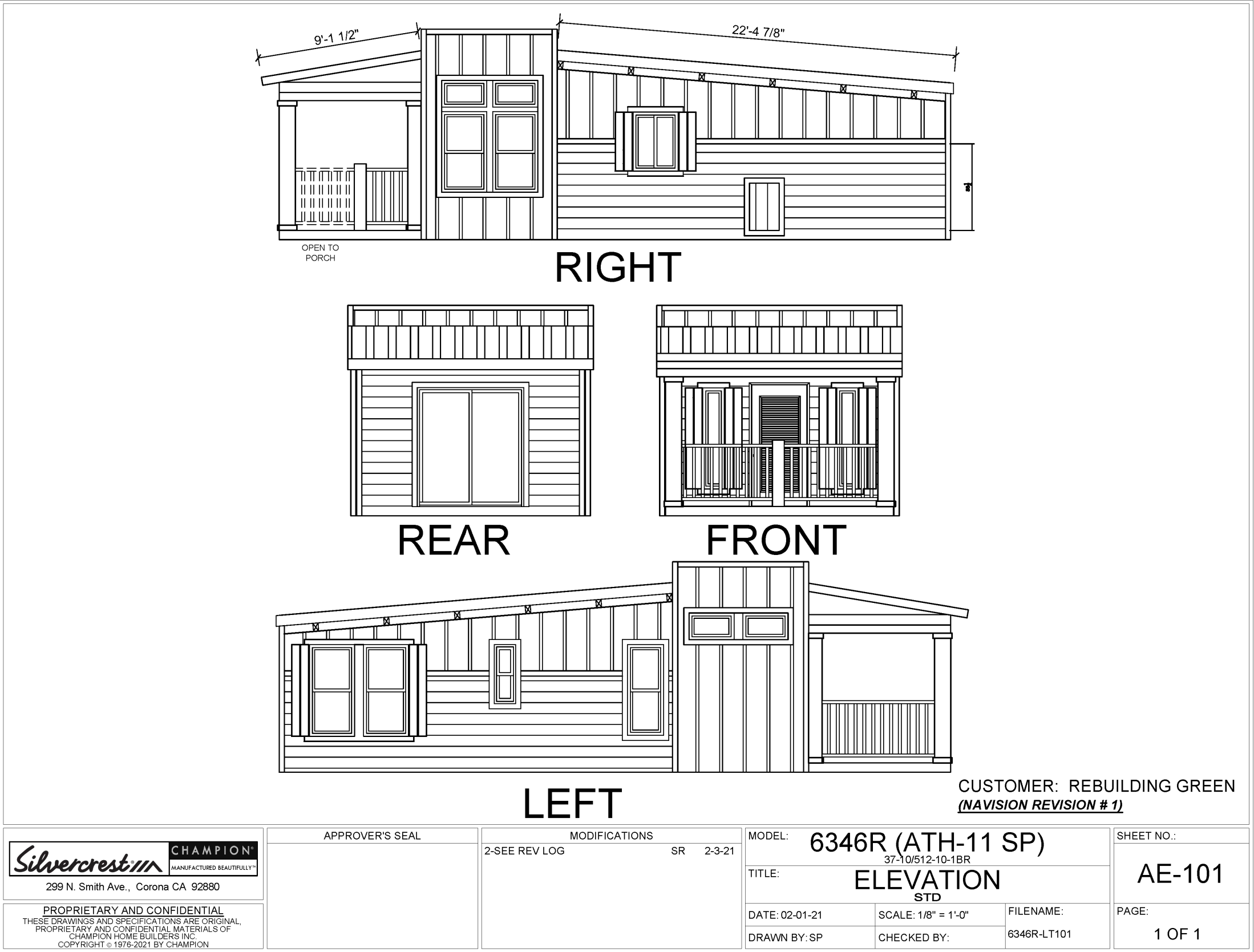


Figure 5: Puebla Style Floor Plans

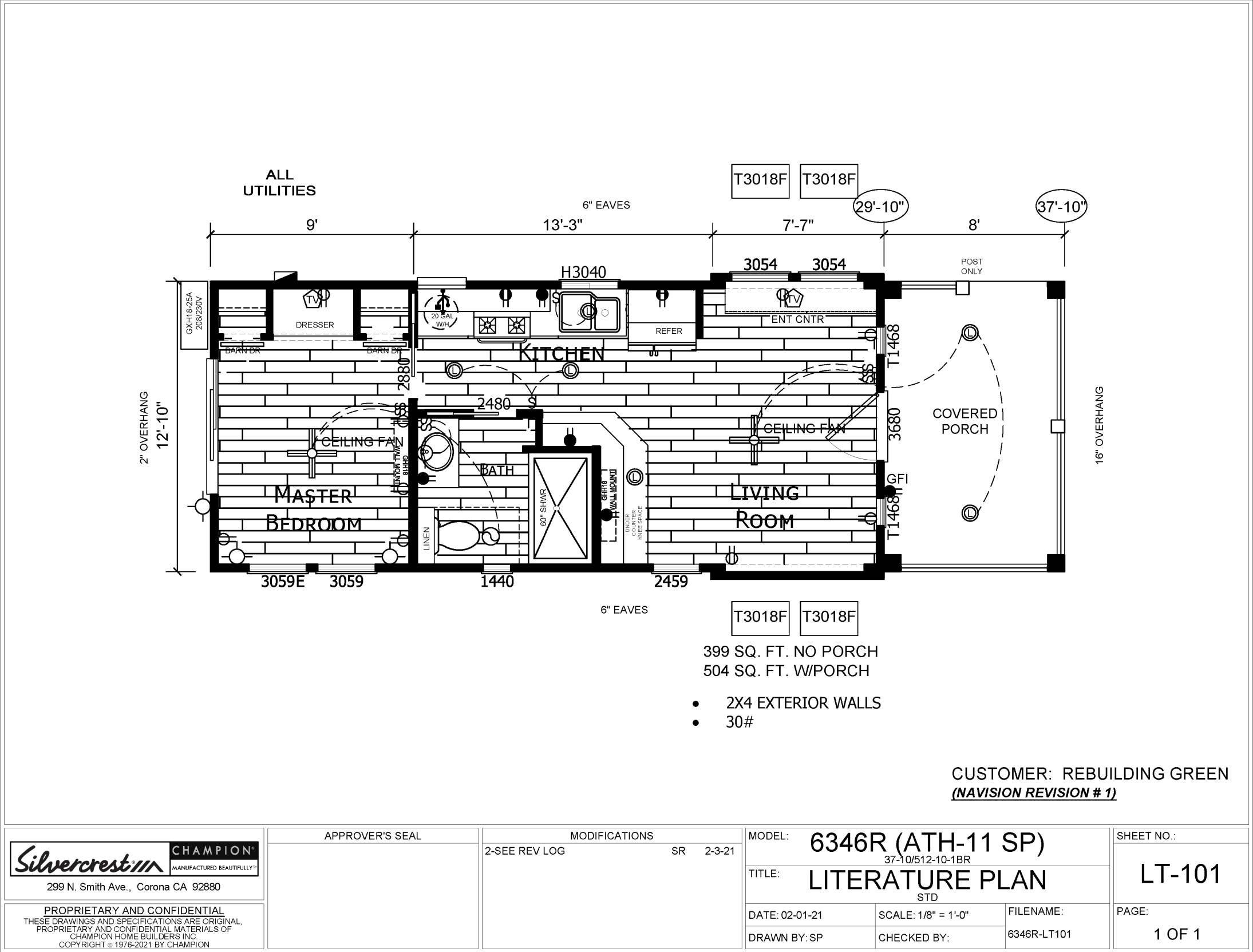


Figure 6: Sophia Style Elevation

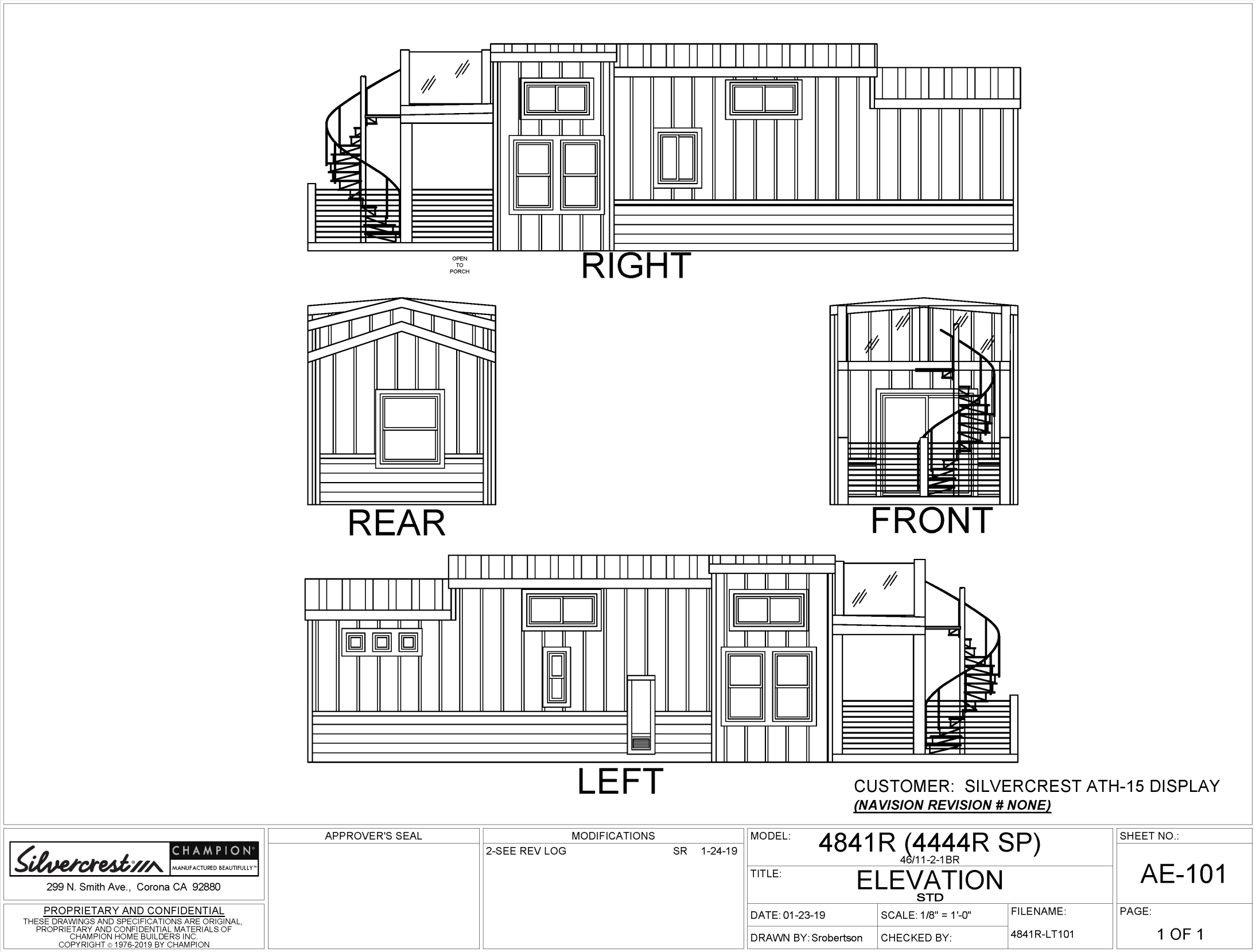


Figure 7: Sophia Style Floor Plans

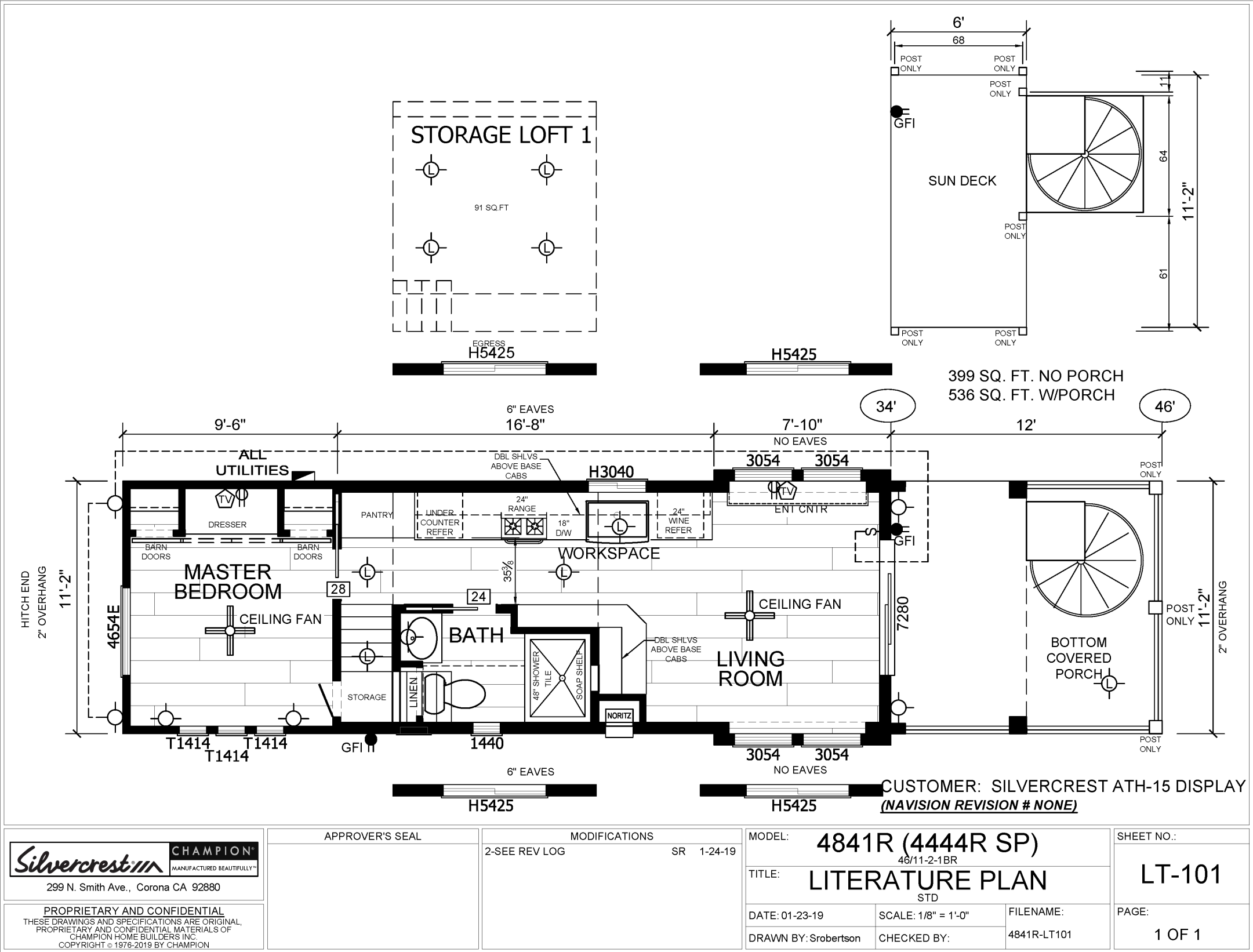
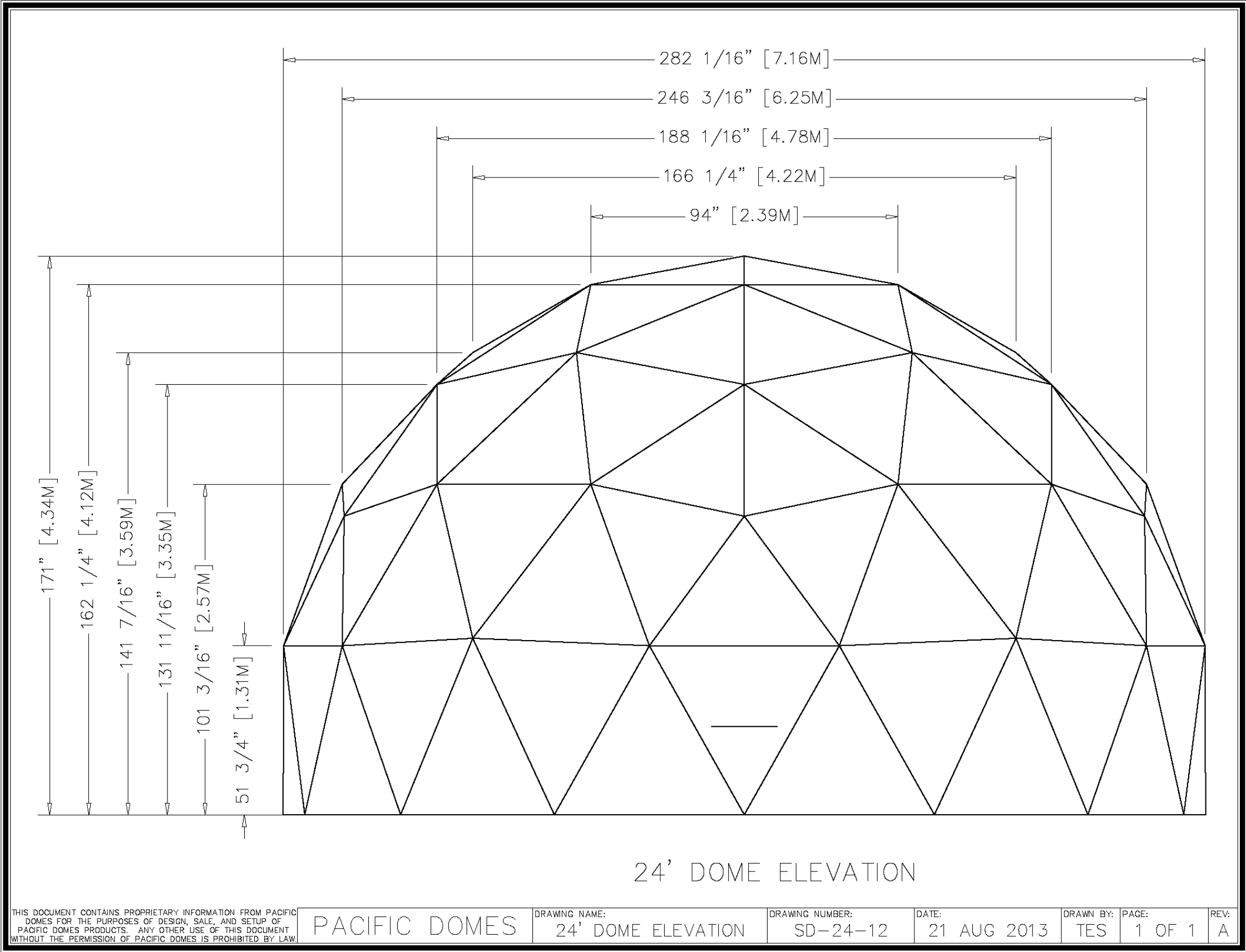


Figure 8: Yoga Dome Elevation



ENVIRONMENTAL EVALUATION

TERMINOLOGY DEFINITIONS: The following terminology from Appendix G of the *State CEQA Guidelines* 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 EIR must be prepared consistent with CEQA.
- **Less-than-Significant Impact with Mitigation.** This item applies to adverse environmental consequences that have the potential to be significant but can be reduced to less-than-significant levels through the application of identified mitigation strategies that have not already been incorporated into the proposed project.
- **Less-than-Significant Impact.** This term applies to potentially adverse environmental consequences that do not meet the significance threshold criteria for that resource. Therefore, no mitigation measures are required.
- **No Impact.** This term means no adverse environmental consequences have been identified for the resource or the consequences are negligible or undetectable. Therefore, no mitigation measures are required.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

☐ Aesthetics
☐ Biological Resources
☐ Geology/Soils
☐ Hydrology/Water Quality
☐ Noise
☐ Recreation
☐ Utilities/Service Systems
☒ None with Mitigation Implemented

☐ Agriculture and Forestry Resources
☐ Cultural Resources
☐ Greenhouse Gas Emissions
☐ Land Use/Planning
☐ Population/Housing
☐ Transportation
☐ Wildfire

☐ Air Quality
☐ Energy
☐ Hazards and Hazardous Materials
☐ Mineral Resources
☐ Public Services
☐ Tribal Cultural Resources
☐ Mandatory Findings of Significance

DETERMINATION (To be completed by the Lead Agency) on the basis on the initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because 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, 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 the 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.



Quincy Yaley, AICP
Environmental Coordinator

Dec 10, 2023

Date

EVALUATION OF ENVIRONMENTAL IMPACTS

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

AESTHETICS:

Issues and Supporting Information Sources

Would the Proposed Project/Action:

	<i>Potentially Significant Impact</i>	<i>Less-than- Significant With Mitigation Incorporation</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experiences from publicly assessable vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☒	☐	☐

Environmental Setting:

Visual or aesthetic resources are generally defined as the natural and built features of the landscape that can be seen. The combination of landform, water, and vegetation patterns represents the natural landscape that defines an area's visual character, whereas built features such as buildings, roads, and other structures reflect human or cultural modifications to the landscape. These natural and built landscape features or visual resources contribute to the public's experience and appreciation of the environment. Depending on the extent to which a project's presence would alter the perceived visual character and quality of the environment, visual or aesthetic impact may occur. It should be noted that visual change in and of itself does not necessarily represent an adverse impact, and in some cases may result in a beneficial visual effect.

The aesthetic analysis is based on field observations and the review of information including site maps, drawings, technical data, and aerial and ground level photographs of the area. In addition, as part of this study, planning documents pertinent to visual quality including the Tuolumne County General Plan were reviewed. The analysis also responds to the California Environmental Quality Act (CEQA) guidelines for visual impact analysis as well as the goals, programs, and implementation programs outlined in the Tuolumne County General Plan and the Tuolumne County Ordinance Code.

The Tuolumne County General Plan recognizes agricultural, and timberlands as having historically defined the rural character and scenic beauty of the County. There are no scenic vistas within the project vicinity at the project site, and the project does not contain agricultural or timberlands. Existing light sources would be associated with the existing residential uses on the project site and surrounding parcels.

The project site is located approximately 6 miles east of the townsite of Groveland. The site is located outside of the identified community of Groveland as identified in the General Plan. There are no specific design guidelines for the Groveland community or that are applicable to the project.

The project site is developed with a single-family dwelling, detached garage, gravel loop driveway, and associated infrastructure. The area proposed for development of the guest cabins, yoga dome, and other infrastructure would be placed within areas of the site containing minimal mature vegetation. Therefore, trees would not need to be removed to allow for the development. Vegetation removal for fuel reduction purposes is allowed to occur.

Parcels west and southwest of the project site are public land under the jurisdiction of the US Forest Service. These parcels contain the Public General Plan land use designation and are currently undeveloped, open lands. Parcels south and southeast contain the RR (Rural Residential), ER (Estate Residential), and LDR (Low Density Residential) General Plan designation and are utilized as rural residential parcels. Parcels across State Route 120 contain the AG (Agricultural General Plan) and currently have an agricultural operation for cattle grazing.

Potentially affected viewers in the area includes motorists and other viewers along Sprague Road East and State Route 120 both of which are publicly dedicated roads. Additionally, the parcels directly west and southwest of the project site are public land under the jurisdiction of the US Forest Service. These would represent the largest of the affected viewer groups and include the public views of the project site.

Analysis:

- a) A scenic vista is considered a view of an area that has remarkable scenery or a natural or cultural resource that is indigenous to the area. There are three vista points within Tuolumne County that have been officially designated by the California Department of Transportation (Caltrans) as a scenic vista point. Two of these are found at Lake Don Pedro and the third one is the "Rim of the World" which is along State Highway 120 east of the community of Groveland. The "Rim of the World" scenic vista is located approximately 6.1± miles east of the project site along State Route 120. The vista offers views of the Tuolumne River canyon located to the north of State Route 120. Due to topography and distance, the project site is not visible from the Rim of the World vista point and there would be no impact.
- b) Tuolumne County does not currently have any officially designated state scenic highways, although portions of State highways 49, 108, 120 are eligible for designation. These portions have been identified as locally designated scenic routes. State Highway 49 has been recognized as a locally designated scenic route from the Mariposa County Line to Route 120 near Moccasin Creek and from Route 120 at Chinese Camp to the Calaveras County line, exclusive of the City of Sonora. State Highway 108 from the intersection with State Highway 49 easterly to the Mono County line has also been recognized as a locally designated scenic highway. State Route 120 has been recognized as a locally designated scenic route from Route 49 near Chinese Camp easterly to Route 49 near Moccasin Creek. State Route 120 within the vicinity of the project site has not been designated as an official scenic highway or locally designated. Therefore, there is no impact.
- c) The project site is not located within an area of the County that is subject to design review and the site is not within an urbanized area as defined in the Tuolumne County General Plan. There are no adopted design standards for the Groveland area. Public views of the site would consist of motorists and other viewers along Sprague Road East and State Route 120. Additionally, the parcels directly west and southwest of the project site are public land under the jurisdiction of the US Forest Service. These would represent the public viewpoints of the site. The area proposed for development of the guest cabins, yoga dome, and other infrastructure would be placed within areas of the site containing minimal mature vegetation. Therefore, trees would not need to be removed to allow for the development. There are natural mature pine and oak trees located along the roadways, providing natural screening to the site. Additionally, the slopes in the area of development average approximately 5-9%, so there would not be substantial grading or change in grade to allow for the project. A landscaping plan consistent with Chapter 15.28 of the TCOC is required. The landscaping plan is required to be submitted prior to the approval of the HCD local entitlement approval form and would be verified by the Land Use and Natural Resources (LUNR) Division. There would be a less than significant impact.
- d) New sources of light and glare would be introduced. To ensure that any lighting installed in the future would not create a significant impact, Mitigation Measure AES-1 has been incorporated. Mitigation Measure AES-1 would require that prior to the issuance of a building permit from HCD, a lighting plan will be required implementing Dark Sky lighting, such fixtures that minimize glare while reducing light

trespass and skyglow. Mitigation Measure AES-1 will require any exterior lighting to incorporate the following: direct the light downward to the area to be illuminated, install shields to direct light and reduce glare, utilize low rise light standards or fixtures attached to the buildings, and utilize low- or high-pressure sodium lamps instead of halogen type lights. The project proponent will be required to submit a lighting plan to show consistency with the above provisions. Consistency with Mitigation Measure AES-1 will be reviewed by Community Development Department (CDD) staff upon notification from HCD of an application for a building permit to their agency. The lighting plan will be required to be reviewed and approved by CDD Staff prior to approval of the HCD local entitlement approval form. There would be a less than significant impact with mitigation.

Mitigation Measures:

AES-1: A lighting plan shall be submitted and approved by the Land Use and Natural Resources Division prior to prior to approval of the HCD local entitlement approval form. Any exterior lighting shall incorporate the following features: direction of light downward to the area to be illuminated, installation of shields to direct light and reduce glare, utilization of low-rise light standards or fixtures attached to any buildings, and utilization of low- or high-pressure sodium lamps instead of halogen type lights.

Mitigation Monitoring:

Mitigation Measure AES-1 will be required to be met prior to approval of the HCD local entitlement approval form. Mitigation Measures AES-1 will be verified by the Land Use and Natural Resources Division. A Notice of Action will be recorded to advise future owners of the required mitigation measure and the responsibility to comply with said measure.

AGRICULTURAL AND FORESTRY RESOURCES:

In determining whether the 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 Department of Conservation, as an optional model to use in assessing impacts on 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. This includes: Forest and Range Assessment Project, the Forestry Assessment Project and Forest Carbon Measurement methodology provided in Forest Protocols, adopted by the California Air Resources Board.

	Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
Issues and Supporting Information Sources				
Would the Proposed Project/Action:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land, or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☒	☐

Environmental Setting:

Lands of agricultural importance in Tuolumne County are designated AG (Agricultural), TPZ (Timber Production), or O (Open Space) by the General Plan land use diagrams. Exclusive agricultural properties contain the AE-160 (Exclusive Agricultural, One Hundred Sixty Acre Minimum), AE-80 (Exclusive Agricultural, Eighty Acre Minimum), and AE-37 (Exclusive Agricultural, Thirty-Seven Acre Minimum) Zoning. Parcels within the Williamson Act must contain the Agricultural Preserve Combining (:AP) zoning, as required by Tuolumne County Resolution 106-04. Chapter 8 of the 2018 Tuolumne County General Plan contains the Goals, Policies, and Implementation Programs related to agriculture in Tuolumne County. The project was reviewed for consistency with the Agricultural Element of the General Plan. The project site is currently zoned C-K and contains the R/P (Parks and Recreation) General Plan land use designation.

The California Department of Forestry and Fire Protection (CalFire) regulates timber harvesting and logging on privately owned lands in California. Prior to the conversion of land to a land use other than growing timber, a Timberland Conversion permit must be reviewed and approved by CalFire.

California Land Conservation Act

The California Land Conservation Act of 1965 (Williamson Act) enables local governments to enter into contracts with private landowners for preserving agricultural land or related open space uses. Land under agricultural production can have its annual assessed valuation for property tax calculation reduced if the owner agrees to place the land under a Williamson Act contract for 10 years, renewable annually. Tuolumne County Resolution 106-04, approved by the Board of Supervisors on June 15, 2004, contains the County's rules and

regulations to govern land within Agricultural Preserves and land within the Williamson Act Land Conservation Program.

Z'berg-Nejedly Forest Practice Act of 1976

The project site is located on private property and as such for actions related specifically to potential impacts from forest resources could be subject to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (FPA) that have been promulgated as the California Forest Practice Rules. Land within Tuolumne County that is subject to the Z'berg-Nejedly Forest Practice Act of 1976 is demonstrated by the TPZ (Timberland Preserve) zoning district and the TPZ General Plan land use designation. The TPZ zoning district is utilized for the protection of timberland. The TPZ zoning district is for the protection of timberland and in order to prevent encroachment upon it by incompatible uses of land, and for the general welfare of the County as a whole. This zone is intended to qualify its land pursuant to Z'bergWarren-Keene-Collier Forest Taxation Reform Act of 1976 or such other legislative statutes or constitutional authorization as may be developed for defining a timberland preserve. Land within Tuolumne County that is subject to the Z'berg-Nejedly Forest Practice Act of 1976 is demonstrated by the TPZ (Timberland Preserve) zoning district and the TPZ General Plan land use designation.

Analysis:

- a) The project site has not been mapped under the Farmland Mapping and Monitoring Program of the California Resources Agency. However, the project site has been mapped under the United States Department of Agriculture Natural Resources Conservation Service web soil survey maps. The site contains the Josephine family deep-Moderately deep complex and moderately deep-Deep complex. Neither of these soil types are considered Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore, there will be no impact.
- b) The project site is zoned C-K and contains the R/P General Plan land use designation. Neither of these are compatible with zoning for inclusion within the Williamson Act. Additionally, the size of the parcel would not allow for inclusion within the Williamson Act. The project site is not within a Williamson Act Land Conservation contract. There is one Williamson Act Contract consisting of two parcels located across State Route 120 from the project site. The Williamson Act Contract consists of a dryland cattle grazing use as well as an approved recreational use consisting of a ropes course. Due to the size of the State Highway right-of-way, the project site is located approximately 500 feet from the nearest property boundary of the parcel within the Williamson Act Program. This is greater than the 200-foot buffer recommended by Policy 8.A.4 of the Agricultural Element of the General Plan. The purpose of Policy 8.A.4 is to provide a sufficient buffer between agricultural uses and non-agricultural development. There will be no impact as the project would not conflict with existing zoning for agricultural use or a Williamson Act Contract.
- c,d) The TPZ zoning district is utilized for the protection of timberland. The TPZ zoning district is for the protection of timberland and in order to prevent encroachment upon it by incompatible uses of land, and for the general welfare of the County as a whole. This zone is intended to qualify its land pursuant to Z'bergWarren-Keene-Collier Forest Taxation Reform Act of 1976 or such other legislative statutes or constitutional authorization as may be developed for defining a timberland preserve. The TPZ land use designation provides for the growing and harvesting of timber and other forest products in concert with limited, low-intensity public and private commercial recreational uses. Typical land uses allowed in the TPZ designation include all commercial timber production operations and facilities, agricultural operations, mineral and other resource extraction operations, recreation uses such as public utility and safety facilities.

The project site does not contain the TPZ zoning district or the TPZ General Plan land use designation. There are no parcels within the vicinity of the project site that contain the TPZ zoning district or the TPZ land use designation.

The California Department of Forestry and Fire Protection (CalFire) regulates timber harvesting and logging on privately owned lands in California. Prior to the conversion of land to a land use other than growing timber, a Timberland Conversion permit must be reviewed and approved by CalFire. The project site is not vacant and has therefore previously converted from a timberland use. Therefore, the project is not subject to a Timberland Conversion permit or Less Than Three Acre Conversion Exemption issued by CalFire. The project would have no impact.

- e) The project site is located more than 500 feet from the nearest parcel zoned Exclusive Agricultural or containing the Agricultural General Plan land use designation. The nearest agricultural parcel is located on the other side of State Route 120. This distance is further than the 200 foot buffer recommended by Policy 8.A.4 of the Agricultural Element of the General Plan to minimize developmental impacts to agriculture. The project consists of the recreational development consisting of twelve guest cabins, swimming pool, yoga dome, and associated infrastructure. There would not be any off-site improvements triggered by the project. Therefore, it is unlikely that the project would have impacts that would result in the conversion of agricultural land to a non-agricultural use. There is a less than significant impact.

Mitigation Measures: None Required

Mitigation Monitoring: Not Applicable

AIR QUALITY:

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

Issues and Supporting Information Sources	Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
Where available, the significance criteria established by the Tuolumne County Air Pollution Control District has been relied upon to make the following determinations. Would the Proposed Project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☒

Environmental Setting:

This section describes the impacts of the proposed project on local and regional air quality. It describes existing air quality in the foothills; project related direct and indirect emissions; health effects; and the impacts of these emissions on both the project and cumulative/regional scale.

The U.S. Environmental Protection Agency (EPA) designated Tuolumne County as “attainment/unclassified” for the 2008 eight-hour federal ozone standard on July 20, 2012. Tuolumne County is “attainment/unclassified” for all other federal ambient air quality standards. With respect to State ambient air quality standards, Tuolumne County is classified as “nonattainment” for ozone and “attainment/unclassified” for all other State standards. The State ozone “nonattainment” status is due to overwhelming transport of ozone precursors from upwind, urban areas.

Air pollution is directly related to a region's topographic features, and the California Air Resources Board (CARB) has divided California into regional air basins according to topographic air drainage features. The Mountain Counties Air Basin (MCAB) includes Plumas, Sierra, Nevada, Placer (middle portion), El Dorado (western portion), Amador, Calaveras, Tuolumne, and Mariposa Counties. While the MCAB encompasses such an expansive territory, the population of the entire air basin is less than 500,000 (472,991 in 2010). The basin lies along the northern Sierra Nevada Mountain Range, close to or contiguous with the Nevada border, and covers an area of roughly 11,000 square miles.

Elevations range from over 10,000 feet at the Sierra crest down to several hundred feet above sea level at the Stanislaus County boundary. Throughout the MCAB basin, the topography is highly variable, and includes rugged mountain peaks and valleys with extreme slopes and differences in elevation in the Sierras, as well as rolling foothills to the west.

The general climate of the MCAB varies considerably with elevation and proximity to the Sierra ridge. The terrain features of the basin make it possible for various climates to exist in a relatively close proximity. The Sierra Nevada receives large amounts of precipitation in the winter, with lighter amounts in the summer. Precipitation levels are high in the highest mountain elevations but decline rapidly toward the western portion of the basin. Winter temperatures in the mountains can be below freezing for weeks at a time, and substantial depths of snow can accumulate, but in the western foothills, winter temperatures usually dip below freezing only

at night and precipitation is mixed as rain or light snow. In the summer, temperatures in the mountains are mild, with daytime peaks in the 70s to low 80s, but the western end of the basin can routinely exceed 100 degrees.

Local Climate and Sources of Air Pollution

The climate in Tuolumne County can be considered Mediterranean with moist and cold winters and warm and dry summers. The mean annual precipitation is 33 to 49 inches (838 to 1,245 millimeters). Mean annual temperature is 41 to 53 degrees F (5.0 to 11.7 degrees C). The frost-free period is 100 to 150 days.

Table 1. Tuolumne County Designations and Classifications		
Pollutant	Designation/Classification	
	Federal Standard	State Standard
Ozone - One hour	Attainment	Nonattainment
Ozone - Eight hour	Nonattainment	Nonattainment
PM 10	Unclassified	Unclassified
PM 2.5	Attainment/Unclassified	Unclassified
Carbon Monoxide	Attainment/Unclassified	Attainment
Nitrogen Dioxide	Attainment/Unclassified	Attainment
Sulfur Dioxide	Unclassified	Attainment
Lead (Particulate)	Attainment/Unclassified	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Visibility Reducing Particles	No Federal Standard	Unclassified
Source: CARB "Inhalable coarse particles (PM _{2.5-10})," such as those found near roadways and dusty industries, are between 2.5 and 10 micrometers in diameter. PM _{2.5-10} is deposited in the thoracic region of the lungs. "Fine particles (PM _{2.5})," such as those found in smoke and haze, are 2.5 micrometers in diameter and smaller. These particles can be directly emitted from sources such as forest fires, or they can form when gases emitted from power plants, industries and automobiles react in the air. They penetrate deeply into the thoracic and alveolar regions of the lungs.		

The Tuolumne County Air Pollution Control District (TCAPCD) does not meet the state one-hour or eight-hour standard for ozone and does not meet the federal eight-hour standard for ozone. The District is either in attainment or in an unclassified area for the remainder of the pollutants in Table 1, due to the lack of availability of data.

Local jurisdictions have the authority and responsibility to reduce air pollution through their policies, codes, and land use planning. The project was evaluated under the California Air Resource Board (CARB) air quality standards and area designations, and the Tuolumne County Air Pollution Control District's thresholds of significance, and the Tuolumne County Ordinance Code and Tuolumne County General Plan.

TCAPCD is the primary agency responsible for planning to meet National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) in the County and is responsible for implementing emissions standards and other requirements of federal and state laws regarding most types of stationary emission sources. In addition, TCAPCD has also set emissions thresholds for certain pollutants for the purposes CEQA. Pursuant to the State CEQA Guidelines, air quality impacts from project implementation would be significant if the project would:

- violate any air quality standard or contribute substantially to an existing or project air quality violation—for the purposes of the project locations, result in construction or operations of a project that generated emissions in excess of the following thresholds, except CO, used by TCAPCD (2017):
- reactive organic gases (ROG) – 1,000 pounds per day (lb/day) or 100 tons per year (tpy)
- oxides of nitrogen (NOX) – 1,000 lb/day or 100 tpy
- PM₁₀ – 1,000 lb/day or 100 tpy
- CO – 1,000 lb/day or 100 tpy

- expose sensitive receptors to a substantial incremental increase in toxic air contaminant (TAC) emissions; or create objectionable odors affecting a substantial number of people

Primary criteria pollutants are emitted directly from a source (e.g., vehicle tailpipe, an exhaust stack of a factory) into the atmosphere. Primary criteria pollutants include carbon monoxide (CO), reactive organic gases (ROG), oxides of nitrogen (NO_x), respirable and fine particulate matter (PM₁₀ and PM_{2.5}), sulfur dioxide (SO₂), and lead. Secondary criteria pollutants are created by atmospheric chemical and photochemical reactions; ROG together with NO_x form the building blocks for the creation of photochemical (secondary) pollutants. Secondary criteria pollutants include oxidants, ozone, and sulfate and nitrate particulates (smog). The characteristics, sources, and effects of the criteria air pollutants of most concern are described below.

Carbon Monoxide, CO, is a local pollutant that is found in high concentrations only near the source. The major source of CO, a colorless, odorless, poisonous gas, is automobile traffic. Elevated concentrations, therefore, are usually found only near areas of high traffic volumes. CO's health effects are related to its affinity for hemoglobin in the blood. At high concentrations, CO reduces the amount of oxygen in the blood, causing heart difficulties in people with chronic diseases, reduced lung capacity, and impaired mental abilities.

Ozone is produced by a photochemical reaction (triggered by sunlight) between NO_x and ROG. NO_x is formed during the combustion of fuels, while ROG is formed during combustion and evaporation of fossil fuels and organic solvents. Because ozone requires sunlight to form, it mostly occurs in concentrations considered serious between the months of April and October. Ozone is a pungent, colorless, toxic gas with direct health effects on humans, including respiratory and eye irritation and possible changes in lung functions. Groups most sensitive to ozone include children, the elderly, people with respiratory disorders, and people who exercise strenuously outdoors.

Nitrogen Dioxide, NO₂, is a byproduct of fuel combustion, with the primary source being motor vehicles and industrial boilers and furnaces. The principal form of NO_x produced by combustion is NO, but NO reacts rapidly to form NO₂, creating the mixture of NO and NO₂ commonly called NO_x. NO₂ is an acute irritant. A relationship between NO₂ and chronic pulmonary fibrosis may exist, and an increase in bronchitis in young children at concentrations below 0.3 part per million may occur. NO₂ absorbs blue light and causes a reddish-brown cast to the atmosphere and reduced visibility. It can also contribute to the formation of PM₁₀ and acid rain.

PM₁₀ is respirable particulate matter (PM) measuring no more than 10 microns in diameter, while PM_{2.5} is fine PM measuring no more than 2.5 microns in diameter. PM₁₀ and PM_{2.5} are mostly dust particles, nitrates, and sulfates. Both PM₁₀ and PM_{2.5} are byproducts of fuel combustion and wind erosion of soil and unpaved roads and are directly emitted into the atmosphere through these processes. They are also created in the atmosphere through chemical reactions. The characteristics, sources, and potential health effects associated with respirable particulates (those between 2.5 and 10 microns in diameter) and fine particulates (PM_{2.5}) can be very different. Respirable particulates generally come from windblown dust and dust kicked up from mobile sources. Fine particulates are generally associated with combustion processes and are formed in the atmosphere as a secondary pollutant through chemical reactions. PM_{2.5} is more likely to penetrate deeply into the lungs and poses a health threat to all groups, but particularly to the elderly, children, and those with respiratory problems. More than half of the PM₁₀ and PM_{2.5} that is inhaled into the lungs remains there. These materials can damage health by interfering with the body's mechanisms for clearing the respiratory tract or by acting as carriers of an absorbed toxic substance.

Sulfur Dioxide, SO₂, is a colorless, pungent, irritating gas formed primarily by the combustion of sulfur-containing fossil fuels. In humid atmospheres, SO₂ can form sulfur trioxide and sulfuric acid mist, with some of the latter eventually reacting to produce sulfate particulates. This contaminant is the natural combustion product of sulfur or sulfur-containing fuels. Fuel combustion is the major source, while chemical plants, sulfur recovery plants, and metal processing are minor contributors. At sufficiently high concentrations, SO₂ irritates the upper respiratory tract. At lower concentrations, when in conjunction with particulates, SO₂ appears able to do still greater harm by injuring lung tissues. Sulfur oxides, in combination with moisture and oxygen, can yellow the

leaves of plants, dissolve marble, and eat away iron and steel. Sulfur oxides can also react to form sulfates, which reduce visibility.

Odors are generally regarded as an annoyance rather than a health hazard. However, manifestations of a person's reaction to foul odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache). There are existing industrial and commercial land uses in the vicinity of the project site that may emit intermittent odors as a result of business operations.

Sensitive receptors are generally considered to include those land uses where exposure to pollutants could result in health-related risks to sensitive individuals, such as children or the elderly. Residential dwellings, schools, hospitals, outdoor playgrounds, places of worship, and similar facilities are of primary concern because of the presence of individuals particularly sensitive to pollutants and/or the potential for increased and prolonged exposure of individuals to pollutants. There is a residence located on the project site and on adjacent parcels to the southwest of the project site. There are no other sensitive receptors located within the project vicinity.

Analysis:

- a) Tuolumne County does not currently have an air quality plan. Tuolumne County's 2018 General Plan contains an Air Quality Element. The project has been reviewed for consistency with the Air Quality Element of the 2018 General Plan. The following goals, policies, and implementation programs of the Air Quality Element apply to the project:

Policy 15.A.1: *Accurately determine and fairly mitigate the local and regional air quality impacts of land development projects proposed in the County.*

The CalEEMod was used to determine the air quality impacts of the project. The estimated emissions are less than the thresholds set by the County, therefore no mitigation measures are needed. See the analysis in section b below for additional information.

Implementation Program 15.A.k: *- Require the following dust-control measures during all project-related site preparation activities (i.e., grading, excavation and associated materials hauling) to reduce air quality impacts:*

- *Exposed soils shall be watered as needed to control wind borne dust.*
- *Exposed piles of dirt, sand, gravel, or other construction debris shall be enclosed, covered and/or watered as needed to control wind borne dust.*
- *Vehicle trackout shall be minimized through the use of rumble strips and wheel washers for all trucks and equipment leaving the site.*
- *Sweep streets once a day if visible soil materials are carried to adjacent streets (recommend water sweepers with reclaimed water).*
- *On-site vehicle speed shall be limited to 15 miles per hour on unpaved surfaces.*
- *Loads on all haul/dump trucks shall be covered securely or at least two feet of freeboard shall be maintained on trucks hauling loads.*
- *Construction equipment shall be maintained and tuned at the interval recommended by the manufacturers to minimize exhaust emissions.*
- *Equipment idling shall be kept to a minimum when equipment is not in use.*
- *Construction equipment shall be in compliance with the California Air Resources Board off-road and portable equipment diesel particulate matter regulations.*

The project will be conditioned to require the implementation of measures indicated above in Implementation Program 15.A.k.

Implementation Program 15.C.a: *Continue to require the installation of only low-emitting, EPA-certified*

fireplaces, woodstoves or pellet stoves where such wood-burning devices are desired by the developers and/or future homeowners, except in areas with poor air quality or dispersion, or where otherwise prohibited.

The guest units will not contain stoves. The applicant has indicated that each “neighborhood” would contain a propane fire pit, for a total of three propane fire pits on site.

The project is consistent with the Air Quality Element of the 2018 General Plan. Therefore, there is a less than significant impact.

b) Construction and operations are discussed separately below.

Criteria air pollutant emissions from construction and operation of the proposed project were modeled using the California Emissions Estimator Model (CalEEMod), version 2016.3.2 (California Air Pollution Control Officers Association [CAPCOA] 2016a. The proposed land uses were matched to the most similar land use types available in CalEEMod, which CalEEMod uses to estimate default modeling assumptions (e.g., the construction phasing durations, number of equipment, equipment hours per day, and worker trips). The recreational motel land use was utilized. All model assumptions and model outputs can be found in Appendix A of this document. Table 2 below shows the annual emissions summary for the construction and operational emissions that TCAPCD has set thresholds for.

Construction

Construction associated with the proposed project include site excavation, grading for the building pads, on-site roads and parking areas, and installation of utilities. The guest cabins would be hauled to the site and would come prefabricated. The guest units would not be placed on permanent foundations. The yoga dome would also be pre-fabricated off site and placed on a deck that would be constructed on site. Construction activities would include grading/excavation, foundation pouring, building construction, and paving, and would occur sequentially. Typical construction equipment would include dozers, excavators, loaders/backhoes, paving equipment, forklifts, and haul trucks.

As shown in Table 2 below, criteria air pollutant emissions generated by project construction would not exceed TCAPCD’s significance thresholds. Therefore, air quality impacts related to construction would be less than significant.

Operation

Operation of the proposed project would consist of overnight stays by guests in the guest cabins. The yoga dome and other amenities would be reserved for use by guests only. The main source of emissions would be from vehicular traffic associated with guests and employees going to and leaving the site. The site would not include any wood burning fire stoves or fire pits. As shown in Table 2 below, criteria air pollutant emissions generated by project operation would not exceed TCAPCD’s significance thresholds. Therefore, operational air quality impacts would be less than significant.

Table 2: Annual Emissions Model Summary				
	ROG (tons/year)	NO _x (tons/year)	PM ₁₀ total (tons/year)	CO (tons/year)
Annual Construction Emission	0.4021	2.2377	0.3348	2.4343
Annual Operational Emission	0.1770	0.1242	0.0585	0.3530

TCAPCD Threshold	100	100	100	100
Exceed Significance Threshold?	No	No	No	No

- c) There is a residence located on the project site and on adjacent parcels to the southwest of the project site. The nearest adjacent residence is located approximately 600 feet south of the developed area associated with the project. There are no other potentially sensitive receptors in the vicinity of the project site. The project would be required to comply with all applicable Federal, State, and Local regulations pertaining to air quality. As indicated in Table 2 above, construction and operational emissions would be below thresholds established by TCAPCD. The proposed project would not create a source of substantial pollutants and would therefore not adversely affect those residing in the vicinity. Therefore, there would be a less than significant impact.
- d) The occurrence and severity of odor impacts depends on numerous factors, including the nature, frequency, and intensity of the source; wind speed and direction; and the proximity and sensitivity of exposed individuals. There would be no land uses on the site that would cause substantial odors. The project would be required to comply with all applicable air quality regulations. There would be no impact.

Mitigation Measure: None Required

Mitigation Monitoring: Not applicable

BIOLOGICAL RESOURCES

Issues and Supporting Information Sources	Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
Would the Proposed Project/Action:				
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 the 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, and regulations or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on State or federally protected wetlands (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
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 Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Environmental Setting:

The elevations on the project site range from approximately 2,925 feet above mean sea level in the northwestern portion of the site to approximately 3,020 feet above mean sea level in the southern portion of the site. Vegetation on the site includes ponderosa pines (*Pinus ponderosa*), incense cedar (*Calocedrus decurrens*), black oak (*Quercus velutina*), and annual grass species.

The Tuolumne County Wildlife maps and the California Department of Forestry and Fire Protection (CalFire) Fire and Resource Assessment Program (FRAP) maps indicate that the project site contains the ponderosa pine (ppn) habitat and the montane hardwood-conifer (mhc) habitat. The ppn habitat encompasses approximately 10.5 acres of the 14.1-acre site, or 75% of the site. The proposed development would occur within the area of the site designated by the ppn habitat.

Pursuant to the Tuolumne County Wildlife Handbook (TCWH) the ppn and mhc habitat types are considered third priority habitats, which are common habitats that are of considerable value to wildlife. The ppn habitat is defined by the TCWH as “forests dominated by ponderosa pine, often associated with white fir, incense-cedar, sugar pine, Douglas fir, black oak, canyon live oak, and other trees. Stands may be open to dense, with variable amounts of understory shrubs and herbs.” The mhc habitat is defined as “forests consisting of at least one-third hardwoods (not including riparian trees) and one-third conifers, often forming a dense canopy. Tree species composition is similar to that of ponderosa pine forest. This type often occurs as a mosaic with small pure stands of conifers interspersed with small stands of hardwoods, which typically form a lower canopy than that of conifers.

The California Natural Diversity Database (CNDDDB) includes plants and animal species that are rare, threatened, or endangered within California. The CNDDDB is an inventory of these species and the location of known occurrences of these species. The California Native Plant Society (CNPS) maintains a database of rare and endangered plants of California. The US Fish and Wildlife Service (USFWS) maintains an Information for Planning and Consultation (IPac) database, which includes threatened and endangered species, critical habitats, and other special status species and sensitive habitats.

The Tuolumne County Geographic Information System (GIS) Maps indicate that the special animal species the great gray owl (*Strix nebulosa*) and California spotted owl (*Strix occidentalis occidentalis*) have been known to occur within the vicinity of the project site on nearby USFS parcels. No other species listed on the CNDDDB have been known to occur within the project site or within the vicinity.

Regulatory Setting:

Biological resources are regulated by federal, state, and local laws. In California and specifically in Tuolumne County, the Federal Endangered Species Act, Clean Water Act (CWA), California Endangered Species Act (CESA), Tuolumne County General Plan, the Tuolumne County Ordinance Code, and the Tuolumne County Wildlife Handbook are the primary regulations considered in this analysis.

Federal

Pursuant to the ESA, USFWS and the National Marine Fisheries Service (NMFS) have authority over projects that may affect the continued existence of federally listed (threatened or endangered) species. Section 9 of ESA prohibits any person from "taking" an endangered or threatened fish or wildlife species or removing, damaging, or destroying a listed plant species on federal land or where the taking of the plant is prohibited by state law. Take is defined under ESA, in part, as killing, harming, or harassing. Under federal regulations, take is further defined to include habitat modification or degradation where it results in death or injury to wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. If a proposed project would result in take of a federally listed species, the project applicant must consult with USFWS or NMFS before the take occurs under Section 10(a) of ESA or Section 7 of ESA if another federal agency is involved in the action. Conservation measures to minimize or compensate for the take are typically required.

Section 404 of the CWA requires project proponents to obtain a permit from the U.S. Army Corps of Engineers (USACE) before performing any activity that involves any discharge of dredged or fill material into waters of the United States, including wetlands. Waters of the United States include navigable waters of the United States, interstate waters, tidally influenced waters, and all other waters where the use, degradation, or destruction of the waters could affect interstate or foreign commerce, tributaries to any of these waters, and wetlands that meet any of these criteria or that are adjacent to any of these waters or their tributaries. Many surface waters and wetlands in California meet the criteria for waters of the United States. In accordance with Section 401 of the CWA, projects that apply for a USACE permit for discharge of dredged or fill material must obtain water quality certification from the appropriate regional water quality control board (RWQCB) indicating that the action would uphold state water quality standards.

State

Pursuant to CESA, a permit from the California Department of Fish and Wildlife (CDFW) is required for projects that could "take" a species state listed as threatened or endangered. Section 2080 of CESA prohibits take of state-listed species. Under CESA, take is defined as any activity that would directly or indirectly kill an individual of a species. The definition does not include "harm" or "harass" like the federal act. As a result, the threshold for take under CESA is higher than under ESA (i.e., habitat modification is not necessarily considered take under CESA). Authorization for take of state-listed species can be obtained through a California Fish and Game Code Section 2081 incidental take permit.

The California Fish and Game Code identifies Fully Protected Species in Sections 3511, 4700, 5050, and 5515 of the California Fish and Game Code. These statutes prohibit take or possession of fully protected species and do not provide for authorization of incidental take. DFW has informed nonfederal agencies and private parties that their actions must avoid take of any fully protected species. In addition, Section 3503 of the California Fish and Game Code states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. Section 3503.5 specifically states that it is unlawful to take, possess, or destroy any raptors (e.g., hawks, owls, eagles, and falcons), including their nests or eggs.

Section 3503 of the Fish and Game Code states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. Section 3503.5 of the California Fish and Game Code states that it is unlawful to take, possess, or destroy any raptors (i.e., species in the orders Falconiformes and Strigiformes), including their nests or eggs. Typical violations include destruction of active nests as a result of tree removal or disturbance caused by project construction or other activities that cause the adults to abandon the nest, resulting in loss of eggs and/or young.

All diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake in California that supports wildlife resources are subject to regulation by CDFW under Section 1602 of the California Fish and Game Code. Under Section 1602, it is unlawful for any person, governmental agency, or public utility to do the following without first notifying CDFW:

- substantially divert or obstruct the natural flow of, or substantially change or use any material from, the bed, channel, or bank of any river, stream, or lake; or
- deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.

The regulatory definition of a stream is a body of water that flows at least periodically or intermittently through a bed or channel that has banks and supports fish or other aquatic life. This definition includes watercourses with a surface or subsurface flow that supports or has supported riparian vegetation. CDFW's jurisdiction within altered or artificial waterways is based on the value of those waterways to fish and wildlife. A CDFW streambed alteration agreement must be obtained for any action that would result in an impact on a river, stream, or lake.

The State Water Resources Control Board (SWRCB) and each of nine local RWQCBs have jurisdiction over "waters of the State" pursuant to the Porter-Cologne Water Quality Control Act, Water Code Section 13000 et seq., which are defined as any surface water or groundwater, including saline waters, within the boundaries of the State. SWRCB has issued general Waste Discharge Requirements regarding discharges to "isolated" waters of the State (Water Quality Order No. 2004-0004-DWQ, Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction). The local RWQCB enforces actions under this general order for isolated waters not subject to federal jurisdiction and is also responsible for the issuance of water quality certifications pursuant to Section 401 of the CWA for waters subject to federal jurisdiction.

Under CEQA, special-status species include those species meeting the following criteria:

- Plant and wildlife species that have been formally listed, are proposed as endangered or threatened, or are candidates for such listing under the federal and State Endangered Species Acts. Both acts afford protection to listed species;
- California Department of Fish and Wildlife (CDFW) Species of Special Concern, which are species that face extirpation in California if current population and habitat trends continue;
- U.S. Fish and Wildlife Service (USFWS) Birds of Conservation Concern;
- Sensitive species included in USFWS Recovery Plans; and
- CDFW special-status invertebrates.

Although CDFW Species of Special Concern generally do not have special legal status, they are given special consideration under CEQA. In addition to regulations for special-status species, most birds in the U.S., including

non-status species, are protected by the Migratory Bird Treaty Act (MBTA) of 1918. Under the MBTA, destroying active nests, eggs, and young is illegal. In addition, plant species on the California Native Plant Society (CNPS) Lists 1 and 2 are considered special-status plant species and are protected under CEQA.

Local

The Tuolumne County Wildlife Handbook (TCWH) and its associated maps detail the distribution of various habitat types countywide, evaluate their relative biological value, and establish Tuolumne County's standards and thresholds for evaluating the potential biological impacts pursuant to CEQA (Tuolumne County 1987). The avoidance and mitigation measures provided in the TCWH are intended to facilitate a consistent, fair, and cost-effective approach to wildlife mitigation that provides the greatest protection for the most sensitive resources. However, if a site-specific biological evaluation is conducted by a qualified biologist the environmental analysis and mitigation measures can rely on the recommendations of the biologist in lieu of the TCWH recommendations. The applicant has agreed to utilize the measures as indicated in the Tuolumne County Wildlife Handbook.

The TCWH ranks highest priority habitats as first priority and lowest priority habitats as fourth priority. The project site contains habitats ranked as third priority habitat. The TCWH encourages protecting the highest priority habitats.

Implementation Program 16.B.i of the 2018 General Plan requires development that is subject to a discretionary entitlement from the County and to environmental review under the California Environmental Quality Act (CEQA) to evaluate potential impacts to biological resources and mitigate significant impacts for the following or as otherwise required by State or Federal law:

- Species listed or proposed for listing as threatened, rare, or endangered under the federal Endangered Species Act (ESA) or California Endangered Species Act (CESA);
- Species considered as candidates for listing under the ESA or CESA;
- Wildlife species designated by CDFW as Species of Special Concern;
- Animals fully protected under the California Fish and Game Code; and
- Plants considered by CDFW to be "rare, threatened, or endangered in California" (California Rare Plant Ranks [CRPR] of 1A, presumed extinct in California and not known to occur elsewhere; 1B, considered rare or endangered in California and elsewhere; 2A, presumed extinct in California, but more common elsewhere and 2B, considered rare or endangered in California but more common elsewhere).
- Sensitive natural communities, including wetlands under Federal or State jurisdiction, other aquatic resources, riparian habitats, and valley oak (*Quercus lobata*) woodland.
- Important wildlife movement corridors and breeding sites.
- Oak woodlands, as provided in Implementation Program 16.B.j.

Implementation Programs 16.B.j, 16.B.j.1, and 16.B.j.2 found in the Tuolumne County General Plan provide direction on the County's oak woodland analysis. These Implementation Programs are as follows:

Implementation Program 16.B.j:

Establish thresholds of significance under the California Environmental Quality Act (CEQA) for the conversion of oak woodlands in Tuolumne County. The following provides the County's recommended standard guidelines for determining whether a project may result in a significant impact to oak woodlands, for purposes of review under the California Environmental Quality Act and Public Resources Code Section 21083.4.

- An oak woodland is defined in the General Plan as a woodland stand with 10% or greater native oak canopy cover. Tree removal from parcels with less than 10% native oak canopy cover is not considered a significant conversion or loss of oak woodland.

- For parcels with 10% or greater native oak canopy cover (i.e., parcels with oak woodland, as defined in the General Plan), a significant impact to oak woodland includes tree removal that reduces the total oak canopy cover onsite to below 10% (i.e., conversion to non-oak woodland), or a loss of 10% or greater of oak canopy woodland stand on the parcel, if the conversion or loss is determined by a trained professional to be substantial in consideration of, but not limited to, the following:
 - Total acres and amount of woodland stand removed or disturbed, and amount retained onsite.
 - Pattern of development or habitat loss onsite (e.g., clustered vs. dispersed).
 - Existing habitat functions and quality (e.g., intact/high-quality, moderately degraded, or severely degraded).
 - Stand age- or size-class structure.
 - Rarity.
 - Landscape position in relation to larger wildlife corridors, stream systems, or other important natural features.
 - Loss of valley oak (*Quercus lobata*) woodland, which is a sensitive habitat.
 - Proximity to other oak woodland patches and connectivity to large blocks of intact habitat.
 - Contribution to a cumulative loss, degradation, or fragmentation of oak woodland across the County
- Removal of valley oaks (*Quercus lobata*), regardless of woodland stand size or canopy cover, shall require evaluation and determination as set forth above, including consideration of any unique habitat value provided by valley oaks

Analysis:

- a) The Tuolumne County Geotechnical Interpretive System (GIS) Maps indicate that the special animal species the great gray owl (*Strix nebulosa*) and California spotted owl (*Strix occidentalis occidentalis*) have been known to occur within the vicinity of the project site on nearby USFS parcels.

To ensure that the great gray owl or California spotted owl and other nesting bird and special status bird species are not impacted by project implementation, Mitigation Measure BIO-1 has been incorporated to require pre-construction bird surveys if construction is to take place between the nesting bird season, February 1 to August 31 of any year. Mitigation Measure BIO-1 includes protocol to be implemented should an active bird nest be identified during the preconstruction survey. The proposed development of the facility would occur within areas of the site that are devoid of mature vegetation and trees, so impacts would be minimal.

No critical habitat was identified by the CNDDDB, CNPS, or USFWS IPaC databases.

The implementation of Mitigation Measure BIO-1 would result in a less than significant impact on special status species.

- b,c) The project site does not contain riparian habitat or federally protected wetlands. The Tuolumne County Wildlife maps and the California Department of Forestry and Fire Protection (CalFire) Fire and Resource Assessment Program (FRAP) maps indicate that the project site contains the ponderosa pine (ppn) habitat and the montane hardwood-conifer (mhc) habitat. The ppn habitat is defined by the TCWH as “forests dominated by ponderosa pine, often associated with white fir, incense-cedar, sugar pine, Douglas fir, black oak, canyon live oak, and other trees. Stands may be open to dense, with variable amounts of understory shrubs and herbs.” The mhc habitat is defined as “forests consisting of at least one-third hardwoods (not including riparian trees) and one-third conifers, often forming a dense canopy. These habitat types were verified by staff during site inspections.

Pursuant to the Tuolumne County Wildlife Handbook (TCWH) the ppn and mhc habitat types are considered third priority habitats, which are common habitats that are of considerable value to wildlife. Sensitive habitats within Tuolumne County are defined as second priority habitats by the TCWH. No second priority habitats exist within the project site.

The proposed development of the facility would occur within areas of the site that lack mature vegetation and trees. The areas proposed for development were verified by staff during site inspections and do not contain riparian or wetland habitat. There would be no impact.

- d) The proposed development would occur within an approximately 2.2± acre portion of the 14.1± acre parcel, clustered against the northern portion of the site adjacent to Sprague Road. The facility would be developed in an area naturally devoid of mature vegetation and trees. The facility would be clustered within the area of the site already disturbed by the development of the existing single-family dwelling, garage, driveway, well and septic system. The remaining 11.9± acres or approximately 84% of the site would be left undisturbed. The project site is directly adjacent to undeveloped lands under the jurisdiction of the USFS located west of the project site. The undisturbed area of the project site would directly connect to the adjacent undeveloped USFS lands, which would connect to a larger network of USFS land. This would allow for sufficient movement and corridors for wildlife and would not impede the use of wildlife nursery sites. There would be a less than significant impact to wildlife.
- e) The project was evaluated under Implementation Program 16.B.i, 16.B.j and 16.B.j.1 of the 2018 General Plan regarding oak woodland impact analysis. As indicated in the biological setting above, the site does not meet the definition of oak woodland as indicated in the General Plan. Additionally, the facility would be developed in an area naturally devoid of mature vegetation and trees. The facility would be clustered within the area of the site already disturbed by the development of the existing single-family dwelling, garage, driveway, well and septic system. The project would comply with Implementation Program 16.B.i, 16.B.j and 16.B.j.1 of the 2018 General Plan regarding oak woodland impact analysis and there would be a less than significant impact.
- f) The project site is not located within an area that is subject to an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Additionally, the project has been reviewed for compliance with the Tuolumne County Wildlife Handbook, Tuolumne County Wildlife Habitat Maps, and the 2018 Tuolumne County General Plan. The project has been found to be consistent with these documents and plans. Therefore, there would be no impact.

Mitigation Measures:

BIO-1: For construction activities expected to occur during the nesting season of raptors (February 1 to August 31) and migratory birds, a pre-construction survey by a qualified biologist shall be conducted to determine if active nests are present on or within 0.5 mile of the project site where feasible. Areas that are inaccessible due to private property restrictions shall be surveyed using binoculars from the nearest vantage point. The survey shall be conducted by a qualified biologist no more than seven days prior to the onset of construction. If no active nests are identified during the pre-construction survey, no further mitigation is necessary. If construction activities begin prior to February 1, it is assumed that no birds will nest in the project site during active construction activities and no pre-construction surveys are required. If at any time during the nesting season construction stops for a period of two weeks or longer, pre-construction surveys shall be conducted prior to construction resuming.

If active nests are found on or within 0.5 mile of the project site, the applicant shall notify CDFW and explain any additional measures that a qualified biologist plans to implement to prevent or minimize disturbance to the nest while it is still active. Depending on the conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the 500-foot buffer without impacting the breeding effort. Appropriate measures may include restricting construction activities within 500 feet of active raptor nests and having a qualified biologist with stop work authority monitor the nest for evidence that the behavior of the parents have changed during construction. Nests that are inaccessible due to private property restrictions shall be monitored

using binoculars from the nearest vantage point. Appropriate measures would be implemented until the young have fledged or until a qualified biologist determines that the nest is no longer active. Construction activities may be halted at any time if, in the professional opinion of the biologist, construction activities are affecting the breeding effort.

Mitigation Monitoring:

Mitigation Measures BIO-1 is required prior to ground disturbance or construction activities on site and would be verified by the LUNR division, even if the ground disturbance occurs after the approval of the HCD local entitlement approval form. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures.

CULTURAL RESOURCES:

Issues and Supporting Information Sources

Would the Proposed Project/Action:

	<i>Potentially Significant Impact</i>	<i>Less-than- Significant With Mitigation Incorporation</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5 of the State CEQA Guidelines?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Environmental Setting:

The project site is located within the Groveland USGS Quadrangle, approximately 6 miles east of the townsite of Groveland. The area including the project site was historically occupied by the Central Sierra Miwok. An influx of miners came to the area starting in 1849. The townsite of Groveland was first established in 1848. Cattle ranching then became the town's economic foundation. Construction of the Hetch Hetchy dam began in 1915 and ended by 1925, with Groveland being the headquarters for the construction project. The project site is developed with a single-family dwelling and detached garage. The assessor records indicate that the single family dwelling and garage first show up in their records in 1976.

A cultural resource study was prepared by Solano Archeological Services, LLC in February 2023. The study includes a pedestrian survey of a 2.26-acre Area of Potential Effects (APE) within the project site, search of previous literature and studies, and correspondence with Tribes.

Regulatory Setting:

State and Federal legislation requires the protection of historical and cultural resources. In 1971, the President's Executive Order No. 11593 required that all Federal agencies initiate procedures to preserve and maintain cultural resources by nomination and inclusion on the National Register of Historic Places.

In 1980, the Governor's Executive Order No. B-64-80 required that State agencies inventory all "significant historic and cultural sites, structures, and objects under their jurisdiction which are over 50 years of age and which may qualify for listing on the National Register of Historic Places."

In September of 2014, the California Legislature passed Assembly Bill (AB) 52, which added provisions to the Public Resources Code (PRC) regarding the evaluation of impacts on tribal cultural resources under CEQA, and consultation requirements with California Native American tribes. In particular, AB 52 now requires lead agencies to analyze project impacts to "tribal cultural resources" separately from archaeological resources (PRC §21074; 21083.09). The Bill defines "tribal cultural resources" in a new section of the PRC §21074. AB 52 also requires lead agencies to engage in additional consultation procedures with respect to California Native American tribes (PRC §21080.3.1, 21080.3.2, 21082.3). AB 52 consultation letters were sent to the Tuolumne Band of Me-Wuk and Chicken Ranch Rancheria Tribes on March 14, 2023, the only two Tribes who have requested such consultation notification within Tuolumne County.

Cultural resources include prehistoric resources, historic resources, and Native American resources. Pre-historic resources include resources that represent the remains of habitation prior to European settlement and historic resources include resources that represent the remains of habitation after European settlement. Native Americans villages and areas of temporary settlement typically centralized around drainages, springs, and creeks. Historic resources in Tuolumne County mostly consist of uses and sites centered around gold mining,

early timber industry, or historic farming and ranching.

Analysis:

- a, b, c) A Cultural Resource Study was prepared by Solano Archaeological Services, LLC (SAS) in February 2023. The Area of Potential Effect (APE) was determined to be a 2.26-acre portion of the 14.1-acre parcel.

A record search of the APE and surrounding half mile was conducted by the Central California Information Center (CCIC) California Historical Resources Information System. Thirteen sites were previously recorded within the half mile search area, but none were within the project APE.

SAS archaeologists conducted a pedestrian survey of the APE on February 16, 2023. Eroded areas were examined for any indications of subsurface soil conditions and resources. The survey identified two vehicles likely from the 1970s within the APE, but they were not recorded as cultural resources. No historic or pre-historic resources were identified within the APE during the survey.

The survey recommended the addition of a Mitigation Measure to ensure protection of resources that are encountered during construction work on site. Mitigation Measure CUL-1 below has been incorporated.

AB 52 consultation letters were mailed to AB 52 consultation letters were sent to the Tuolumne Band of Me-Wuk and Chicken Ranch Rancheria Tribes on March 14, 2023. Neither tribe requested consultation responded specifically to the AB 52 letters. The Tuolumne Band of Me-Wuk Tribe responded to the December 6, 2022 Stakeholder Notification Letter which was received by the County on January 24, 2023. Their letter requested a cultural monitor be on site when ground disturbance begins. Mitigation Measure CUL-2 has been incorporated below to require a cultural monitor.

SAS reached out to the Native American Heritage Committee (NACH) to request a Sacred Lands File search. The NAHC responded on March 7, 2023 that the results of the search were negative.

To ensure that any resources discovered during construction are appropriately managed, incorporation of Mitigation Measures CUL-1 and CUL-2 will result in a less than significant impact to cultural resources.

CUL-1: Should buried, unforeseen archaeological deposits be encountered during any construction activity, work must cease within a 50-ft. radius of the discovery. If a potentially significant discovery is made, it must be treated in accordance with 33 CFR 325, Appendix C which generally states that the lead agency must be notified immediately of the find to ensure that mitigation and management recommendations are developed. In the event that human remains, or any associated funerary artifacts are discovered during construction, all work must cease within the immediate vicinity of the discovery. In accordance with the California Health and Safety Code (Section 7050.5), the Tuolumne County Sheriff/Coroner must also be contacted immediately. If the remains are deemed to be Native American, the coroner must notify the NAHC, which will in turn appoint and notify a Most Likely Descendent (MLD) to act as a tribal representative. The MLD will work with a qualified archaeologist to determine the proper treatment of the human remains and associated funerary objects. Construction activities will not resume until the human remains are exhumed and official notice to proceed is issued.

CUL-2: The applicant shall be required to retain and compensate for the services of a Tribal monitor/consultant who is approved by the Tuolumne Band of Me-Wuk Tribe. The monitor/consultant will only be present on-site during the construction phases that involve ground disturbing activities. Ground disturbing activities are defined as activities that may include pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, or trenching, within the project site. The Tribal

Monitor/consultant will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. A copy of the monitoring logs or a report shall be provided to the LUNR Division of CDD. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources.

Mitigation Monitoring: Mitigation Measure CUL-1 is required during any construction activities on site and will be verified by the LUNR Division of CDD. Mitigation Measure CUL-2 is required during the construction phases that involve ground disturbing activities or until the monitor indicates there is a low potential and their services are no longer needed. This will be verified by the LUNR Division of the CDD. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures.

ENERGY:

Issues and Supporting Information Sources

Would the Proposed Project:

	Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☒
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

Environmental Setting:

California relies on a regional power system composed of a diverse mix of natural gas, petroleum, renewable, hydroelectric, and nuclear generation resources. Natural gas provides one third of the electricity used in California, coming from both California-based power plants, as well as Pacific Northwest- and Southwest-based power plants outside the state. After natural gas generation, electricity in California is mostly generated by renewables (29 percent), large hydroelectric (15 percent), and nuclear (9 percent) (California Energy Commission [CEC] 2018a). The contribution of in- and out-of-state power plants depends on the precipitation that occurred in the previous year, the corresponding amount of hydroelectric power that is available, and other factors.

Electricity in Tuolumne County is provided by Pacific Gas and Electric (PG&E). There is no natural gas consumption in Tuolumne County. However, there is propane consumption for residential uses.

Homes built between 2000 and 2015 used 14 percent less energy per square foot than homes built in the 1980s, and 40 percent less energy per square foot than homes built before 1950. However, the increase size of newer homes has offset these efficiency improvements. Primary energy consumption in the residential sector total 21 quadrillion Btu in 2009 (the latest year the U.S. Energy Information Administration's [EIA's] *Residential Energy Consumption Survey* was completed), equal to 54 percent of consumption in the buildings sector and 22 percent of total primary energy consumption in the U.S. Energy consumption increased 24 percent from 1990 to 2009. However, because of projected improvements in building and appliance efficiency, the EIA 2017 Annual Energy Outlook forecast a 5-percent increase in energy consumption from 2016 to 2040 (EIA 2017).

On-road vehicles use about 90 percent of the petroleum consumed in California. Based on the most recently available information, in 2008, the California Department of Transportation (Caltrans) projected 41.5 million gallons of gasoline and diesel would be consumed in Tuolumne County in 2015, an increase of approximately 4.7 million gallons of fuel from the projected 2010 levels (Caltrans 2008).

Energy consumption on the project site would include energy consumed for the construction of the site. Once operational, energy consumption would consist of electrical energy needed to allow for operation of the facility and cabins.

Regulatory Setting:

Federal and state agencies regulate energy consumption through various policies, standards, and programs. At the local level, individual cities and counties establish policies in their general plans and climate action plans related to the energy efficiency of new development and land use planning and to the use of renewable energy sources.

Federal:

Energy Policy and Conservation Act, and CAFE Standards

The Energy Policy and Conservation Act of 1975 established nationwide fuel economy standards to conserve oil. Pursuant to this Act, the National Highway Traffic and Safety Administration, part of the U.S. Department of Transportation, is responsible for revising existing fuel economy standards and establishing new vehicle economy standards.

The Corporate Average Fuel Economy (CAFE) program was established to determine vehicle manufacturer compliance with the government's fuel economy standards. Compliance with CAFE standards is determined based on each manufacturer's average fuel economy for the portion of their vehicles produced for sale in the United States. EPA calculates a CAFE value for each manufacturer based on the city and highway fuel economy test results and vehicle sales. The CAFE values are a weighted harmonic average of the EPA city and highway fuel economy test results. Based on information generated under the CAFE program, the U.S. Department of Transportation is authorized to assess penalties for noncompliance. Under the Energy Independence and Security Act of 2007 (described below), the CAFE standards were revised for the first time in 30 years.

Energy Policy Act (1992 and 2005) and Energy Independence and Security Act of 2007

The Energy Policy Act of 1992 was passed to reduce the country's dependence on foreign petroleum and improve air quality. The act includes several parts intended to build an inventory of alternative fuel vehicles in large, centrally fueled fleets in metropolitan areas. The Energy Policy Act of 2005 provides renewed and expanded tax credits for electricity generated by qualified energy sources, such as landfill gas; provides bond financing, tax incentives, grants, and loan guarantees for clean renewable energy and rural community electrification; and establishes a federal purchase requirement for renewable energy.

The Energy Independence and Security Act of 2007 increased the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard requiring fuel producers to use at least 36 billion gallons of biofuel annually by 2022, which represents a nearly five-fold increase over current levels and reduces U.S. demand for oil by setting a national fuel economy standard of 35 miles per gallon by 2020—an increase in fuel economy standards of 40 percent. By addressing renewable fuels and CAFE standards, the Energy Independence and Security Act of 2007 will build on progress made by the Energy Policy Act of 2005 in setting out a comprehensive national energy strategy for the 21st century.

State:

State of California Energy Plan

CEC is responsible for preparing the State Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The current plan is the 1997 California Energy Plan. The plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies strategies such as aiding public agencies and fleet operators in implementing incentive programs for zero-emission vehicles and addressing their infrastructure needs, and encouraging urban design that reduces vehicle miles traveled (VMT) and accommodates pedestrian and bicycle access.

Senate Bill 1078: California Renewables Portfolio Standard Program

Senate Bill (SB) 1078 (Chapter 516, Statutes of 2002) establishes a renewables portfolio standard (RPS) for electricity supply. The RPS originally required retail sellers of electricity, including investor-owned utilities and community choice aggregators to provide 20 percent of their supply from renewable sources by 2017, but SB 1078 moved that date forward to require compliance by 2010, although the state did not meet the target. In addition, electricity providers subject to the RPS must increase their renewable share by at least 1 percent each year. As of 2016, the state sourced 34.8 percent of its electricity from certified renewable sources (CPUC 2018). The outcome

of this legislation will affect regional transportation powered by electricity.

SB X1-2 of 2011 set a three-stage compliance period requiring all California utilities, including independently owned utilities, energy service providers, and community choice aggregators, to generate 20 percent of their electricity from renewables by December 31, 2013; 25 percent by December 31, 2016; and 33 percent by December 31, 2020. The state met the 2016 target and is on track to meet the 2020 target.

Senate Bill 350: Clean Energy and Pollution Reduction Act of 2015

The Clean Energy and Pollution Reduction Act of 2015 (SB 350) requires the amount of electricity generated and sold to retail customers per year from eligible renewable energy resources to be increased to 50 percent by December 31, 2030. This act also requires doubling of the energy efficiency savings in electricity and natural gas for retail customers through energy efficiency and conservation by December 31, 2030.

Assembly Bill 1007: State Alternative Fuels Plan

AB 1007 (Chapter 371, Statutes of 2005) required CEC to prepare a state plan to increase the use of alternative fuels in California. CEC prepared the State Alternative Fuels Plan in partnership with CARB and in consultation with other state, federal, and local agencies. The plan presents strategies and actions California must take to increase the use of alternative non-petroleum fuels in a manner that minimizes the costs to California and maximizes the economic benefits of in-state production. It assessed various alternative fuels and developed fuel portfolios to meet California's goals to reduce petroleum consumption, increase alternative fuel use, reduce GHG emissions, and increase in-state production of biofuels without causing a significant degradation of public health and environmental quality.

Executive Order S-06-06

Executive Order (EO) S-06-06, signed on April 25, 2006, establishes targets for the use and production of biofuels and biopower, and directs state agencies to work together to advance biomass programs in California while providing environmental protection and mitigation. The EO establishes the following target to increase the production and use of bioenergy, including ethanol and biodiesel fuels made from renewable resources: produce a minimum of 20 percent of its biofuels within California by 2010, 40 percent by 2020, and 75 percent by 2050. The EO also calls for the state to meet a target for use of biomass electricity. The 2011 Bioenergy Action Plan identifies barriers and recommends actions to address them so that the state can meet its clean energy, waste reduction, and climate protection goals. The 2012 Bioenergy Action Plan updates the 2011 plan and provides a more detailed action plan to achieve the following goals:

- increase environmentally and economically sustainable energy production from organic waste;
- encourage development of diverse bioenergy technologies that increase local electricity generation, combined heat and power facilities, renewable natural gas, and renewable liquid fuels for transportation and fuel cell applications;
- create jobs and stimulate economic development, especially in rural regions of the state; and
- reduce fire danger, improve air and water quality, and reduce waste.

As of 2015, 3.2 percent of the total electricity system power in California was derived from biomass.

Senate Bill 375

SB 375, signed in September 2008, aligns regional transportation planning efforts, regional GHG emission reduction targets, and land use and housing allocation. SB 375 requires metropolitan planning organizations (MPOs) to adopt a Sustainable Communities Strategy or Alternative Planning Strategy, showing prescribed land use allocation in each MPO's Regional Transportation Plan. CARB, in consultation with the MPOs, is to provide each affected region with reduction targets for GHGs emitted by passenger cars and light trucks in their respective regions for 2020 and 2035. Implementation of SB 375 will have the co-benefit of reducing California's dependency of fossil fuels and making land use development and transportation systems more energy efficient.

The Tuolumne County Transportation Council (TCTC) serves as the federally designated rural transportation agency and the state-designated regional transportation planning agency for Tuolumne County. While the TCTC is required to prepare a Regional Transportation Plan, it is not required to prepare a Sustainable Communities Strategy, as it is not a federally designated MPO. However, the TCTC's *2016 Final Regional Transportation Plan* includes an optional Rural Sustainable Strategies chapter to help Tuolumne County comply with AB 32 and to reduce GHG emissions.

California Green Building Standards

California Code of Regulations, Title 24, Part 6, is California's Energy Efficiency Standards for Residential and Non-Residential Buildings. Title 24 Part 6 was established by CEC in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption and provide energy-efficiency standards for residential and nonresidential buildings. In 2013, CEC updated Title 24 standards with more stringent requirements, effective July 1, 2014. All buildings for which an application for a building permit is submitted on or after July 1, 2014, must follow the 2013 standards. Energy-efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The CEC *Impact Analysis for California's 2013 Building Energy Efficiency Standards* estimates that the 2013 standards are 23.3 percent more efficient than the previous 2008 standards for residential construction and 21.8 percent more efficient for nonresidential construction. In 2016, CEC updated Title 24 standards again, effective January 1, 2017. CEC estimates that the 2016 standards are 28 percent more efficient than 2013 standards for residential construction (CEC n.d.) and are approximately 5 percent more efficient for nonresidential construction (CEC 2015).

The 2019 Title 24 Part 6 Building Energy Efficiency Standards were adopted by the CEC on May 9, 2018 and took effect on January 1, 2020. The standards are designed to move the state closer to its zero net energy goals for new residential development. It does so by requiring all new residences to install enough renewable energy to offset all the site electricity needs of each residential unit (California Code of Regulations, Title 24, Part 6, Section 150.1(c)14). CEC estimates that the combination of mandatory on-site renewable energy and prescriptively required energy efficiency features will result in new residential construction that uses 53 percent less energy than the 2016 standards. Nonresidential buildings are anticipated to reduce energy consumption by 30 percent compared to the 2016 standards primarily through prescriptive requirements for high-efficacy lighting (CEC 2018b). The building efficiency standards are enforced through the local plan check and building permit process. Local government agencies may adopt and enforce additional energy standards for new buildings as reasonably necessary in response to local climatologic, geologic, or topographic conditions, provided that these standards are demonstrated to be cost effective and exceed the energy performance required by Title 24 Part 6.

Assembly Bill 32, Climate Change Scoping Plan and Update

In December 2008, CARB adopted its Climate Change Scoping Plan, which contains the main strategies California will implement to achieve reduction of approximately 118 million metric tons of carbon dioxide-equivalent (MMTCO₂e) emissions, or approximately 21.7 percent from the state's projected 2020 emission level of 545 MMTCO₂e under a business-as-usual scenario (this is a reduction of 47 MMTCO₂e, or almost 10 percent, from 2008 emissions). In May 2014, CARB released and has since adopted the *First Update to the Climate Change Scoping Plan* to identify the next steps in reaching AB 32 goals and evaluate progress that has been made between 2000 and 2012 (CARB 2014:4–5). According to the update, California is on track to meet the near-term 2020 GHG limit and is well positioned to maintain and continue reductions beyond 2020 (CARB 2014:ES-2). The update also reports the trends in GHG emissions from various emissions sectors (e.g., transportation, building energy, agriculture).

After releasing multiple versions of proposed updates in 2017, CARB adopted the final version titled *California's 2017 Climate Change Scoping Plan* (2017 Scoping Plan), which lays out the framework for achieving the 2030 reductions as established in more recent legislation (discussed below). The 2017 Scoping Plan identifies the GHG reductions needed by each emissions sector to achieve a statewide emissions level that is 40 percent below 1990 levels before 2030.

Executive Order B-30-15

On April 20, 2015, Governor Edmund G. Brown Jr. signed EO B-30-15 to establish a California GHG reduction target of 40 percent below 1990 levels by 2030. The Governor's EO aligns California's GHG reduction targets with those of leading international governments such as the 28-nation European Union which adopted the same target in October 2014. California is on track to meet or exceed the target of reducing GHG emissions to 1990 levels by 2020, as established in the California Global Warming Solutions Act of 2006 (AB 32, discussed above). California's new emission reduction target of 40 percent below 1990 levels by 2030 will make it possible to reach the ultimate goal of reducing emissions 80 percent below 1990 levels by 2050. This is in line with the scientifically established levels needed in the U.S. to limit global warming to below 2 degrees Celsius, the warming threshold at which major climate disruptions are projected, such as super droughts and rising sea levels.

Senate Bill 32 and Assembly Bill 197 of 2016

In August 2016, Governor Brown signed SB 32 and AB 197, which serve to extend California's GHG reduction programs beyond 2020. SB 32 amended the Health and Safety Code to include Section 38566, which contains language to authorize CARB to achieve a statewide GHG emission reduction of at least 40 percent below 1990 levels by no later than December 31, 2030. SB 32 codified the targets established by EO B-30-15 for 2030, which set the next interim step in the state's continuing efforts to pursue the long-term target expressed in EOs S-3-05 and B-30-15 of 80 percent below 1990 emissions levels by 2050. Achievement of these goals will have the co-benefit of reducing California's dependency of fossil fuels and making land use development and transportation systems more energy efficient.

Advanced Clean Cars Program

In January 2012, CARB approved the Advanced Clean Cars program which combines the control of GHG emissions and criteria air pollutants, as well as requirements for greater numbers of zero-emission vehicles, into a single package of standards for vehicle model years 2017 through 2025. The new rules strengthen the GHG standard for 2017 models and beyond. This will be achieved through existing technologies, the use of stronger and lighter materials, and more efficient drivetrains and engines. The program's zero-emission vehicle regulation requires battery, fuel cell, and/or plug-in hybrid electric vehicles to account for up to 15 percent of California's new vehicle sales by 2025. The program also includes a clean fuels outlet regulation designed to support the commercialization of zero-emission hydrogen fuel cell vehicles planned by vehicle manufacturers by 2015 by requiring increased numbers of hydrogen fueling stations throughout the state. The number of stations will grow as vehicle manufacturers sell more fuel cell vehicles. By 2025, when the rules will be fully implemented, the statewide fleet of new cars and light trucks will emit 34 percent fewer global warming gases and 75 percent fewer smog-forming emissions than the statewide fleet in 2016 (CARB 2016).

Local:

2018 Tuolumne County General Plan:

The 2018 Tuolumne County General Plan provides a framework for addressing issues related to energy efficiency. The Community Development and Design, Housing, Transportation, Economic Development, Water, Air Quality, and Climate Change Elements contain goals and policies that would reduce energy consumption. Specific Goals, Policies, and implementation Programs related to energy that are applicable to the project are as follows:

Implementation Program 18.A.a: Include specific GHG emissions reduction measures in the CAP. Examples include, but are not limited to, the following:

- Require compliance with CALGreen Tier 1 Green Building standards and Tier 1 Building Energy Efficiency Standards for eligible alterations or additions to existing buildings;
- Require compliance with CALGreen Tier 1 Green Building standards and Tier 1 standards for all new construction, and phase in Zero Net Energy (ZNE) standards for new construction;
- Require new or replacement residential water heating systems to be electrically powered and/or alternatively fueled systems;
- Promote recycling to reduce waste and energy consumption;

- Refine protection guidelines for existing riparian lands to establish a no-net-loss goal;

Policy 18.A.5: Promote energy efficiency and alternative energy while reducing energy demand.

2022 Climate Action Plan:

The Board of Supervisors approved the Climate Action Plan (CAP) on November 8, 2022. The CAP identifies existing and projected GHG emissions, sets GHG reduction targets, establishes policies and actions to meet reduction targets, integrates climate adaptation and resilience strategies, engages the community, and provides an implementation program.

Analysis:

- a,b) The facility would be permitted by HCD. All of the cabins and associated structures would be built in accordance with all applicable HCD regulations. There would be no wasteful, inefficient, or unnecessary energy consumption. Energy consumption would also be associated with electricity needed to power the on-site well and septic system in addition to providing energy to the guest units. That applicant has indicated that a total of three propane fire pits would be utilized on site. The project would be in accordance with all applicable State and County plans, including the Tuolumne County General Plan and Climate Action Plan. Therefore, there would be no impact.

Mitigation Measure: None required.

Mitigation Monitoring: Not applicable.

GEOLOGY AND SOILS:

Issues and Supporting Information Sources

Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
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Would the Proposed Project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
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?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☒	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	☐	☐	☒	☐

Environmental Setting:

The purpose of this section is to disclose and analyze the potential impacts associated with the geology of the project site and regional vicinity, and to analyze issues such as the potential exposure of people and property to geologic hazards, landform alteration, and erosion.

Tuolumne County is located primarily within the Sierra Nevada geomorphic province, with an extremely small portion (less than 10 percent) of the western boundary within the Great Valley province. The Sierra is a tilted fault block nearly 400 miles long. Its east face is a high rugged multiple scarp, contrasting with the gentle western slope that disappears under the sediments of the Great Valley to the west. Deep river canyons are cut into the western slope. Their upper courses, especially in massive granites of the higher Sierra, have been modified by glacial activity, forming such scenic features as Yosemite Valley. The high crest in the Sierra culminates in Mt. Whitney with an elevation of 14,495 feet above sea level near the eastern scarp. The metamorphic bedrock contains gold-bearing veins in the northwest trending Mother Lode. The northern Sierra boundary is marked where bedrock disappears under the Cenozoic volcanic cover of the Cascade Range.

Tuolumne County is located in central California, which is a region known to have limited fault zones and seismic activity. There are four "capable" faults, which are faults with tectonic displacement within the last 35,000 years which could produce a quake, located within Tuolumne County: Negro Jack Point, Bowie Flat,

Rawhide Flat West, and Rawhide Flat East. These faults are located primarily in the western and southwestern portion of the County. Historically, earthquake activity in Tuolumne County has been substantially below the California State average.

In addition to the Tuolumne County General Plan and Ordinance Code, the project was evaluated using the Tuolumne County Multi-Jurisdiction Hazard Mitigation Plan, the USDA/CDF Cooperative Soil-Vegetation Survey of Tuolumne County, and the California Geological Survey's geotechnical maps.

The project site was mapped using the USDA Natural Resource Conservation Service (NRCS) soil survey maps. The site contains the Josephine family deep-Moderately deep complex and moderately deep-Deep complex. The area proposed for development contains approximately 50% of each soil type. These soils are found on 5-35% slopes.

Ground shaking

Earthquake activity within Tuolumne County is significantly below the California state average (Tuolumne County 2018). Over the past century, a total of five historical earthquakes within recorded magnitudes of 3.5 or greater have occurred. Further, there is an approximate 28 percent chance of a major earthquake within 50 kilometers of Tuolumne County within the next 50 years. The probability of a moderate earthquake occurring in the next 30 years is low. Only one major "active fault" is located in Tuolumne County, the New Melones fault, located approximately 20 miles west of the project site (DOC 2018). The fault transects the County, running roughly north to south along the western boundary, and is part of the Foothill fault system which runs along the west base of the Sierra Nevada mountain range. The estimated maximum capability for this fault is Magnitude 6.5 (Tuolumne County 2018).

The Alquist-Priolo Earthquake Fault Zoning Act was signed into California law on December 22, 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The Alquist-Priolo Earthquake Fault Zoning Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The Act only addresses the hazard of surface fault rupture and is not directed toward other earthquake hazards. The Act only applies to structures for human occupancy (houses, apartments, condominiums, etc.). The project site is not located within a delineated fault zone or located within a known liquefaction zone or seismic landslide zone as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map.

The California Building Code (CBC) identifies seismic factors that must be considered in structural design. Specific minimum seismic safety and structural design requirements are set forth in Chapter 16 of the CBC. Chapter 18 of the CBC regulates the excavation of foundations and retaining walls, while Chapter 18A regulates construction on unstable soils, such as expansive soils and areas subject to liquefaction. Appendix J of the CBC regulates grading activities, including drainage and erosion control. The CBC also contains a provision that provides for a preliminary soil report or geotechnical report to be prepared to identify "...the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects" (CBC Chapter 18 Section 1803.1.1.1). Additionally, the state earthquake protection law (California Health and Safety Code Section 19100 et seq.) requires that structures be designed to resist stresses produced by lateral forces caused by wind and earthquakes.

Landslides, Subsidence and Liquefaction

Liquefaction is a process whereby soil is temporarily transformed to a fluid form during intense and prolonged groundshaking. Areas most prone to liquefaction are those that are water saturated (e.g., where the water table is less than 30 feet below the surface) and consist of relatively uniform sands that are low to medium density. In addition to necessary soil conditions, the ground acceleration and duration of the earthquake must be of sufficient energy to induce liquefaction. Due to the nature of the soils, groundwater conditions, and low seismicity in the County, the risk and danger of liquefaction and subsidence occurring within the County is

considered to be minimal (Tuolumne County 2018).

Naturally occurring landslides do not typically occur in the County. Slopes disturbed by grading or development have failed, especially during periods of heavy rainfall, and have resulted in the destruction of County infrastructure. Within the County, there is a considerable amount of area where the topography can be considered steep to very steep. In the vast majority of this area, the underlying rock formation is very stable, and the soil found on these slopes is shallow and held in place by deep rooted vegetation. These slopes do not typically fail unless disturbed by grading or development (Tuolumne County 2018). Landslides are a primary geologic hazard and are influenced by four factors:

- Strength of rock and resistance to failure, which is a function of rock type (or geologic formation)
- Geologic structure or orientation of a surface along which slippage could occur
- Water (adds weight to a potentially unstable mass or influence strength of a potential failure surface)
- Topography (amount of slope in combination with gravitation forces)

Expansive Soils

Clays are present in some soils both as a weathering product and as native sediments. Clays have the potential for expansion and contraction when they go through wet/dry cycles. Expansive soils (also known as shrink-swell soils) are soils that contain expansive clays that can absorb significant amounts of water into their crystalline structure. The presence of clay makes the soil prone to large changes in volume in response to changes in water content. The quantity and type of expansive clay minerals affects the potential for the soil to expand or contract. Wetting can occur naturally in a number of ways, (e.g., absorption from the air, rainfall, groundwater fluctuations, lawn watering and broken water or sewer lines). When an expansive soil becomes wet, water is absorbed, and it increases in volume, and as the soil dries it contracts and decreases in volume. This (often repeated) change in volume can produce enough force and stress on buildings and other structures to damage foundations and walls.

In hillside areas, as expansive soils expand and contract, gradual downslope creep may occur, eventually causing landslides (see below for more information on landslides and other forms of mass wasting). Clay soils also retain water and may act as lubricated slippage planes between other soil/rock strata, also producing landslides, often during earthquakes or by unusually moist conditions. The shrink-swell characteristics of soils can vary widely within short distances, depending on the relative amount and type of clay. Soils with clay content have been mapped throughout the County and may be susceptible to expansion (USDA 1964). There are no expansive soils identified on the project site.

Paleontological Resources

Based on geologic mapping, the majority of the County is not considered sensitive for paleontological resources. Paleozoic marine rocks occur in the western portion of the County and may contain fossils of marine invertebrates. Records of paleontological finds maintained by the University of California Museum of Paleontology state that there are 72 localities at which fossil remains have been found in Tuolumne County. These occur primarily in the Mehrten geologic formations (Tuolumne County 2018).

Erosion:

Erosion is the process by which soil and rock at the earth's surface is gradually broken down and transported to a different location. Erosive processes include rainfall, surface runoff, glacial activity, wind abrasion, chemical dissolution, and gravity in the form of mass wasting (described below). Under normal conditions, these erosive processes, together with physical characteristics of the material being eroded, control the rate at which erosion occurs. Development activities can accelerate that rate, causing excessive erosion and a wide variety of detrimental effects on the environment including sedimentation of waterways (see Section 3.10, "Hydrology and

Water Quality”), slope instability, ground instability, loss of agricultural productivity through the removal of topsoil, or even desertification.

The potential for erosion increases as a function of slope steepness. Areas within the County where slopes exceed 30 percent are generally considered to have a high potential for erosion. The majority of development in Tuolumne County is not located on such terrain, and there are no steep slopes identified on the site. Erosion problems in developed regions of the County are generally limited to areas where grading has resulted in steep slopes where deposits of fill have not stabilized, or where slope stabilization practices have not been employed following grading activities. Rain and runoff have also produced incidents of excessive erosion on burn scars that have not yet sufficiently revegetated. However, by comparison with other areas of the state, such as the coastal mountains, erosion has proven to be a modest hazard in Tuolumne County.

The guest cabins, swimming pool, yoga dome, and associated infrastructure would be developed within the area of the site that is relatively flat, so minor grading associated with the project would occur. The project documents indicate that grading would be approximately 1-2 feet below grade for the guest cabins, swimming pool and yoga dome.

The project proponent is required to submit a Notice of Intent (NOI) to the State Water Resources Control Board Water Permitting Unit to obtain coverage under the General Construction Activity Stormwater Permit for the disturbance of one acre or more. A stormwater pollution prevention plan (SWPPP) would be required by the Central Valley Regional Water Quality Control Board (RWQCB) and would be prepared before construction and implemented throughout project construction to comply with National Pollutant Discharge Elimination System (NPDES) requirements. The project would also comply with the California Building Code (CBC) and Title 12 of the Tuolumne County Ordinance Code to reduce any potential slope, soil, or erosion impacts.

Tuolumne County Ordinance Code

The site would be served via on-site sewage disposal systems. Title 13 of the TCOC contains the rules and regulations pertaining to on-site sewage disposal systems, as enforced by the Tuolumne County Environmental Health Division.

Analysis:

- a i) The project site is not located within a delineated fault zone or located within a known liquefaction zone or seismic landslide zone as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map. The project site has been located on the Tuolumne County Geographic Information System (GIS) Map. This map indicates that there are no faults located on the project site or within the vicinity of the project site. The nearest fault as identified on the Tuolumne County Geotechnical Interpretive Map is approximately 7.6± miles west of the project site. However, this fault is not identified as a capable fault within the GIS map. Therefore, there will be no impact.
- a ii-iii) The Environmental Impact Report for the 2018 Tuolumne County General Plan update indicates that there is a low potential for significant seismic activity within the County. There is a low potential for strong seismic ground shaking or seismic related ground failure, including liquefaction. Tuolumne County’s Geotechnical Maps show the approximate boundaries of various hazard and resource zones, such as fault rupture zones, erosive soil areas, steep slopes greater than 30%, and limestone deposits. There are no steep slopes, no limestone deposits, no erosive soil areas, and no fault zones located within the project site or vicinity of the project site. There would be no impact.
- a iv) The Technical Background Report for the 2018 General Plan indicate that the landslide susceptibility of the County is low. As the project site is not surrounded by steep slopes, there is no threat from landslides. The County GIS maps identify any slopes which are greater than 30%. There are no steep slopes greater than 30% within or surrounding the project site. The average slope of the project site is

11%, with the area of development slopes averaging approximately 5-9%. The soils found on site are found in areas that are between 5% and 35% slopes. There would be no impact.

- b,c) The project site is fairly flat, with the area of proposed development average to 5-9% slopes. The likelihood of landslides, lateral spreading, subsidence, liquefaction, or collapse of these soils is fairly low. The soils contained within the project site are well drained and do not have a hydric rating, as indicated by the USDA NRCS soil survey maps.

Although the erosive and soil failure hazards are fairly low, grading for the development of the project have the potential to result in erosion or loss of the topsoil. Any future grading on the project site is subject to Chapter 12.20 of the TCOC. The construction and operation of the facility would be under the jurisdiction of the HCD. Therefore, the actual grading permit would be issued from HCD. However, a grading permit review and application is required to be submitted to the Engineering Division of the Department of Public Works before their sign off to HCD. The grading permit review is required to show conformance to applicable County requirements, including those contained within Chapter 12.20 of the TCOC. The grading permit review would be required to show conformance to regulations pertaining to a drainage study and plan, erosion control plan, protection of exposed soils, and dust abatement during construction.

The project proponent is required to submit a Notice of Intent (NOI) to the State Water Resources Control Board Water Permitting Unit to obtain coverage under the General Construction Activity Stormwater Permit for the disturbance of one acre or more. A Stormwater Pollution Prevention Plan (SWPPP) is required to be developed and submitted with the NOI. The SWPPP must be prepared by a qualified professional and includes Best Management Practices (BMPs) to minimize stormwater runoff, erosion, and sediment movement during construction activities.

Based on the above and the requirement of a preparation of a SWPPP with BMPs, the submittal of a NOI and the enforcement of the County's Grading Ordinance through review of a grading permit, including implementation of an erosion control plan and stabilization of soils that are disturbed by grading, there will be a less than significant impact.

- d) The project site does not contain expansive soils, as defined in Table 18-1-B of the Uniform Building Code. Therefore, there is no impact.
- e) The site contains a private, on-site sewage disposal system associated with the existing residence on site. A new septic system would be constructed to serve the guest units. Three separate septic tanks would be installed, with each tank supporting 4 guest units. Each would be designed and built to support 4 bedrooms. As indicated in the purpose of the C-K zoning found in Section 14 of the TCOC, development within the C-K zoning is not required to connect to public water. Additionally, Chapter 3 "Utilities" of the Tuolumne County General Plan and Chapter 13.08 of the TCOC indicate that public sewer is considered available if it is located 300 feet or less from the proposed building as measured over an existing public right of way of public utility easement and the nearest public sewer system is extant within approximately 12,300 ft of the project site, hence public sewer is not considered available. Therefore, pursuant to the Tuolumne County General Plan and Chapter 13.08 of the TCOC, the project is not required to connect to public sewer. Any septic system requires a permit to be reviewed and issued by the Tuolumne County Environmental Health Division, in accordance with Title 13 of the TCOC. The systems must be maintained in accordance with Title 13. Compliance with applicable regulations would result in a less than significant impact.
- f) As previously described, paleontological resources within the county are not common. However, if present, these resources occur primarily in the Mehrten geologic formations. The Mehrten formation is a geologic formation dating back to the Neogene period, which is part of the Miocene and later Pliocene geologic epochs (Cenozoic Era). The type of rock found on site is not associated within the Cenozoic

Era, where resources from the Mehrten formation would be present. Construction activities associated with the project would involve site grading, excavation, and construction of new structures. Because the project site is not located within a geologic area where paleontological resources would likely be present, construction activities resulting from the project would not directly or indirectly result in destruction of a paleontological resource. Impacts would be less than significant.

Mitigation Measures: None required.

Mitigation Monitoring: Not applicable.

GREENHOUSE GAS EMISSIONS:

Issues and Supporting Information Sources

Potentially Significant Impact	Less-than- Significant with Mitigation Incorporation	Less-than- Significant Impact	No Impact
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Would the Proposed Project/Action:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

☐	☐	☒	☐
☐	☐	☒	☐

Environmental Setting:

Certain gases in the earth's atmosphere, classified as greenhouse gases (GHGs), play a critical role in determining the earth's surface temperature. GHGs are responsible for "trapping" solar radiation in the earth's atmosphere, a phenomenon known as the greenhouse effect. Prominent GHGs contributing to the greenhouse effect are carbon dioxide (CO₂), methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

Human-caused emissions of these GHGs in excess of natural ambient concentrations are believed responsible for intensifying the greenhouse effect and leading to a trend of unnatural warming of the earth's climate, known as global climate change or global warming. It is "extremely likely" that more than half of the observed increase in global average surface temperature from 1951 to 2010 was caused by the anthropogenic increase in GHG concentrations and other anthropogenic factors together (Intergovernmental Panel on Climate Change 2014).

The different types of GHGs have varying global warming potentials (GWPs) (Table 3). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere. Because GHGs absorb different amounts of heat, a common reference gas, usually carbon dioxide, is used to relate the amount of heat absorbed to the amount of the gas emissions, referred to as "CO₂ equivalent," and is the amount of a GHG emitted multiplied by its GWP. Carbon dioxide has a GWP of one. By contrast, methane (CH₄) has a GWP of 21, meaning its global warming effect is 21 times greater than carbon dioxide on a molecule per molecule basis.

Table 3 Global Warming Potentials (GWPs)	
Gas	Global Warming Potential
Carbon Dioxide	1
Methane	21
Nitrous Oxide	310
HFC-23	11,700
HFC-134a	1,300
HFC-152a	140
PFC: Tetrafluoromethane (CF ₄)	6,500
PFC: Hexafluoroethane (C ₂ F ₆)	9,200
Sulfur Hexafluoride (SF ₆)	23,900
Source: http://epa.gov/climatechange/emissions/downloads09/Introduction.pdf	

As noted above, the earth needs a certain amount of greenhouse gases in order to maintain a livable temperature. However, it is believed by many that global climate change may occur as a result of excess amounts of GHG, which, in turn, may result in significant adverse effects to the environment that will be experienced worldwide. The effects may include the melting of polar ice caps and rising sea levels, increased

flooding in wet areas, droughts in arid areas, harsher storms, problems with agriculture, and the extinction of some animal species. Regardless of whether the rise in GHG is caused by natural cyclic events or not, it is widely believed production of additional GHG should be reduced in order to maintain a “healthy” level of GHG in the atmosphere.

Regulatory Setting:

State Legislation

GHG emission targets established by the state legislature include reducing statewide GHG emissions to 1990 levels by 2020 (Assembly Bill [AB] 32 of 2006) and reducing them to 40 percent below 1990 levels by 2030 (Senate Bill [SB] 32 of 2016). Executive Order S-3-05 calls for statewide GHG emissions to be reduced to 80 percent below 1990 levels by 2050. Executive Order B-55-18 calls for California to achieve carbon neutrality by 2045 and achieve and maintain net negative GHG emissions thereafter. These targets are in line with the scientifically established levels needed in the United States to limit the rise in global temperature to no more than 2 degrees Celsius, the warming threshold at which major climate disruptions, such as super droughts and rising sea levels, are projected; these targets also pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius (United Nations 2015:3).

California’s 2017 Climate Change Scoping Plan (2017 Scoping Plan), prepared by CARB, outlines the main strategies California will implement to achieve the legislated GHG emission target for 2030 and “substantially advance toward our 2050 climate goals” (CARB 2017:1, 3, 5, 20, 25–26). It identifies the reductions needed by each GHG emission sector (e.g., transportation, industry, electricity generation, agriculture, commercial and residential, pollutants with high global warming potential, and recycling and waste).

Tuolumne County Regional Blueprint Greenhouse Gas Study

In 2012, the Tuolumne County Transportation Council (TCTC) conducted a regional blueprint planning effort, which presented the results of a countywide (including incorporated and unincorporated areas) GHG emissions inventory, which evaluated existing (2010) GHG emissions, and projected (2020, 2030, and 2040) emissions for three growth scenarios. It also identified policies and measures Tuolumne County and land use project applicants can implement to reduce GHG emissions consistent with AB 32 and prepare for the potential impacts of climate change. In 2010, Tuolumne County emitted approximately 782,846 metric tons of CO₂ equivalent GHG emissions (MTCO₂e) as a result of activities and operations that took place within the transportation, residential (energy consumption), nonresidential (energy consumption), off-road vehicles and equipment, agriculture and forestry, wastewater, and solid waste sectors. This equates to 9.8 MTCO₂e per resident and employee in Tuolumne County’s service population (service population is defined as the total County resident population + people employed in the County). Because the project completed a project-specific GHG study, it does not need to rely on the evaluation and mitigations in the Blueprint GHG Study.

2022 Climate Action Plan

The Board of Supervisors approved the Climate Action Plan (CAP) on November 8, 2022. The CAP identifies existing and projected GHG emissions, sets GHG reduction targets, establishes policies and actions to meet reduction targets, integrates climate adaptation and resilience strategies, engages the community, and provides an implementation program.

Significance Criteria

Tuolumne County and the Tuolumne County Air Pollution Control District (TCAPCD) do not have an adopted GHG threshold for the purposes of determining significance under CEQA. California Air Resources Board’s California’s 2017 Climate Change Scoping Plan (Scoping Plan) states that, for project-level GHG thresholds,

Absent conformity with an adequate geographically specific GHG reduction plan as described in the preceding section above, CARB recommends that projects incorporate design features and GHG reduction measures, to the degree feasible, to minimize GHG emissions. Achieving no net additional increase in GHG emissions, resulting in no contribution to GHG impacts, is an appropriate overall objective for new development. (CARB 2017:101)

Therefore, the project would be considered significant if it results in a net increase in GHG emissions compared to existing conditions. This threshold is specific to the proposed project and may not necessarily apply to other projects in the county.

Analysis:

a,b) Construction

Construction associated with the proposed project include site excavation, grading for the building pads, on-site roads and parking areas, and installation of utilities. The guest cabins would be hauled to the site and would come prefabricated. The guest units would not be placed on permanent foundations. The yoga dome would also be prefabricated off site and placed on a deck that would be constructed on site. Construction activities would include grading/excavation, foundation pouring, building construction, and paving, and would occur sequentially. Typical construction equipment would include dozers, excavators, loaders/backhoes, paving equipment, forklifts, and haul trucks.

As shown in Table 2 in the Air Quality section above in this report, criteria air pollutant emissions generated by project construction would not exceed TCAPCD's significance thresholds. Therefore, impacts related to construction would be less than significant.

Operation

Operation of the proposed project would consist of overnight stays by guests in the guest cabins. The yoga dome and other amenities would be reserved for use by guests only. The main source of emissions would be from vehicular traffic associated with guests and employees going to and leaving the site. As shown in Table 2 in the Air Quality section above in this report, criteria air pollutant emissions generated by project operation would not exceed TCAPCD's significance thresholds.

The project would be consistent with the Tuolumne County Regional Blueprint Greenhouse Gas Study, 2022 Climate Action Plan, and Air Quality Element of the General Plan. Therefore, there is a less than significant impact.

Mitigation Measures: None Required.

Mitigation Monitoring: Not Applicable.

HAZARDS AND HAZARDOUS MATERIALS:

Issues and Supporting Information Sources	Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
Would the Proposed Project/Action:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☒	☐

Environmental Setting:

Hazardous substances and wastes that are likely to be generated from the project would include hydraulic fluids, solvents, diesel, and fluids used in construction. Hazardous materials and waste would also be generated by materials common with recreational and hospitality uses once operational, which would include oils, used paint, pesticides, cleaning products and other chemicals that are commonly used. All hazardous substances and wastes are highly regulated by federal, state, and local regulations regarding the use, storage, transportation, handling, processing, and disposal. All hazardous substances and waste are required to be stored, transported, handled, processed, and disposed of in accordance with these regulations. Waste produced on site during construction or operation would be properly stored or transported in accordance with Title 7 and Chapter 8.05 of the TCOC and applicable State and Federal regulations.

To address compliance of these regulations in the home, Tuolumne County adopted the Household Hazardous Waste Element of the Tuolumne County Integrated Waste Management Plan. This plan aims to reduce the amount of household hazardous waste generated within Tuolumne County through reuse and recycling, to divert household hazardous waste from landfills, to promote alternatives to toxic household products, and to educate the public regarding household hazardous waste management. Household hazardous waste is collected at the Cal Sierra Transfer Station in East Sonora and the Groveland Transfer Station in Groveland. Tuolumne County also holds collection events for household hazardous waste which is organized by the Solid Waste Division of the Department of Public Works.

The project site is located within the Big Oak Flat/Groveland Unified School District. The nearest school to the site is Tenaya Elementary located approximately 5.5± miles west of the site. Tioga High School is located approximately 7.7± miles northwest of the project site. Both of these schools are public schools. There are no new schools proposed within the vicinity of the project site or within the Groveland area.

The California Department of Toxic Substance Control (DTSC) maintains a list of cleanup sites and hazardous waste permitted facilities on its EnviroStor database. The State Water Resources Control Board regulates spills, leaks, investigation, and cleanup sites and maintains an online GeoTracker database. The GeoTracker database tracks regulatory data about leaking underground storage tank (LUST) sites, fuel pipelines, and public drinking water supplies. These databases were consulted for the project site.

There are two airports located within Tuolumne County. One is located within the community of Columbia and the other airport is located in the community of Groveland/Pine Mountain Lake. Parcels that are subject to the Tuolumne County Airport Compatibility Plan are designated with the Airport Overlay (-AIR) General Plan land use designation the :AIR (Airport Combining) zoning district. The project site is not located within two miles of an airport and does not contain the :AIR zoning or -AIR General Plan overlay. The Pine Mountain Lake Airport, the closest airport to the site, is located approximately 3.5± aerial miles northwest of the project site.

Information on emergency response plan and evacuation plan is contained in the Natural Hazards Element of the 2018 Tuolumne County General Plan and the Tuolumne County Multi-Jurisdiction Hazard Mitigation Plan. Tuolumne County does not have a static emergency plan or evacuation plan due to the dynamic nature of emergencies. In the event of an emergency, the Tuolumne County Sheriff Office is the responsible entity for declaring and directing evacuations in the case of emergencies. The Sheriff's Department will inform members of the public via the Everbridge Emergency Notification System, local media, and door-to-door when feasible.

The project site is located within a State Responsibility Area (SRA) and is rated as very high fire hazard severity zone. This rating is based on factors of slope, vegetation, and annual summer weather patterns. These zones, referred to as Fire Hazard Severity Zones (FHSZ), provide the basis for application of various mitigation strategies to reduce risks to buildings associated with wildland fires. The zones also relate to the requirements for building codes designed to reduce the ignition potential to buildings in the wildland-urban interface zone. The parcels directly adjacent to the site that are under the USFS jurisdiction are located within a Federal Responsibility Area.

Regulatory Setting:

Federal:

Toxic Substances Control Act

The 1976 Toxic Substances Control Act regulates the manufacturing, inventory, and disposition of industrial chemicals, including hazardous materials. The Model Accreditation Plan, adopted under Title II of the Act, requires that all persons who inspect for asbestos-containing material (ACM) or design or conduct response actions with respect to friable asbestos obtain accreditation by completing a prescribed training course and passing an exam. Section 403 of the Toxic Substances Control Act establishes standards for LBP hazards in paint, dust, and soil.

Resource Conservation and Recovery Act

RCRA (42 U.S. Code [USC] 6901 et seq.) is the law under which EPA regulates hazardous waste from the time the waste is generated until its final disposal ("cradle to grave"). EPA has authorized DTSC to enforce hazardous waste laws and regulations in California. Under RCRA, DTSC has the authority to implement permitting, inspection, compliance, and corrective action programs to ensure that people who manage hazardous waste follow state and federal requirements. Generators must ensure that their wastes are disposed of properly, and legal requirements dictate the disposal requirements for many waste streams (e.g., banning many types of hazardous wastes from landfills).

Superfund Amendments and Reauthorization Act

The Superfund Amendments and Reauthorization Act (SARA) of 1986 (Public Law 99-499; USC Title 42, Chapter 116), also known as SARA Title III or the Emergency Planning and Community Right-to-Know Act (EPCRA) of 1986, imposes hazardous materials planning requirements to help protect local communities in the

event of accidental release.

EPCRA requires states and local emergency planning groups to develop community emergency response plans for protection from a list of extremely hazardous substances (40 CFR 355 Appendix A). In California, EPCRA is implemented through the Cal ARP program.

Hazardous Materials Transportation

DOT regulates transport of hazardous materials between states and is responsible for protecting the public from dangers associated with such transport. The federal hazardous materials transportation law, 49 USC 5101 et seq. (formerly the Hazardous Materials Transportation Act 49 USC 1801 et seq.) is the basic statute regulating transport of hazardous materials in the United States. Hazardous materials regulations are enforced by the Federal Highway Administration, the Federal Railroad Administration, and the Federal Aviation Administration.

Comprehensive Environmental Response, Compensation, and Liability Act

Brownfield sites are areas with actual or perceived contamination and that may have potential for redevelopment or reuse. Brownfields are often former industrial facilities that were once the source of jobs and economic benefits to the community but lie abandoned due to fears about contamination and potential liability. The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law created a tax on the chemical and petroleum industries and provided broad Federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. Over 5 years, \$1.6 billion was collected and the tax went into a fund for cleaning up abandoned or uncontrolled hazardous waste sites. CERCLA was amended in January of 2002 with passage of the Small Business Liability Relief and Brownfields Revitalization Act. This Act provides some relief for small businesses from liability under CERCLA. It authorizes \$200 million per fiscal year through 2006 to provide financial assistance for brownfield revitalization. CERCLA also facilitated a revision of the National Contingency Plan, which provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The plan also established the generation of EPA's National Priorities List, a list of all the sites with known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States. According to the National Priorities List database, there are no Superfund sites within Tuolumne County (EPA 2018).

National Emissions Standards for Hazardous Air Pollutants

The asbestos regulations under NESHAP control work practices during the demolition and renovation of institutional, commercial, or industrial structures. Following identification of friable asbestos, OSHA requires that asbestos trained and certified abatement personnel perform asbestos abatement and all ACM removed from on-site structures shall be hauled to a licensed receiving facility and disposed of under proper manifest by a transportation company certified to handle asbestos.

Clean Water Act

The U.S. Environmental Protection Agency (EPA) is the federal agency primarily responsible for water quality management. The CWA establishes the basic structure for regulating discharges of pollutants into "waters of the United States." The Act specifies a variety of regulatory and non-regulatory tools to sharply reduce direct pollutant discharges into waterways, finance municipal wastewater treatment facilities, and manage polluted runoff. Some of these tools include:

Section 311 details the Spill Prevention and Countermeasure Control (SPCC) rule, which requires facilities to prepare and maintain a SPCC plan. A facility falls under federal jurisdiction and the SPCC rule if it has an aggregate aboveground oil storage capacity greater than 1,320 U.S. gallons or a completely buried storage capacity greater than 42,000 U.S. gallons and there is a reasonable expectation of an oil discharge into or upon navigable waters of the U.S. or adjoining shorelines. A SPCC plan describes oil handling operations, spill prevention practices, discharge or drainage controls, and the personnel, equipment, and resources at a facility that are used to prevent oil spills from reaching navigable waters or adjoining shorelines.

State:

California Accidental Release Prevention Program

Cal ARP (CCR Title 19, Division 2, Chapter 4.5) covers certain businesses that store or handle more than a specified volume of regulated substances at their facilities. The Cal ARP program regulations became effective on January 1, 1997, and include the provisions of the federal Accidental Release Prevention program (Title 40, CFR Part 68), with certain additions specific to the state pursuant to Health and Safety Code Section 25531 et seq. The list of regulated substances is found in 19 CCR Section 2770.5 of the Cal ARP program regulations. Businesses that use a regulated substance above the noted threshold quantity must implement an accidental release prevention program, and some may be required to complete RMPs. An RMP is a detailed engineering analysis of the potential accident factors present at a business and the mitigation measures that can be implemented to reduce this accident potential. The purpose of an RMP is to decrease the risk of an off-site release of a regulated substance that might harm the surrounding environment and community. An RMP includes the following components: safety information, hazard review, operating procedures, training, maintenance, compliance audits, and incident investigation. The RMP must consider the proximity to sensitive populations located in schools, residential areas, general acute care hospitals, long-term health care facilities, and child day-care facilities, as well as external events such as seismic activity.

California Government Code Section 65962.5

California Government Code Section 65962.5 requires DTSC to compile and maintain lists of potentially contaminated sites located throughout the State of California. This "Cortese List" includes hazardous waste and substance sites from DTSC's database, LUST sites from the SWRCB's database, solid waste disposal sites with waste constituents above hazardous waste levels outside of the waste management unit, Cease and Desist Orders and Cleanup and Abatement Orders concerning hazardous wastes, and hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code.

There are no sites in unincorporated Tuolumne County on DTSC's database of hazardous waste and substance sites, and there are no solid waste disposal sites in the County with waste constituents above hazardous waste levels outside of the waste management unit. There are six Cease and Desist Orders and Cleanup and Abatement Orders in the unincorporated County area, but none are apparently concerning hazardous waste. As described above, there are several records of LUST sites in the County (DTSC 2018).

Hazardous Waste Control Act

These regulations list more than 800 materials that may be hazardous and establish criteria for identifying, packaging, and disposing of such waste. Under the Hazardous Waste Control Act, Health and Safety Code Section 25100 et seq. and Title 26 of the CCR, the generator of hazardous waste must complete a manifest that accompanies the waste from generator to transporter to the ultimate disposal location. Copies of the manifest must be filed with DTSC.

Hazardous Materials Release Response Plans and Inventory Law

The Hazardous Materials Release Response Plans and Inventory Law, Health and Safety Code Section 25500 et seq., aims to minimize the potential for accidents involving hazardous materials and to facilitate an appropriate response to possible hazardous materials emergencies. The law requires businesses that use hazardous materials to provide inventories of those materials to designated emergency response agencies, to illustrate on a diagram where the materials are stored on site, to prepare an emergency response plan, and to train employees to use the materials safely.

Transport of Hazardous Materials and Hazardous Materials Emergency Response Plan

The State of California has adopted DOT regulations for the movement of hazardous materials originating within the state and passing through the state. State regulations are contained in Title 26 of the CCR. State agencies with primary responsibility for enforcing state regulations and responding to hazardous materials transportation emergencies are the CHP and Caltrans. Together, these agencies determine container types used and license hazardous waste haulers to transport hazardous waste on public roads.

The State of California has developed an emergency response plan to coordinate emergency services provided by federal, state, and local governments and private agencies. Response to hazardous materials incidents is one part of the plan. The plan is managed by the California Office of Emergency Services, which coordinates the responses of other agencies in the area.

Worker and Workplace Hazardous Materials Safety

Cal/OSHA is responsible for developing and enforcing workplace safety standards and assuring worker safety in the handling and use of hazardous materials. Among other requirements, Cal/OSHA obligates many businesses to prepare Injury and Illness Prevention Plans and Chemical Hygiene Plans. The Hazard Communication Standard requires that workers are informed of the hazards associated with the materials they handle. For example, manufacturers are to appropriately label containers, material safety data sheets are to be available in the workplace, and employers are to properly train workers.

California State Aeronautics Act

At the state level, Caltrans's Division of Aeronautics administers Federal Aviation Administration regulations. The division issues permits for hospital heliports and public-use airports, reviews potential and future school sites proposed within 2 miles of an airport and authorizes helicopter landing sites at or near schools. In addition, it administers noise regulation and land use planning laws, which regulate the operational activities and provides for the integration of aviation planning on a regional basis.

CAL FIRE Regulations

Title 14 of the CCR establishes regulations for CAL FIRE in areas where CAL FIRE is responsible for wildfire protection. These regulations constitute the basic wildland fire protection standards of the California Board of Forestry and Fire Protection. They have been prepared and adopted for the purpose of establishing minimum wildfire protection standards in conjunction with building, construction, and development in state recreation areas. Additionally, Title 14 sets forth the minimum standards for emergency access, fuel modification, setback, signage, and water supply.

Emergency Services Act

Under the Emergency Services Act, Government Code Section 8550 et seq., the state developed an emergency response plan to coordinate emergency services provided by federal, state, and local agencies. Rapid response to incidents involving hazardous materials or hazardous waste is an important part of the plan, which is administered by the California Office of Emergency Services. The office coordinates the responses of other agencies, including EPA, the CHP, regional water quality control boards, air quality management districts, and county disaster response offices.

International Building Code

In January of 2008, California officially switched from the Uniform Building Code to the International Building Code. The International Building Code specifies construction standards to be used in urban interface and wildland areas where there is an elevated threat of fire.

2010 Strategic Fire Plan for California

The 2010 Strategic California Fire Plan is the state's road map for reducing the risk of wildfire. By emphasizing fire prevention, the Fire Plan seeks to reduce firefighting costs and property losses, increase firefighter safety, and to contribute to ecosystem health.

Local:

Certified Unified Program Agency

Pursuant to Senate Bill 1082 (1993), the State of California adopted regulations to consolidate six hazardous materials management programs under a single, local agency, known as the Certified Unified Program Agency. In addition to conducting annual facility inspections, the Hazardous Materials Program is involved with hazardous materials emergency response, investigation of the illegal disposal of hazardous waste, public

complaints, and storm water illicit discharge inspections. In January 1997, the Tuolumne County Environmental Health Division was designated as the Certified Unified Program Agency by the Secretary of the California Environmental Protection Agency for Tuolumne County. Accordingly, it is the Environmental Health Division's responsibility to prevent public health hazards in the community and to ensure the safety of water and food. The Environmental Health Division coordinates activities with federal, state, and regional agencies when planning programs that deal with the control of toxic materials, housing conditions, nuisance complaints, protection of food and water supply, public bathing areas, and sewage and solid waste.

Tuolumne County Multi-Jurisdictional Hazard Mitigation Plan

Implementation of the *Tuolumne County Multi-Jurisdictional Hazard Mitigation Plan* (HMP) (2018) is a coordinated effort between Tuolumne County, the City of Sonora, the Tuolumne Utilities District, the Sonora Union High School District, the Groveland Community Services District, Twain Harte Community Services District, Mi-Wuk Sugar Pine Fire Protection District, Bellevue Elementary School District, Big Oak Flat-Groveland Unified School District, Jamestown Sanitary District, Columbia Fire Protection District, Columbia Union School District, Curtis Creek School District, Jamestown Elementary School District, Sonora Elementary School District, Summerville Elementary School District, Summerville Union High School District, Twain Harte Long Barn School District, and the Tuolumne Band of Me-Wuk Indians to effectively deal with natural catastrophes that affect the County. The HMP addresses risks associated with numerous hazards, including wildfire, earthquake, flooding, sinkholes, and extreme weather.

Tuolumne County Emergency Operations Plan

The Tuolumne County Emergency Operations Plan delineates the County's procedures and policies in response to a significant disaster, including extreme weather, flood or dam failure, earthquakes, hazardous materials, terrorism or civil disturbance, transportation accidents, and wildland fires.

County 4290 In Lieu Regulations

California Public Resources Code Section 4290 requires local jurisdictions in California to adopt General Plan Safety elements that meet Section 4290 standards or, in lieu of this requirement, local jurisdictions must adopt local fire safe ordinances addressing issues including emergency access, signing and building numbering, private water supply reserves for emergency fire use, and vegetation modification. The County currently has local fire safe ordinances in place in Titles 11, 15, and 16 of the Tuolumne County Ordinance Code. The California Board of Forestry and Fire Protection certified the County's fire safe ordinances in 2016.

2018 Tuolumne County General Plan

The 2018 General Plan contains goals, policies, and implementation programs related to wildland fires, emergency services, and hazardous materials within the Safety Element and the Public Safety Element. These are contained within Chapters 9 and 17 of the 2018 General Plan.

Analysis:

- a) Construction activities would involve the use of hazardous materials such as fuels, lubricants, and solvents typically associated with construction equipment and vehicles. These materials are commonly used during construction and are not acutely hazardous. The federal Occupational Safety and Health Administration (OSHA) is the agency responsible for assuring worker safety in the handling and use of chemicals identified in the Occupational Safety and Health Act of 1970 (Public Law 91-596, 9 USC 651 et seq.). OSHA has adopted numerous regulations pertaining to worker safety, contained in CFR Title 29. These regulations set standards for safe workplaces and work practices, including standards relating to the handling of hazardous materials and those required for construction activities such as excavation and trenching. Any materials used during construction activities would be handled in accordance with applicable laws, regulations, and protocols related to protect worker, user, and public safety. Operation of the project would not involve the use, emission, or release of hazardous wastes or materials (beyond small amounts of common household products such as fuels, solvents, and cleaners). Implementation Program 9.I.d of the 2018 Tuolumne County General Plan states for the Tuolumne County

Environmental Health Division and Tuolumne County Fire Department to review applications for discretionary projects for compliance with the latest adopted regulations for safety and environmental protection. Both divisions reviewed the project application and provided comments. Compliance with applicable laws, regulations, and protocols and the 2018 General Plan would result in impacts being less than significant.

- b) Reasonably foreseeable upset and accident conditions could include small spills or leaks associated with the use of construction equipment and vehicles, as described in item (a). Any materials utilized during construction activities would be handled in accordance with applicable laws, regulations, and protocols, and operation of the project would not result in the creation of any hazards to the public. As discussed under item (a), operation of the project would not involve the use of or result in the release of hazardous materials. Impacts would be less than significant.
- c) The project site is not located within 0.25 miles of an existing or proposed school. The nearest school is Tenaya Elementary, located approximately 5.5± miles west of the project site. There are no new schools proposed within the vicinity of the project site or within the Groveland area. Therefore, there would be no impact
- d) A review of the Department of Toxic Substances Control (DTSC) database, *EnviroStor*, which includes lists of hazardous materials sites compiled pursuant to California Government Code Section 65962.5, did not identify any sites on or adjacent to the project site that have used, stored, disposed of, or released hazardous materials. Additionally, the GeoTracker database did not identify any sites within or adjacent to the project site. Therefore, there will be no impact.
- e) The project site is not located within an area that is subject to the Tuolumne County Airport Land Use Compatibility Plan nor does it contain the Airport Combining District (:AIR) zoning. The nearest airport, Pine Mountain Lake Airport, is located approximately 3.5± aerial miles northwest of the project site. The project would be located at a distance far enough from the airport that it would not create a unique safety hazard for people working within the project site. Therefore, there would be no impact.
- f) Tuolumne County does not have a static emergency plan or evacuation plan due to the dynamic nature of emergencies. Tuolumne County does not have any designated evacuation routes because fires can happen anywhere and may block specific roads and certain areas may not be safe for travel. The Tuolumne County Sheriff Office is the responsible entity for declaring and directing evacuations in the case of emergencies. The Sheriff's Department will inform members of the public via the Emergency Notification System, local media, and door-to-door when feasible of where the wildfire is located, which routes are safe to use, and which locations are safe to seek refuge from the fire. Generalized emergency information is also contained within the adopted Multi-Jurisdictional Hazard Mitigation Plan. Tuolumne County maintains the Hazard Mitigation Plan and Emergency Operations Plan. Through the development approvals and coordination processes, the County would limit the potential for hazards, particularly associated with wildfire and emergency access, with the General Plan Update policies and implementation programs. The project has been found to be consistent with Chapter 9 Public Safety and Chapter 17 Natural Hazards of the 2018 General Plan, as shown in Section g below.

The project consists of the recreational development consisting of twelve guest cabins, swimming pool, yoga dome, and associated infrastructure. The guest cabins would consist of twelve prefabricated mobile units that are rented out for overnight stays. The applicant estimates that three full-time employees would be required on site. One of the employees would be a property manager that would live on site. All on site roads would be built in accordance with applicable codes. Road and driveway improvement plans will be reviewed by the Tuolumne County Fire Prevention Division and Engineering Division of the Department of Public Works prior to authorizing HCD to issue any building or grading permits on site. HCD would review any roads plans for conformance to their specific regulations prior to issuance of any permits. The proposed project would not interfere with an adopted emergency response

plan or emergency evacuation plan. The impact would be less than significant.

- g) The project site is located within an SRA and is rated as high fire hazard severity zone. The project has been reviewed by the Tuolumne County Fire Prevention Division. Building and Grading plans will be reviewed by the Tuolumne County Fire Prevention Division prior to authorizing HCD to issue any building or grading permits on site. HCD would review any roads plans for conformance to their specific regulations prior to issuance of any permits. The project has been found to be consistent with Chapter 9 Public Safety and Chapter 17 Natural Hazards of the 2018 General Plan. Consistency with specific Goals, Policies, and Implementation Programs will be demonstrated below.

The following Policies of the 2018 Tuolumne County General Plan apply to the proposed project:

Policy 9.A.1: *Actively involve fire protection agencies within Tuolumne County in land use planning decisions.*

The Tuolumne County Fire Prevention Division has been consulted with during the processing of the application. The Tuolumne County Fire Prevention Division would need to review building and grading plans for conformance to their regulations prior to authoring HCD to issue the permits.

Policy 9.E.3: *Require new development to be consistent with State and County regulations and policies regarding fire protection.*

The development and operation of the site will be consistent with all applicable State and County regulations and policies regarding fire protection. Road and driveway improvement plans will be reviewed by the Tuolumne County Fire Prevention Division and Engineering Division of the Department of Public Works prior to authorizing HCD to issue any building or grading permits on site.

Policy 17.E.2: *Require the maintenance of defensible space setbacks in areas proposed for development if wildland fire hazards exist on adjacent properties.*

The project site is required to comply with all applicable defensible space regulations.

Consistency with the Tuolumne County General Plan, Tuolumne County Ordinance Code, California Fire Code, and HCD regulations would result in a less than significant impact.

Mitigation Measures: None required.

Mitigation Monitoring: Not applicable.

HYDROLOGY AND WATER QUALITY:

Issues and Supporting Information Sources	Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
Would the Proposed Project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner, which would:	☐	☐	☒	☐
i) result in substantial erosion or siltation on or off-site;	☐	☐	☒	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would create flooding on- or off-site;	☐	☐	☒	☐
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or?	☐	☐	☒	☐
iv) impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Environmental Setting:

The project site is located within the Tuolumne River watershed. Any runoff from the site eventually flows into the Tuolumne River and Lake Don Pedro Reservoir.

The project site would be served via an onsite private well and private on-site sewage disposal system. The site is not located within a groundwater basin that is subject to the Sustainable Groundwater Management Act or subject to a Groundwater Sustainability Plan.

A Water Quality Plan was prepared for Tuolumne County in 2007 and contains a comprehensive program that addressed a wide range of water quality concerns within the county and emphasizes mechanisms for maintaining and improving surface water quality (Tuolumne County 2007). The project site is located within the jurisdiction of the Central Valley Regional Water Quality Control Board (RWQCB).

Regulatory Setting:

The Federal Water Pollution Control Act was adopted to protect the quality of surface waters of the Country and is implemented through the National Pollutant Discharge Elimination System (NPDES). In California, the NPDES is implemented through the Storm Water Permitting Unit of the State Water Resources Control Board. Pursuant to State regulations, land development projects which disturb one acre or more must submit a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit. A Stormwater Pollution Prevention Plan (SWPPP) is required to be submitted with the NOI. The SWPP is required to be prepared by a qualified professional and includes Best Management Practices (BMPs) to be implemented during project construction to minimize stormwater runoff, erosion, and sediment movement.

The Federal Emergency Management Agency (FEMA) provides information on flood hazards for communities based on its Flood Insurance Rate Maps (FIRM). The project site is located with Flood Zone X, which are areas of minimal flood hazards.

Chapter 15.24 of the TCOC provides regulations related to flood hazards. The purpose of Chapter 15.24 is to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by legally enforceable regulations applied uniformly throughout the County to all publicly and privately owned land within flood prone or flood related erosion areas.

Chapter 13.20 of the TCOC provides guidance on management of groundwater within Tuolumne County. The purpose of Chapter 13.20 is to establish an effective county policy that will assure that the overall economy and environment of Tuolumne County are protected from the impacts of the exportation of groundwater out of the county. All wells within Tuolumne County must be constructed and maintained in accordance with Chapter 13.16 and 13.20 of the TCOC. Water would be provided to the project site via a private, on-site well.

Water would be provided via the existing on-site well. For less than 14 connections, the facility would be permitted as a Small Water System permitted through the County Environmental Health Division. If the number of connections exceeds 14, the system would need to be permitted as a State Small Public Water System permitted through the State Water Board. However, since the development would serve 25 individuals at least 60 days out of the year, the facility would be permitted as a Small Water System with the State Water Board. In the event of a well failure, the applicant would truck in potable water to supply the site. This measure would only be allowed in an emergency for a short period of time. Ongoing use of trucked water, with onsite storage, would not be permitted by the Water Board. If future well failure occurs and a suitable potable water source, approved by the Water Board, is not secured onsite, the use would be required to cease, as the project would no longer be in compliance with the Conditions of Approval.

A Hydrogeologic Analysis was prepared for the project by Condor Earth in February 2023. Well pump information from August 2022 was provided by Precision Pump Service and lab sample information analyzing the water quality in May 2022 was provided by Precision Enviro-Tech. The groundwater analysis is based on these documents. The documents are included at appendices to this Initial Study.

Analysis:

- a) Runoff from the project site has the potential to transport silt and other sediments to off-site surface waters if soil surfaces exposed during construction on the project site are not stabilized. However, the requirement of preparation of a SWPPP with BMPs and the submittal of a NOI with the State Water Resources Control Board would ensure compliance with water quality standards and waste discharge requirements and would protect the discharge of pollutants into surface or ground water.

The on-site septic systems would be constructed and maintained in accordance with Title 13 of the TCOC and applicable state codes. This would be enforced by the Tuolumne County Environmental Health Division. The new proposed systems would require permits through the Environmental Health Division, and they would verify compliance with all applicable regulations.

Water from the on-site well was sampled and sent to a lab. The lab results from May 2022 did not detect any constituents of concern, including bacteria or chlorine. There are no known sources in the vicinity of the project site that would impact groundwater quality.

Compliance with applicable permits and construction would ensure that the project would not violate any water quality standards or waste discharge requirements set forth by the Central Valley RWQCB or result in the degradation of surface and groundwater quality. Impacts would be less than significant.

- b) A Hydrogeologic Analysis was prepared by Condor Earth in February 2023. This analysis, in addition to the well pump information and lab results from the well can be found in Appendices B, C and D below in this report. The on site well was originally constructed in 1987 and encountered water from 65 feet below ground surface to 165 feet below ground surface and produced 12 gallons per minute during a 2 hour test. The study concluded that the estimated groundwater recharge on the site based on average precipitation would be 6.35 acre-feet during normal years and 3.17 acre-feet during drought years.

The estimated water needs for the site would be up to 140 gallons per day with the pool requiring up to 30,000 gallons per year to operate. This would account for all operations of the facility, single family residence, and guest usage. Including the pool estimates, the average daily use would be as much as 2,043 gallons per day. Based on the well and estimated groundwater recharge, Condor concluded that the site would be able to use up to 2,768 gallons per day, which meets the project demand. There would be a less than significant impact.

- ci-civ) Chapter 12.20 of the TCOC contains the County's regulations regarding grading activities. A grading permit will be required to be reviewed by the Engineering Division of the Department of Public Works. Although the grading permit will be issued by HCD, the Engineering Division requires the applicant to apply for a grading permit review with the Department of Public Works and meet all applicable conditions and requirements of the grading permit before signing off for HCD to issue the permit.

The Engineering Division of the Department of Public Works has reviewed the project and responded with conditions which will become Conditions of Approval for Site Development Permit SDP22-006. These conditions include requirements for a drainage plan and improvements, erosion control plan, dust abatement during construction, prohibiting serpentine gravel, and stabilization of any soils disturbed by clearing, grubbing, or grading. These conditions would be verified prior to the issuance of a grading permit or required during construction.

Additionally, the project is required to submit an NOI to the State Water Resources Control Board Water Permitting Unit to obtain coverage under the General Construction Activity Stormwater Permit for the disturbance of more than one acre. A SWPPP is required to be developed and submitted with the NOI. The SWPPP must be prepared by a qualified professional and includes BMPs to be implemented to minimize stormwater runoff, erosion, and sediment movement during construction activities. This requirement is verified by the Engineering Division prior to signing off on the issuance of a grading permit by HCD.

Compliance with the above conditions would result in a less than significant impact.

- d) The Federal Emergency Management Agency (FEMA) publishes Flood Insurance Rate Maps (FIRM) delineating flood hazard zones for communities. Most of the project site is located in an area identified on the FEMA FIRM Panel Number 06109C1225C (dated April 16, 2009) in "Zone X," an area of very low flood hazard. Zone X is the area determined to be outside the 500-year flood and protected by levee from 100- year flood. The project would not affect habitable structures, nor locate any people or habitable structures within any areas prone to flood. The project would not result in increased flood risk to people or property for the above reasons. The Technical Background Report for the 2018 General Plan indicates that there is no risk of tsunamis in Tuolumne County due to its distance from the ocean. There is also no risk of earthquake-induced seiches within Tuolumne County. No impact would occur.
- e) The goal of the Tuolumne County Water Quality Plan is to minimize the risk of pollution into water sources. This can be achieved by the implementation of BMPs during project development.

The Water Quality Plan categorizes BMPs into the following categories: prevention, source control, and treatment control. The project is required to submit an NOI with the State Water Resources Control Board. This submittal requires the preparation of a SWPPP, prepared by qualified professional, which

must incorporate BMPs to be implemented during project construction. The SWPPP is required prior to the issuance of a Grading Permit by the Engineering Division of the Department of Public Works. Erosion control measures are required to be implemented during site disturbing activities, as required by Title 12 of the Tuolumne County Ordinance Code. The Engineering Division verifies these requirements prior to the sign off for issuance of a grading permit by HCD. These requirements will help reduce impacts to water quality and would support the goals of the Tuolumne County Water Quality Plan.

The project is consistent with the following General Plan goals, policies, and implementation programs:

Implementation Program 14.C.a: Maintain local source water protection and wellhead protection programs in the Tuolumne County General Plan, such as setbacks, to protect the sources of drinking water supplies.

There is an existing well on site to serve the residence, which will be utilized to serve the facility. The well all applicable setbacks as indicated it Title 13 of the TCOC. The well was established in accordance with the requirements contained in Title 13 of the TCOC.

Implementation Program 14.C.b: Implement grading and surface runoff standards, such as retention and detention, permeable surfaces and recharge, necessary to protect water resources in compliance with State and Federal water quality regulations and with the County's water quality plan referenced in Implementation Program 14.C.e.

The project would meet all applicable provisions of Title 12 related to erosion control, dust suppressant, and other BMPs during grading activities on site. These provisions are verified by the Engineering Department of Public Works.

The project site is not located within located within a groundwater basin that is subject to the Sustainable Groundwater Management Act or subject to a Groundwater Sustainability Plan. Additionally, as demonstrated in item b above, the project would have a less than significant impact related to groundwater recharge and the groundwater basin.

As demonstrated above, the project is consistent with the goals, policies, and implementation programs of the General Plan and the Tuolumne County Water Quality Plan. Therefore, there would be a less than significant impact with mitigation.

Mitigation Measures: None Required.

Mitigation Monitoring: Not Applicable.

LAND USE AND PLANNING:

Issues and Supporting Information Sources	Potentially Significant Impact	Less-than-Significant With Mitigation Incorporation	Less-than-Significant Impact	No Impact
Would the Proposed Project/Action:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation of an agency with jurisdiction over the project (adopted for the purpose of avoiding or mitigating an environmental effect)?	☐	☐	☒	☐

Environmental Setting:

The project site consists of a 14.1± acre parcel zoned C-K with the R/P General Plan land use designation. The C-K zoning is codified in Chapter 17.31 of the TCOC. Parcels immediately to the south and east of the site contain the RR (Rural Residential), ER (Estate Residential) and LDR (Low Density Residential) General Plan designations and are developed with residential uses. Parcels in the vicinity mainly consist of publicly designated parcels under the jurisdiction of the US Forest Service.

Analysis:

- a) The project includes Site Development Permit SDP22-006 to allow the recreational development consisting of twelve guest cabins, swimming pool, yoga dome, and associated infrastructure. The development would take place within an approximately 2± acre portion of a 14.1± acre parcel. The project would not impact access routes or parcel configuration. A community will not be divided, therefore there would be no impact.
- b) The R/P General Plan land use designation provides for recreational uses of a commercial nature to serve the tourist industry as well as providing leisure activities for the County's residents. This designation is found primarily along the County's highway corridors and is also interspersed in the Stanislaus National Forest and Yosemite National Park. Typical land uses allowed in R/P designation include parks, camping facilities, recreational vehicle parks, ski and other resort facilities, marinas, and commercial uses in support of such facilities and public utility and safety facilities. The project consists of Site Development Permit SDP22-006 to allow a recreational development consisting of twelve guest cabins, swimming pool, yoga dome, and associated infrastructure. This is consistent with the purpose and typical uses of the R/P designation. Table 1.3 of the Community Development and Design Element in the 2018 General Plan indicates that the R/P land use designation is compatible with the C-K zoning district.

The following Goals, Policies and Implementation Programs of the 2018 Tuolumne County General pertain to this project.

Policy 1.A.3

Address the impacts associated with new development on cultural resources and protect such resources.

A cultural resource study was prepared by Solano Archaeological Services, LLC which analyzed potential impacts on cultural resources associated with the proposed project. Mitigation Measures were incorporated to protect potential resources found on site.

Goal 6.D: *Promote the development of commercial, industrial, agricultural, and recreational facilities and tourism uses to provide jobs for County residents and diversify the local economy.*

Implementation Program 6.D.a: *Encourage and support private sector initiatives to develop recreational and tourist-oriented facilities.*

Policy 6.D.2: *Promote a diverse, countywide tourist industry that relates to the agricultural, historical, cultural, recreational, and natural attractions of the County.*

Policy 6.D.3: *Encourage the expansion of the tourist industry by supporting new development that serves that industry.*

Policy 6.D.6: *Identify areas within the County which will be appealing to, and capable of accommodating, the amount of industrial and other employment-generating development required to meet the County's needs over the planning horizon of this General Plan.*

Goal 6.E: *Encourage the retention and expansion of existing businesses, attraction of new business and industry and assist in entrepreneurial programs to generate local employment opportunities, reduce retail leakage out of the county trade area and diversify the local economy, while maintaining its environmental and cultural integrity.*

The project would allow for development of a recreational facility and would allow for over-night stays, in support of tourism and hospitality. The project would support the Goals 6.D and 6.E, Policies 6.D.2, 6.D.2, 6.D.3 and 6.D.6, and Implementation Program 6.D.a listed above.

Consistency with Goals, Policies, and Implementation programs found in Chapter 9 Public Safety and Chapter 17 Natural Hazards of the General Plan are discussed in the “Hazards and Hazardous Materials” and “Wildfire” sections of this report. Consistency with Implementation programs found in Chapter 16 Natural Resources are discussed in the “Biological Resources” section of this report.

Figure 9 below shows the surrounding General Plan land use designations and zoning district.

Tuolumne County Ordinance Code

The project site is zoned C-K under Title 17 of the TCOC, which is codified in Chapter 17.31 of the TCOC. The purpose of the C-K district is to encourage well-planned and integrated resort and vacation-oriented commercial complexes in which the developer may incorporate innovative design techniques. The project is proposing to develop recreational facility consisting of guest cabins, yoga dome, and associated infrastructure, which is consistent with the purpose of the C-K district. Permitted uses within the C-K district include “recreational structures and developments” of which the proposed use fits into.

Pursuant to Section 17.31.010 of the TCOC, Chapter 13.08 of the TCOC, and Chapter 3 “Utilities” of the General Plan, the development is not required to connect to public water or public sewer.

Pursuant to Section 17.68.100 of the TCOC, a Site Development Permit must be secured. Therefore, the applicant has applied for Site Development Permit SDP22-006. The purpose of the Site Development Permit is to ensure that certain types of proposed developments will serve to achieve a design which is desirable, which has been demonstrated throughout this document. The project is reviewed for conformance with these design standards as indicated by the TCOC, such as parking requirements of Chapter 17.60 of the TCOC, road design standards found in Title 11 of the TCOC, payment of Traffic Impact Mitigation Fees identified in Chapter 3.54 of the TCOC, and construction and operation of onsite wastewater treatment systems and wells in accordance with Title 13 of the TCOC.

Since the cabins consist of pre-fabricated units on a chassis system, the permitting and regulation of the site following the Site Development Permit will be under the jurisdiction of the HCD.

As indicated above, the project is consistent with all applicable land use plan, policy, and regulations of agencies with jurisdiction over the project. Therefore, there is a less than significant impact.

Mitigation Measures: None Required.

Mitigation Monitoring: Not Applicable.

MINERAL RESOURCES:

Issues and Supporting Information Sources

Would the Proposed Project:

	Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
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?	☐	☐	☒	☐

Environmental Setting:

Tuolumne County has an extensive history as a mining community. Tuolumne County was historically mined for gold during the early 1850s. Current mining operations within Tuolumne County mine for limestone and dolomite, and various crushed rock, gravel, and sand products.

Regulatory Setting:

The California Surface Mining and Reclamation Act of 1975 (SMARA) requires classification of land in the state according to the known or inferred mineral resource potential of that land, which is provided direction under the State Geologist. The California Department of Conservation Division of Mines and Geology has developed Mineral Resource Zones (MRZ) to classify the areas where significant mineral resources occur or are likely to occur. Areas classified as MRZ-2a or MRZ-2b have been identified as having demonstrated or inferred significant mineral resources.

The Mineral Preserve Overlay (MPZ) General Plan land use designation is used to identify land that has been classified as either Mineral Resource Zone MRZ-2a or MRZ-2b by the State Mining and Geology Board under the State Classification System and meets criteria for relationship to surrounding land uses, access, and other issues. The MPZ overlay designation is found along the Mother Lode gold ore zone, the carbonate belt from Columbia to Algerine, and the table mountain basalt as an aggregate source. The MPZ Overlay is used to direct the development potential towards the types of development that are compatible with possible mineral resource extraction.

Analysis:

- a,b) The *Mineral Land Classification of a Portion of Tuolumne County, California for Precious Metals, Carbonate Rock and Concrete-Grade Aggregate* (1997), DMG Open File Report 97-09, was reviewed for the project. For precious metals and aggregate minerals, the project site is located within Pocket Belt-East Belt, which is classified as MRZ-3b and is defined as areas of inferred mineral occurrence with undetermined mineral resources significance. For carbonate minerals, the project site is located within the Southwestern County Area which is classified as MRZ-3b. Mineral Resource Zone MRZ-3b are areas of underdetermined resource significance with inferred mineral occurrence. Mineral Resource Zone MRZ-4 are areas of no known mineral occurrence.

The -MPZ overlay designation provides for the extraction and processing of mineral resources. This overlay is used to identify land that has been classified as either Mineral Resource Zone MRZ-2a or MRZ-2b by the State Mining and Geology Board under the State Classification System and meets criteria for relationship to surrounding land uses, access, and other issues. Uses within the -MPZ overlay designation are those that are compatible with mineral resource extraction and processing. The project site does meet the criteria for the MPZ overlay as the site does not contain mineral deposits classified as MRZ-2a or MRZ-2b. Therefore, there are no known mineral resources of value

on site.

Policy 7.C.1 of the Tuolumne County General Plan directs the County to protect lands classified as significant Mineral Resource Zone-2 (MRZ-2) by the State Department of Conservation Division of Mines and Geology, and meeting the criteria established in the General Plan for MPZ overlay, from conflicts, such as incompatible development on surrounding land, which might prevent future mining activities. The project site does not contain the MPZ overlay General Plan land use designation and does not meet the criteria for the MPZ overlay. There are no parcels within the vicinity of the project site that contain the -MPZ overlay designation. Therefore, the project would have a less than significant impact on known mineral resources.

Mitigation Measures: None required.

Mitigation Monitoring: Not applicable.

NOISE:

Issues and Supporting Information Sources

	Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
Would the Proposed Project Result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located with the vicinity of a private airstrip or an airport land use plan or, where such 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?	☐	☐	☐	☒

Environmental Setting:

Noise (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound power levels to be consistent with that of human hearing response, which is most sensitive to frequencies around 4,000 Hertz (about the highest note on a piano) and less sensitive to low frequencies (below 100 Hertz) (Tuolumne County 2018). In addition to the actual instantaneous measurement of sound levels, the duration of sound is important since sounds that occur over a long period of time are more likely to be an annoyance or cause direct physical damage or environmental stress.

One of the most frequently used noise metrics that considers both duration and sound power level is the equivalent noise level (L_{eq}). The L_{eq} is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time (Tuolumne County 2018). Typically, L_{eq} is summed over a one-hour period. The maximum instantaneous noise level (L_{max}) can be used to describe short noise events (e.g., construction activities, car pass-by). In addition, the community noise equivalent level (CNEL), is typically used for describing ambient noise levels and sources that generate noise over extended periods of time (e.g., roadway noise). The CNEL is a weighted noise level over a 24-hour period that applies a penalty of 5 dB during the evening hours (7:00 p.m. to 10:00 p.m.) and a 10-dB penalty during the nighttime hours (10:00 p.m. to 7:00 a.m.).

The sound pressure level is measured on a logarithmic scale with the 0-dB level based on the lowest detectable sound pressure level that people can perceive (an audible sound that is not zero sound pressure level). Decibels cannot be added arithmetically, but rather are added on a logarithmic basis. Based on the logarithmic scale, a doubling of sound energy is equivalent to an increase of 3 dB. Because of the nature of the human ear, a sound must be about 10 dB greater than the reference sound to be judged as twice as loud. In general, a 3-dB change in community noise levels is noticeable, while 1–2 dB changes generally are not perceived. Quiet suburban areas typically have exterior noise levels in the range of 40–50 dBA, while those along arterial streets are in the 50–60+ dBA range. Normal conversational levels are in the 60–65 dBA range and ambient noise levels greater than that can interrupt conversations (Tuolumne County 2018).

Discretionary projects are evaluated utilizing Chapter 5 of the Tuolumne County General Plan relating to Noise. The following definitions are from the Glossary of the Tuolumne County General Plan and are used in the Noise Element of the General Plan:

- **CNEL:** Community Noise Equivalent Level means a 24-hour energy equivalent level derived from a variety of single-noise events, with weighing factors of approximately 4.8 and 10 decibels applied to the evening (7:00 PM to 10:00 PM) and nighttime (10:00 PM to 7:00 AM) periods, respectively, to allow or the greater sensitivity to noise during these hours.

- Ldn: the day/night average sound level. The Ldn is the average equivalent sound level during a 24-hour day, obtained after addition of ten (10) decibels to sound levels in the night after 10:00 p.m. and before 7:00 a.m.
- dBA: is the "A-weighted" scale for measuring sound in decibels. It weighs or reduces the effects of low and high frequencies in order to simulate human hearing. Every increase of 10 dBA doubles the perceived loudness though the noise is actually ten times more intense.
- A-Weighted Sound Level: All sound levels referred to in this document are in A-weighted decibels. A weighting de-emphasizes the very low and very high frequencies of sound in a manner similar to the human ear. Most community noise standards utilize A weighting, as it provides a high degree of correlation with human annoyance and health effects.

Decibel: means a unit used to express the relative intensity of a sound as it is heard by the human ear. The decibel scale expresses sound level relative to a reference sound pressure of 20 micronewtons per square meter, which is the threshold of human hearing. Sound levels in decibels (dB) are calculated on a logarithmic basis. An increase of 10 decibels represents a 10-fold increase in acoustic energy, and an increase of 20 decibels corresponds to a 100-fold increase in acoustic energy. An increase of 10 dB is usually perceived as a doubling of noise.

Equivalent Sound Level (Leq): The equivalent sound level is the sound level containing the same total energy as a time varying signal over a given sample period. Leq is typically computed over 1, 8 and 24-hour sample periods.

Leq is the energy equivalent level, defined as the average sound level on the basis of sound energy (or sound pressure squared). The Leq is a "dosage" type measure and is the basis for the descriptors used in current standards, such as the 24-hour CNEL used by the State of California. The hourly Leg is measure over a 1-hour sample period.

Lmax: is the highest sound level measured over a given period of time.

The ambient noise environment in Tuolumne County is largely affected by traffic on highways and County roadways, commercial and industrial uses, agricultural uses, railroad operations, and aircraft. The most prominent sources of noise in the project vicinity are motor vehicles (e.g., automobiles, buses, trucks, and motorcycles) and industrial operations from adjacent land uses.

Motor vehicle noise is of concern because it is characterized by a high number of individual events, which often create a sustained noise level, and because of its proximity to noise sensitive uses. In general, corridors throughout Tuolumne County consist of one or two lanes in each direction with varying speed limits ranging from 35 miles per hour (mph) to 55 mph.

Vibration is an oscillatory motion through a solid medium in which the motion's amplitude can be described in terms of displacement, velocity, or acceleration. Vibration can be a serious concern, causing buildings to shake and rumbling sounds to be heard. In contrast to noise, vibration is not a common environmental problem. It is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads.

Receptors sensitive to noise such as schools, day care facilities, hospitals, or senior nursing facilities, are not located within 0.25 mile of the project.

Table 4 MAXIMUM ALLOWABLE NOISE EXPOSURE-STATIONARY NOISE SOURCES¹		
	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
Hourly L_{eq} , dB ²	50	45
Maximum level, dB ³	70	65
¹ This table applies to noise exposure as a result of stationary noise sources. For a development project or land use change involving a noise-sensitive land use, the noise from nearby noise sources will be considered during design and approval of the project, or in determining whether the land use change is appropriate. For development projects which may produce noise, land use changes and project review will consider the effects of the noise on possible noise-sensitive land uses. When considering modification or expansion at a site that already produces noise levels which exceed these standards at noise-sensitive land uses, the modification or expansion shall be reviewed to consider if the proposed action will further raise the existing noise levels received at the noise-sensitive land use(s). Noise-sensitive land uses include urban residential land uses, libraries, churches, and hospitals, in addition to nursing homes or schools which have over 6 beds or students, respectively. Transient lodging establishments which are considered noise sensitive land uses include hotels, motels, or homeless shelters, but not bed and breakfast establishments located in rural areas, campgrounds, or guest ranches. ² The sound equivalent level as measured or modeled for a one-hour sample period. The daytime or nighttime value should not be exceeded as determined at the property line of the noise-sensitive land use. When determining the effectiveness of noise mitigation measures, the standards may be applied on the receptor side of noise barriers or other property line noise mitigation measures. ³ Similar to the hourly L_{eq} , except this level should not be exceeded for any length of time.		

Table 5 SIGNIFICANCE OF CHANGES IN CUMULATIVE NOISE EXPOSURE¹	
Ambient Noise Level Without Project² (Ldn or CNEL)	Significant Impact if Cumulative Level Increases By:
<60 dB	+ 5.0 dB or more
60-65 dB	+ 3.0 dB or more
>65 dB	+ 1.5 dB or more
¹ These standards shall be applied when considering the noise impacts from projects that could cause a significant increase in the cumulative noise exposure of existing noise-sensitive land uses. If it is likely that existing noise-sensitive land uses could experience these increases in cumulative noise exposure, as measured in CNEL or Ldn, then an acoustical analysis that meets the requirements of Table 6 shall be accomplished and the results considered in project design. ² Ambient Noise is defined as the composite of noise from all sources near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location. Source: Federal Interagency Committee on Noise (FICON), <u>Federal Agency Review of Selected Airport Noise Analysis Issues</u> , August 1992.	

Analysis:

a) Construction

Construction activities would result in short-term noise. Construction activities would consist of grading and site preparation, which require the use of heavy-duty equipment that generate varying noise levels. Construction activities would be limited to the less noise-sensitive hours (e.g., daytime) of 7:00 a.m. to 7:00 p.m., Monday through Saturday, consistent with Tuolumne County General Plan Maximum Allowable Noise Exposure-Stationary Noise Source standards in Table 5.C of Chapter 5: Noise Element of the General Plan (Tuolumne County 2019) and Table 4 above in this report.

Construction-generated noise levels would fluctuate depending on the type, number, and duration of equipment used. The effects of construction noise largely depend on the type of construction activities occurring on any given day, noise levels generated by those activities, distances to noise-sensitive receptors, and the existing ambient noise environment at nearby receptors. Construction equipment would vary by phase, but the entire construction process would include operation of dozers, excavators, loaders/backhoes, and haul trucks. Noise generated from these pieces of equipment would be intermittent and short as typical use is characterized by periods of full-power operation followed by extended periods of operation at lower power, idling, or powered-off conditions.

The grading and site preparation phase typically generate the most substantial noise levels because of the onsite equipment associated with grading, compacting, and excavation are the noisiest. Site preparation equipment and activities include graders, dozers, and excavators. The construction phase would be temporary in nature. Construction would be minimal as the guest units and yoga dome would be prefabricated off-site and placed on the site. The guest units would not be placed on permanent foundations and the yoga dome would be placed on a deck. The most substantial noise would be from construction of the internal roadways and parking lots.

Tuolumne County does not have adopted daytime construction noise standards. However, when evaluating potential noise impacts, temporary short-term noise occurring during the less sensitive times of the day, when people are active, out of their homes, or otherwise not sleeping, are generally considered less of a nuisance and less likely to disrupt sleep, or otherwise result in significant noise exposure. Thus, considering that construction activities would occur during the daytime hours, in accordance with typical County-required conditions of approval limiting construction activities to Monday through Saturdays from 7:00 a.m. and 7:00 p.m., overall construction activities would be temporary, construction noise would fluctuate, and the loudest levels would occur for a shorter duration than the overall construction duration, existing nearby sensitive receptors would not be substantially affected. To ensure impacts are less than significant, NOI-1 shall be implemented.

Operation

Operation noise would consist of noise associated with guests staying in the 12 guest units on site. The nearest residence to the developed area of the site is located approximately 600 feet to the south. The development of the site is clustered near Sprague Road East adjacent to State Route 120 where noise is associated with traffic along the highway. There are existing trees and vegetation that will be retained on site to act as a natural buffer between the developed area of the site and adjacent residential and rural uses.

To ensure that noises generated on the site do not exceed the allowable levels as indicated in Chapter 5 "Noise" of the Tuolumne County General Plan, Mitigation Measure NOI-2 has been implemented. Mitigation Measure NOI-2 would be required as an on-going measure.

Incorporation of Mitigation Measures NOI-1 and NOI-2 would reduce potential impacts to a less than significant level.

- b) Sources of vibration would include construction equipment operating during construction of the facility. Operational activities would not include uses which generate substantial vibration. Construction would occur between 7 a.m. and 7 p.m. to reduce potential disturbance impacts. No construction activities would occur on Sundays or County holidays. Vibration originating at this site would be generally consistent with existing vibration levels from residential and rural uses in the project vicinity and sources generated by traffic on State Route 120 adjacent to the project site.

Construction would include grading and site preparation. No pile driving or blasting would occur. Typical equipment that would be used includes dozers, loaders, excavators, and trucks. Construction activities

would only take place during the daytime hours, when people are less susceptible to noise.

Considering reference vibration levels for large dozers, FTA's vibration standard of 80 vibration-decibels (VdB) would not be exceeded beyond 40 feet and Caltrans's recommended vibration level for fragile buildings of 0.1 in/sec peak particle velocity (PPV) would not be exceeded beyond 25 feet from construction activity. Existing receptors and structures are located beyond these distances. Considering that construction activities would not include major sources of vibration, would occur during the daytime hours, and existing structures are located at adequate distances from proposed construction activity, no existing structures or sensitive land uses would be exposed to excessive vibration levels. This impact would be less than significant.

- c) The project site is not located near an airport. The nearest airport, Pine Mountain Lake Airport, is located approximately 3.5± aerial miles northwest of the project site. Therefore, there is no impact.

Mitigation Measures:

NOI-1: Hours of exterior construction on the project site shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday. Exterior construction shall be prohibited on Sunday and County holidays.

NOI-2: The noise levels generated by the project shall be restricted to the following exterior noise limits as measured at the property line:

Zoning Classification of Receiving Property	Noise Level (dB) of Sound Source	
	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
MU, R-3, R-2, R-1, RE-1, RE-2, RE-3, RE-5, RE-10, C-O, C-1, C-S, BP	50 L _{eq} . (1 hour) ¹	45 L _{eq} . (1 hour) ¹

¹L_{eq}. 1 hour refers to the average noise level measured over a one-hour period.

Mitigation Monitoring: Mitigation Measure NOI-1 will be required during construction activities on site. Mitigation Measure NOI-2 will be on-going. These conditions will be monitored through citizen complaints which will be directed to HCD for enforcement. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures.

POPULATION AND HOUSING:

Issues and Supporting Information Sources	Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
Would the Proposed Project/Action:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Environmental Setting:

The population in Tuolumne County in 2018 was at 55,365 for the entire County including the City of Sonora. Between 2010 and 2018 Tuolumne County's growth rate was less than 1% and was negative for some years, as indicated in Figure 5 in the Housing Element found in the Technical Background Report of the 2018 General Plan. The projected population for Tuolumne County in 2024, including the City of Sonora, is estimated at 54,390, which is a decrease from its current population. The proposed project includes development of a recreational development consisting of twelve guest cabins, swimming pool, yoga dome, and associated infrastructure.

The site is currently developed with a single-family residence, detached garage, and driveway. There are existing paved roads which serve the project site and surrounding parcels. Utilities are in the area, including electricity and telecommunications infrastructure. The project site is served by a private well and private sewage disposal method. The project would not require the demolition of the existing single-family dwelling or conversions of the dwelling units to a non-residential use as the applicant plans on maintaining the residential use on site.

Analysis:

- a) Infrastructure including paved roads, electricity, and telecommunication facilities exist adjacent to the site to serve the development. The project will not induce substantial unplanned population growth in the area either indirectly or directly as the project consists of a recreational development consisting of twelve guest cabins, swimming pool, yoga dome, and associated infrastructure. The project would be served with existing infrastructure and no expansion of infrastructure would be required to serve the site. The applicant has indicated that approximately The applicant estimates that three full-time employees would be required on site. One of the employees would be a property manager that would live on site. Therefore, there would be a less than significant impact.
- b) The project site contains an existing single-family dwelling, which would not be impacted by the proposed project. Therefore, the proposed project would not displace people or housing and the construction of replacement housing elsewhere would not be required as a result of the project. There would be no impact.

Mitigation Measures: None required.

Mitigation Monitoring: Not applicable.

PUBLIC SERVICES:

Issues and Supporting Information Sources

<i>Potentially Significant Impact</i>	<i>Less-than- Significant With Mitigation Incorporation</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
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Would the Proposed Project/Action:

- a) 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 these public services:

Fire Protection?	☐	☐	☒	☐
Police Protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other Public Facilities?	☐	☐	☒	☐

Environmental Setting:

Fire Protection

Fire and emergency response is provided to this site by the County of Tuolumne, with support from regional partners including Groveland Community Services District (GCSD). The GCSD provides mutual aid to the Tuolumne County Fire Department, CAL FIRE and the USFS under its CAL FIRE Schedule A contract, including mutual aid as needed from the CAL FIRE Groveland Station when staffed during the summer fire season and under the Amador Plan Agreement.

The Groveland Fire Station is staffed on a full-time basis. The Schedule A contract provides for five (5) fire fighters total that rotate; one (1) captain and four (4) engineers. Two (2) bodies man the station 24/7. When the state declares the official end to a fire season, funding is halted for the CAL FIRE Schedule B station located on Merrell Rd. Prior to the 2020/21 fiscal year, the District then funded the staffing of two (2) fire fighters at this station through its Amador Plan contract. The financial obligation for the cost of the Amador Plan contract was assumed by the County of Tuolumne effective July 1, 2020.

The GCSD Fire Department currently provides fire protection services and emergency response to a population of approximately 4,500 in the winter months to about 9,000 on busy holiday weekends in the summer. The GCSD provides Mutual Aid to the Tuolumne County Fire Department, CAL FIRE and the USFS. There are two fire stations within the District. The GCSD Station # 78 houses two Type-1 engines and one Type-3 engine, while the CAL FIRE Groveland Station houses two Type-3 engines.

Police Protection

Law enforcement services in the in the unincorporated portion of Tuolumne County is provided by the Tuolumne County Sheriff's office. The nearest station to the project site is located at 28 Lower Sunset Drive in Sonora, approximately 32 miles from the project site. Response times for the entire county averages between 5 minutes

to 35 minutes depending on day of the week, time, and the location of the incident. An average of six deputies patrols the county at any given time. Dispatch prioritizes calls based on the significance and priority of the call.

The California Highway Patrol (CHP) provides additional enforcement along State Highways and County roadways. The CHP offers other services as needed to support the safety for residents of the County. The nearest CHP office to the project site is located at 18437 Fifth Avenue in Jamestown.

Schools

The project site is within the Big Oak Flat Groveland Unified School District. Tenaya Elementary is located approximately 5.4 miles west of the site and Tioga High School is located approximately 7.7 miles northwest of the project site. Tioga High School contains grades 9th through 12th. Tenaya Elementary contains Kindergarten through 8th grade. Both of these schools are public schools. There are no other existing or proposed schools within the project's vicinity.

Parks

Tuolumne County has a variety of recreational opportunities for the public, including Yosemite National Park, Stanislaus National Forest, State parks, and other Federal, State and Local government agencies such as the U.S. Bureau of Reclamation and the Bureau of Land Management. Community based recreation and park districts include the Tuolumne County Recreation Department and the City of Sonora Recreation Department. Tuolumne County operates and maintains approximately 341± acres of parks.

The nearest public recreational facility to the project site includes Mary Laveroni Community Park. The park is approximately 2.3 acres in size and includes a child playground, grass field, picnic areas, and a skate park. Parcels directly adjacent to the project site and within the vicinity are open public lands under the jurisdiction of the USFS.

Analysis:

Fire Protection

Fire protection services would be provided via Tuolumne County Fire and other agencies through the agreements discussed above in this report. The project has been reviewed by the Tuolumne County Fire Prevention Division (FPD) for consistency with the National Fire Code, California Fire Code, California Building Code, the Tuolumne County General Plan and Ordinance Code. Any future development on the project site will be subject to the rules and regulations contained in these documents, as well as applicable state rules, as the operations of the project will be under the authority of the Housing and Community Development Department.

As a part of the Terra Vi development project, emergency response was evaluated in a BAE Urban Economics report titled "Fire Impact Analysis for Terra Vi Lodge" (SCH# 2019110286). The BAE report found that based on an analysis of emergency calls to other resorts in the Groveland area, there are approximately 0.079 calls per accommodation unit. This analysis did not include other types of calls that resort visitors may trigger, such as car accidents or medical calls in other area locations, as that identifying information was not available from the data sources.

Applying this rate to this project, the estimated annual call for fire or emergency medical service to the project site would be approximately one. This does not represent a significant increase in demand on services provided by the GCSD, TCFD, USFS, or CAL FIRE. Application and enforcement of the above-mentioned code requirements would reduce impacts related to fire hazard and fire protection. The project would not require the provision of new or physically altered fire protection facilities. Therefore, there would be a less than significant impact.

On December 7, 2023, GCSD provided an advisory response for the project. The letter identifies three areas of concern as follows:

- The project site is approximately 4,000 feet from a connection to the District's public water system and encourages connection to their system.
- The comment letter included ground water failure map generated by Tuolumne County GIS identifying four wells within an approximate 2,000 feet that failed.
- The project requires annexation in order to receive services such as fire protection.

As discussed within the Utilities and Services System section of this report found below, the project is not required to connect to public water per the parcel's Zoning and General Plan designation.

Tuolumne County is primarily located within the foothills and higher elevations of the Sierra Nevada. Subsurface material primarily consists of impermeable granitic and greenstone bedrock which can contribute to low water yield. Individual wells utilize water stored in fractured rock formations and, therefore, are oftentimes located on separate formations than those of neighboring wells. Appendix C located within the attachments of this document, reflect results from the existing well. The existing well produced 12 gallons per minute (gpm) during a two hour well test which is expected to meet the current demands of the project. In the event that a well goes dry in Tuolumne County, steps would be taken by the property owner to deepen, further test potential sites on the parcel or contract with a well company to have water trucked in and stored on site.

The project site is located significantly outside the geographic boundary of the GCSD sphere of influence. Tuolumne County and GCSD have a signed Cooperative Fire Protection Agreements, and therefore fire protection will be provided via the CALFIRE and Tuolumne County Fire Department Cooperative Agreement. Should an emergency arise, fire protection is ensured under these two agreements. The project is not required to receive fire protection services from GCSD since they are not located within their district. Fire protection will be provided to the site as it currently receives services under either agreement, and annexation is not required for the site to receive fire protection response.

See the Wildfire Section below for additional analysis.

Police Protection

Law enforcement would be provided by the Tuolumne County Sheriff's Division with additional enforcement along state highways provided by CHP. While the project may increase the need for law enforcement calls, the number of calls would not be significant enough to require a new sheriff's station. The Tuolumne County Sheriff's Division was notified of the proposed project and did not indicate concern with the project or the need for additional infrastructure to serve the project. There would be a less than significant impact.

Schools

The project consists of a recreational development consisting of twelve guest cabins, swimming pool, yoga dome, and associated infrastructure. The applicant estimates that three full-time employees would be required on site. One of the employees would be a property manager that would live on site. This low number of employees would not overburden the schools in the area. The project proponent is required to pay applicable schools fees to the Tuolumne County Superintendents Office prior to the issuance of a building permit. Based on the low number of employees and payment of school fees, there would be a less than significant impact.

Parks

The project would not create a substantial increase in the demand of use of recreational facilities as the project consists of a recreational development that would provide for recreational opportunities on site. The low number

of guest units and employees would not place a substantial demand for additional recreational facilities. Therefore, there would be a less than significant impact.

Other Public Facilities

Other public facilities would include churches or other places of worship, hospitals, and government buildings. The applicant anticipates approximately. The applicant estimates that three full-time employees would be required on site. One of the employees would be a property manager that would live on site. The low number of guest units and employees would not place a substantial demand for additional public facilities. Because the project is a hospitality type development with transient occupancy, the project will not significantly increase the demand to require development of new public facilities. Therefore, there is a less than significant impact.

Mitigation Measures: None Required

Mitigation Monitoring: Not Applicable

RECREATION:

Issues and Supporting Information Sources	Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
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Would the Proposed Project/Action:

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) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

Environmental Setting:

Tuolumne County has a variety of recreational opportunities for the public, including Yosemite National Park, Stanislaus National Forest, State parks, and other Federal and State government agencies such as the U.S. Bureau of Reclamation and the Bureau of Land Management. Community based recreation and park districts include the Tuolumne County Recreation Department and the City of Sonora Recreation Department. Tuolumne County operates and maintains approximately 341± acres of parks.

The nearest public recreational facility to the project site includes Mary Laveroni Community Park. The park is approximately 2.3 acres in size and includes a child playground, grass field, picnic areas, and a skate park. Parcels directly adjacent to the project site and within the vicinity are open public lands under the jurisdiction of the USFS.

Analysis:

- a,b) The project would not create a substantial increase in the demand of use of recreational facilities as the project consists of a recreational development that would provide for recreational opportunities on site. The applicant has indicated that approximately The applicant estimates that three full-time employees would be required on site. One of the employees would be a property manager that would live on site. The low number of guest units and employees would not place a substantial demand for additional recreational facilities to be constructed. Therefore, there would be a less than significant impact.

Mitigation Measures: None Required.

Mitigation Monitoring: Not Applicable.

TRANSPORTATION:

Issues and Supporting Information Sources

Would the Proposed Project/:

	Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

Environmental Setting:

The proposed project will be accessed via State Route 120 and Sprague Road East, with the driveway encroachment on Sprague Road East. Sprague Road East is a County-maintained, publicly dedicated road. An Encroachment Permit would be required prior to work within the County road right-of-way. Internal access would be provided via a looped roadway. A larger parking lot would be provided adjacent to the cabins, with a second smaller parking lot adjacent to the pool and yoga dome.

Public transit is provided by Tuolumne County Transit. Services are available in the mornings, afternoons, and evenings and are available five days a week. Tuolumne County also has a “dial-a-ride” program available on demand for the route serving the area. There are no sidewalks or bike lanes in the project vicinity.

Goals, policies, and implementation programs regarding Tuolumne County’s circulation system, including transit, roadway, bicycle, and pedestrian facilities, are contained within the Transportation Element in Chapter 4 of the 2018 General Plan. The Regional Transportation Plan (RTP), adopted by the Tuolumne County Transportation Council (TCTC), acts as the planning document to guide transit investments within Tuolumne County for the next 5 years. In addition, the project has been reviewed for consistency with applicable road standards found in Titles 11 and 15 of the Tuolumne County Ordinance Code and the California Fire Code.

Vehicle Miles Traveled

On August 4, 2020, the Board of Supervisors adopted CEQA thresholds regarding vehicle miles traveled (VMT) as required by Senate Bill (SB) 743. As stated in the legislation, upon adoption of the new guidelines, “automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment pursuant to this division, except in locations specifically identified in the guidelines, if any.”

The Board of Supervisors adopted screening criteria for projects- if a project meets any of the screening criteria, the project’s impacts on VMT would be less than significant. Included in this screening criteria is residential projects located within a low VMT area defined by Tuolumne County Transportation Council VMT maps.

In addition to analyzing a project’s VMT generation, the County also analyzes projects based on vehicle trips per day or Level of Service, as required in the Tuolumne County General Plan. A site-specific traffic study is required when traffic generation for a project exceeds 500 vehicle trips per day or 50 trips during peak hours as indicated in the *Tuolumne County General Plan and Regional Transportation Plan Evaluation and Analysis*. A Traffic Study was not required for the proposed project as it did not exceed these thresholds.

Analysis:

- a) Goals, policies, and implementation programs regarding Tuolumne County's circulation system, including transit, roadway, bicycle, and pedestrian facilities, are contained within the Transportation Element in Chapter 4 of the 2018 General Plan. Specific road design standards are found in Titles 11 and 15 of the Tuolumne County Ordinance Code. Although grading and building permits would be issued through HCD, the Engineering Division of the Department of Public Works would review and approve plans for conformity to the adopted County Road improvement standards. Pursuant to Chapter 3.54 of the TCOC, would require the payment of applicable Traffic Impact Mitigation Fees (TIMF). The applicable TIMF would be the "Hotel/Motel/Resort/Bed and Breakfast" use, which is set at \$3,134 per unit and must be paid prior to approval of the HCD local entitlement approval form.

The County's threshold for requiring a Traffic Study is 500 vehicle trips per day or 50 trips at peak hours. The Engineering Division of the CRA did not require a traffic study for the project because the anticipated level of traffic resulting from the project was not large enough to warrant a traffic study. Caltrans also did not request a traffic study when the project was reviewed during the initial stakeholder notification process. The estimated traffic generation of the project is below the threshold and is therefore considered a less than significant impact.

- b) This project has been determined to not exceed the County of Tuolumne established VMT threshold of 41.7 VMT per employee for commercial projects. The project is proposing 12 guest units with 3 full time employees on site. The project will not generate significant employee trips. Traveler profiles primarily would be one vehicle for each rented unit. Multiple vehicles are not anticipated to associate with individual overnight bookings of the units. Travelers to this area are primarily drawn to this location for the world-renowned recreational activities and breathtaking views of Yosemite National Park. This project is not large enough to generate new trips to the park but small enough to primarily serve the existing visitor population. Therefore, the project in whole is not generating unprecedented VMT or significant emissions resulting from VMT.
- c) Project plans that have been submitted to staff do not indicate that any hazardous or incompatible designs are proposed. The driveway plans and internal circulation roadways will be reviewed by the Engineering Division of the Department of Public Works and the Tuolumne County Fire Prevention Division to ensure compliance with Title 11 of the Tuolumne County Ordinance Code to ensure that the onsite circulation will not introduce hazardous or incompatible design prior to the sign off for HCD to issue grading permits on site. The project will also be reviewed by HCD for compliance with their regulations relative to road design. Therefore, there will be a less than significant impact.
- d) The proposed driveways and internal roadways will be designed and constructed in accordance with all applicable regulations contained in Titles 11 and 15 of the Tuolumne County Ordinance Code and the California Fire Code to allow for sufficient emergency vehicle access, including width and clearance of the roadways, the surfacing of the roadways, and turnaround bulbs and hammerheads for emergency vehicles to be able to turn around. The project would be reviewed by the Engineering Division and Fire Prevention Division prior to HCD issuing grading permits on the site. The project will also be reviewed by HCD for compliance with their regulations relative to road design. Therefore, there will be a less than significant impact.

Mitigation Measures: None required.

Mitigation Monitoring: Not applicable.

TRIBAL CULTURAL RESOURCES:

Issues and Supporting Information Sources

<i>Potentially Significant Impact</i>	<i>Less-than- Significant with Mitigation Incorporation</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
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Would the Proposed Project/Action:

Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or pursuant to Section 15064.5?
- c) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

☐	☒	☐	☐
☐	☒	☐	☐

Environmental Setting:

The project site is located within the Groveland USGS Quadrangle, approximately 6 miles east of the townsite of Groveland. The area including the project site was historically occupied by the Central Sierra Miwok. The project site is developed with a single-family dwelling and detached garage, which originally showed up in the Assessor's records in 1976,

A cultural resource study was prepared by Solano Archeological Services, LLC in February 2023. The study includes a pedestrian survey of a 2.26-acre Area of Potential Effects (APE) within the project site, search of previous literature and studies, and correspondence with Tribes.

Regulatory Setting:

CEQA requires lead agencies to consider whether projects will affect tribal cultural resources. PRC 21074 states the following:

- a) "Tribal cultural resources" are either of the following:
- 1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - A) Included or determined to be eligible for inclusion in the CRHR.
 - B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
 - 2) 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.
- b) A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.
- c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "nonunique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

AB 52, signed by the California Governor in September of 2014, establishes a new class of resources under CEQA: "tribal cultural resources." It requires that lead agencies undertaking CEQA review must, upon written request of a California Native American tribe, begin consultation once the lead agency determines that the application for the project is complete, prior to the issuance of a notice of preparation of an EIR or notice of intent to adopt a negative declaration or mitigated negative declaration.

To date, two tribal entities have contacted the Tuolumne County Community Development Department to request formal consultation under the AB 52 process. The Chicken Ranch Rancheria of Me-Wuk Indians and Tuolumne Band of Me-Wuk Indians have requested formal consultation under the AB 52 process for projects subject to CEQA.

Formal consultation letters were sent to the contacts for the Chicken Ranch Rancheria of Me-Wuk Indians and Tuolumne Band of Me-Wuk Indians Tribes. AB 52 consultation letters were sent via certified mail and regular mail on March 14, 2023. Neither Tribe has requested consultation or responded to the AB 52 letters. Informal project notification letters were sent to both Tribes during the initial project notification period on December 6, 2022. The Tuolumne Band of Me-Wuk Indians Tribe provided a response that was received on January 24, 2023.

Analysis:

- a,b) A Cultural Resource Study was prepared by Solano Archaeological Services, LLC (SAS) in February 2023. The records search did not identify any previously recorded or documented tribal resources within the APE, which was a 2.26-acre portion of the 14.1 acre parcel. SAS reached out to the Native American Heritage Committee (NAHC) to request a Sacred Lands File search. The NAHC responded on March 7, 2023 that the results of the search were negative.

SAS archaeologists conducted a pedestrian survey of the APE on February 16, 2023. The survey identified two vehicles likely from the 1970s within the APE, but they were not recorded as cultural resources. No historic or pre-historic resources were identified within the APE during the survey.

The study recommended the addition of a Mitigation Measure to ensure protection of resources that are encountered during construction work on site. Mitigation Measure CUL-1 below has been incorporated.

In accordance with Assembly Bill 52, formal consultation letters were sent to the contacts for the Chicken Ranch Rancheria of Me-Wuk Indians and Tuolumne Band of Me-Wuk Indians Tribes on March 14, 2023. Neither tribe requested consultation nor responded specifically to the AB 52 letters. The Tuolumne Band of Me-Wuk Tribe responded to the December 6, 2022 Stakeholder Notification Letter which was received by the County on January 24, 2023. Their letter requested a cultural monitor be on site when ground disturbance begins, but did not request consultation. Mitigation Measure CUL-2 has been incorporated to require a cultural monitor.

Mitigation Measures CUL-1 and CUL-2 would ensure protection of resources that are potentially unearthed or discovered during construction activities. Incorporation of Mitigation Measures CUL-1 and CUL-2 discussed in the "Cultural Resources" section of this report will result in a less than significant impact on Tribal Cultural Resources.

Mitigation Measures: See the "Cultural Resources" section of this report.

Mitigation Monitoring: See the "Cultural Resources" section of this report.

UTILITIES AND SERVICE SYSTEMS:

Issues and Supporting Information Sources	Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
Would the Proposed Project/Action:				
a) Require or result in the relocation or construction of new or expanded water wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Environmental Setting:

Water is currently provided via an on-site private well and sewer services are provided via a private on-site sewage disposal system, both of which serve the existing residence on site. Connection to public water and public sewer would not be required for the current project based on the C-K zoning and R/P General Plan. A Hydrogeologic Analysis was prepared by Condor Earth in February 2023. The analysis of groundwater below is based on these reports provided.

Pacific Gas and Electric (PG&E) provides electric service to the project site and would continue to provide service of the facility. There is no natural gas consumption in Tuolumne County, but there is propane consumption. There are existing telecommunications facilities that serve the area. Potential wireless internet providers include Xfinity, AT&T, Conifer Communications, Hughes Net and Cal.net. Cellular providers include Verizon, AT&T, and T-Mobile.

Moore Bros Scavenge is responsible for garbage and recycling collection in the Groveland and Big Oak Flat area and would provide weekly trash service to the site. Chapter 8.05 of the Tuolumne County Ordinance Code contains the County's regulations for refuse, rubbish, and recycling handling and storage. Title 7 of the TCOC includes regulations pertaining to Integrated Waste Management. All of the solid waste generated within the County is processed at one of the transfer stations where solid waste is sorted to remove recyclables and hazardous materials from the waste stream. Residual waste is transported to the Highway 59 Landfill located in Merced. The maximum capacity of the Highway 59 Landfill is 30,012,352 cubic yards.

Cal Sierra Disposal operates a buy-back center at 14959 Camage Avenue, in East Sonora. Untreated wood and yard waste are presently accepted by Cal Sierra Disposal at its Earth Resources Facility located at 14909 Camage Avenue. Such material is accepted for a fee and is ground up or chipped and sold as compost or any other uses deemed appropriate for such material.

Analysis:

- a) There are electrical facilities and telecommunication facilities readily available to serve the site. Expansion of these uses would not be required to serve the facility. Storm water drainage is provided via natural drainages and channels. On-site detention/retention will be required to collect and store

stormwater. Drainage plans indicating the size and type of detention/retention would be reviewed and approved by the Department of Public Works Engineering Division. The project will not require the construction of new or expanded storm water drainage, electric power, natural gas, or telecommunications facilities. Minor upgrades to the on-site electrical infrastructure may be required and stormwater drainage would be limited to on-site detention/retention features. Propane connections would be required for the proposed three propane fire pits on site. Impacts to water and wastewater infrastructure are discussed separately below. There would be a less than significant impact.

- b) The project site is served via a private well. As indicated in the purpose of the C-K zoning found in Section 17.31.010 of the TCOC, development within the C-K zoning is not required to connect to public water.

A Hydrogeologic Analysis was prepared by Condor Earth in February 2023.

As discussed in the “Hydrology and Water Quality” Section item b above, the project would not substantially impact groundwater supply. There, there would be a less than significant impact.

- c) The project site is served via a private, on-site sewage disposal system. A new system would be constructed and installed to support the guest units. As indicated in the purpose of the C-K zoning found in Section 17.31.010 of the TCOC, development within the C-K zoning is not required to connect to public water. Additionally, Chapter 3 “Utilities” of the Tuolumne County General Plan and Chapter 13.08 of the TCOC indicate that public sewer is considered available if it is located 300 feet or less from the proposed building as measured over an existing public right of way of public utility easement and the nearest public sewer system is extant within approximately 12,300 ft of the project site, hence the public sewer is not considered available. Therefore, pursuant to the Tuolumne County General Plan and Chapter 13.08 of the TCOC, the project is not required to connect to public sewer. As indicated in the “Geology and Soils” section above in this report, the project would not result in a significant impact related to use of a septic system. As the site would not connect to public sewer with a wastewater treatment provider, there would be no determination by a provider regarding capacity. Therefore, there would be no impact.
- d,e) Moore Bros Scavenge provide weekly trash service to the Big Oak Flat and Groveland area and would dispose of waste at the Highway 59 Landfill. The Highway 59 Landfill is below its maximum capacity; therefore, there is capacity to serve the project. Construction and operation of the facility would be required to comply with all applicable Federal, State, and Local statutes and regulations related to solid waste. Conditions have been added to the project to ensure compliance with the provisions of Chapter 8.05 of the TCOC and Title 7 of the TCOC, which contain the County’s regulations for the storage and handling of solid waste and integrated waste management. Therefore, there would be a less than significant impact.

Mitigation Measures: None required.

Mitigation Monitoring: Not applicable.

WILDFIRE:

Issues and Supporting Information Sources

	Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Proposed Project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

Environmental Setting:

In 2018, a Multi-Jurisdictional Hazard Mitigation Plan (Plan) for Tuolumne County was prepared to provide mitigation solutions to minimize each jurisdiction's vulnerability to the identified hazards and ultimately reduce both human and financial losses subsequent to a disaster. The Plan includes existing information on typical hazards, such as earthquakes, flooding, and fire, and provides risk assessments of each hazard and the potential for occurrence within the County. Specific wildland fire objectives provided in the Plan include vegetation management, code enforcement, GIS mapping, and compliance with the planning process.

Tuolumne County does not have a static emergency plan or evacuation plan due to the dynamic nature of emergencies. In the event of an emergency, the Tuolumne County Sheriff Office is the responsible entity for declaring and directing evacuations in the case of emergencies. The Sheriff's Department will inform members of the public via the Emergency Notification System, local media, and door-to-door when feasible.

The project site is located within a State Responsibility Area (SRA) and is rated as high fire hazard severity zone. This rating is based on factors of slope, vegetation, and annual summer weather patterns. These zones, referred to as Fire Hazard Severity Zones (FHSZ), provide the basis for application of various mitigation strategies to reduce risks to buildings associated with wildland fires. The zones also relate to the requirements for building codes designed to reduce the ignition potential to buildings in the wildland-urban interface zone.

Analysis:

- a) Tuolumne County does not have a static emergency plan or evacuation plan due to the dynamic nature of emergencies. Tuolumne County does not have any designated evacuation routes because fires can happen anywhere and may block specific roads and certain areas may not be safe for travel. The Tuolumne County Sheriff Office is the responsible entity for declaring and directing evacuations in the case of emergencies. The Sheriff's Department will inform members of the public via the Emergency Notification System, local media, and door-to-door when feasible of where the wildfire is located, which routes are safe to use, and which locations are safe to seek refuge from the fire. Generalized emergency information is also contained within the adopted Multi-Jurisdictional Hazard Mitigation Plan.

In an emergency, State Highway 120 would be utilized. From there, residents could travel east or west, depending on which route was the safest for travel. Implementation of the proposed project would involve the construction of a new internal roadway to provide access to the facility from Sprague Road.

Construction of the road would not result in any substantial modifications to the existing roadway system and, thus, would not physically interfere with the Emergency Plan. Furthermore, the proposed project would not include land uses or operations that could impair implementation of the plan. The addition of project would not significantly impact the ability for roads in the vicinity of the project site to be used as evacuation routes in the event of an emergency. Approval of this project would result in a less than significant impact on Tuolumne County's emergency or evacuation plans.

- b-d) The slopes on the site are relatively flat, with the average slope of the parcel being 11% and the slopes within the area of development being 5-9%. Due to the location of the project site to existing roadways and other developed areas, it is unlikely that the project would exacerbate wildfire risks. As discussed under "Geology and Soils," and "Hydrology and Water Quality," runoff occurs naturally at the project site and flooding and landslide events are not common within the project area. Once operational, onsite drainage would not affect offsite drainage conditions. The project site and surrounding areas have not been subject to burns such that downslope areas would be affected by project development. Furthermore, as noted in the "Geology and Soils" section of this IS/MND, the County has very "Low" to "Moderate" risk for landslides. As such, the proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan or expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

The project entails the use of twelve prefabricated mobile units that are rented out for overnight stays. The units are built on a chassis with wheels and would meet the "park trailer" definition as established by the HCD. These units would be built off site in accordance with applicable building and fire regulations and placed on site.

Building and Grading plans will be reviewed by the Tuolumne County Fire Prevention Division prior to authorizing HCD to issue any building or grading permits on site. HCD would review any roads plans for conformance to their specific regulations prior to issuance of any permits. The project has been found to be consistent with Chapter 9 Public Safety and Chapter 17 Natural Hazards of the 2018 General Plan. Consistency with specific Goals, Policies, and Implementation Programs, as demonstrated below. The review by the Tuolumne County Fire Prevention Division did not identify the need for fire infrastructure, such as fuel breaks or emergency water sources.

Policy 9.A.1: *Actively involve fire protection agencies within Tuolumne County in land use planning decisions.*

The Tuolumne County Fire Prevention Division has been consulted with during the processing of the application. The Tuolumne County Fire Prevention Division would need to review building and grading plans for conformance to their regulations prior to authoring HCD to issue the permits.

Policy 9.E.3: *Require new development to be consistent with State and County regulations and policies regarding fire protection.*

The development and operation of the site will be consistent with all applicable State and County regulations and policies regarding fire protection. Road and driveway improvement plans will be reviewed by the Tuolumne County Fire Prevention Division and Engineering Division of the Department of Public Works prior to authorizing HCD to issue any building or grading permits on site.

Policy 17.E.2: *Require the maintenance of defensible space setbacks in areas proposed for development if wildland fire hazards exist on adjacent properties.*

The project site is required to comply with all applicable defensible space regulations.

The compliance with the National Fire Code, California Fire Code, California Building Code, the Tuolumne County General Plan, Tuolumne County Ordinance Code, and HCD Fire regulations would reduce the risk of wildfire and would not exacerbate wildfire risks or the risk of uncontrolled spread of wildfire. Project development would not require the installation or maintenance of associated infrastructure. Therefore, there would be a less than significant impact.

Mitigation Measures: None required.

Mitigation Monitoring: Not applicable.

MANDATORY FINDINGS OF SIGNIFICANCE:

Supporting Information Sources

<i>Potentially Significant Impact</i>	<i>Less-than- Significant With Mitigation Incorporation</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
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Proposed Project/Action:

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

☐	☒	☐	☐
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b) Does the project have impacts that are individually limited, but cumulative considerable? ("Cumulative 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)?

☐	☐	☒	☐
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c) does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

☐	☐	☒	☐
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Analysis:

- a) As discussed under "Biological Resources," the project site provides suitable habitat for nesting birds. Mitigation has been included that requires preconstruction surveys to identify the presence of these species, avoid or remove them from the construction area (if they are present), and establish disturbance buffers to ensure they are not disturbed during construction.

As discussed in the "Cultural Resources" section, there is the potential for unmarked, previously unknown Native American or other graves to be present and be uncovered during construction activities. Mitigation has been included that would ensure that proper procedures would be followed in the event of the discovery of previously unknown human remains.

For the reasons above, all impacts would be a less-than-significant impact with mitigation incorporated.

- b) As discussed throughout the "Environmental Checklist," all potentially significant impacts would be reduced to a less-than-significant level with mitigation. In addition, aesthetic, biological resources, cultural and tribal cultural resources, and noise impacts discussed above would result from temporary construction activities and would be limited to the immediate project site, and, therefore, would not combine with impacts from other past, present, and probable future development. Noise-related impacts are also localized and limited to the immediate project vicinity. Operation of the project would be limited to noise similar in nature to the commercial and industrial land uses in the area. The project's potential contribution to significant cumulative impacts would not be considerable and this impact would be less than significant.
- c) As discussed above in the "Hazards and Hazardous Materials," construction activities would require the use of hazardous materials such as fuels, lubricants, and solvents. However, all construction activities would be required to comply with existing regulations that would limit exposure of nearby sensitive receptors and construction workers to hazardous materials. Operation of the project would not include the use or storage of any hazardous material and would not result in adverse effects on people. This impact would be less than significant.

Mitigation Measures: See the Mitigation Monitoring and Reporting Program Table Below.

Mitigation Monitoring: See the Mitigation Monitoring and Reporting Program Table Below.

Table 6: Mitigation Monitoring and Reporting Program

Mitigation Measure	When Implemented	Monitored by	Verified by
AES-1: A lighting plan shall be submitted and approved by the Land Use and Natural Resources Division prior to the placement of permanent exterior lighting on the site associated with the storage of commercial equipment, vehicles, and/or materials. Any exterior lighting shall incorporate the following features: direction of light downward to the area to be illuminated, installation of shields to direct light and reduce glare, utilization of low rise light standards or fixtures attached to any buildings, and utilization of low- or high-pressure sodium lamps instead of halogen type lights. Mitigation Measure AES-1 will be required to be met prior to the placement of permanent exterior lighting on the site or the issuance of a building permit.	Mitigation Measure AES-1 will be required to be met prior to the placement of permanent exterior lighting on the site or the issuance of a building permit. Mitigation Measures AES-1 will be verified by the Land Use and Natural Resources Division. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures.	Tuolumne County Community Development Department (CDD)	Land Use and Natural Resources (LUNR) Division
BIO-1: For construction activities expected to occur during the nesting season of raptors (February 1 to August 31) and migratory birds, a pre-construction survey by a qualified biologist shall be conducted to determine if active nests are present on or within 500 feet of the project site where feasible. Areas that are inaccessible due to private property restrictions shall be surveyed using binoculars from the nearest vantage point. The survey shall be conducted by a qualified biologist no more than seven days prior to the onset of construction. If no active nests are identified during the pre-construction survey, no further mitigation is necessary. If construction activities begin prior to February 1, it is assumed that no birds will nest in the project site during active construction activities and no pre-construction surveys are required. If at any time during the nesting season construction stops for a period of two weeks or longer, pre-construction surveys shall be conducted prior to construction resuming. If active nests are found on or within 500 feet of the project site, the applicant shall notify CDFW and explain	Mitigation Measures BIO-1 is required prior to ground disturbance or construction activities on site and would be verified by the LUNR division prior to the issuance of a grading permit or a Building Permit. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures.	CDD/ Tuolumne County Department of Public Works (DPW)	LUNR Division

any additional measures that a qualified biologist plans to implement to prevent or minimize disturbance to the nest while it is still active. Depending on the conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the 500-foot buffer without impacting the breeding effort. Appropriate measures may include restricting construction activities within 500 feet of active raptor nests and having a qualified biologist with stop work authority monitor the nest for evidence that the behavior of the parents have changed during construction. Nests that are inaccessible due to private property restrictions shall be monitored using binoculars from the nearest vantage point. Appropriate measures would be implemented until the young have fledged or until a qualified biologist determines that the nest is no longer active. Construction activities may be halted at any time if, in the professional opinion of the biologist, construction activities are affecting the breeding effort. Mitigation Measures BIO-1 is required prior to ground disturbance or construction activities on site and would be verified by the LUNR division prior to the issuance of a grading permit or a Building Permit.			
CUL-1: Should buried, unforeseen archaeological deposits be encountered during any construction activity, work must cease within a 50-ft. radius of the discovery. If a potentially significant discovery is made, it must be treated in accordance with 33 CFR 325, Appendix C which generally states that the lead agency must be notified immediately of the find to ensure that mitigation and management recommendations are developed. In the event that human remains, or any associated funerary artifacts are discovered during construction, all work must cease within the immediate vicinity of the discovery. In accordance with the California Health and Safety Code (Section 7050.5), the Tuolumne County Sheriff/Coroner must also be contacted immediately. If the remains are deemed to be Native American, the coroner must notify the NAHC,	Mitigation Measure CUL-1 is required during any construction activities on site and will be verified by the LUNR Division of CDD. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures.	CDD	LUNR Division

which will in turn appoint and notify a Most Likely Descendent (MLD) to act as a tribal representative. The MLD will work with a qualified archaeologist to determine the proper treatment of the human remains and associated funerary objects. Construction activities will not resume until the human remains are exhumed and official notice to proceed is issued.			
CUL-2: The applicant shall be required to retain and compensate for the services of a Tribal monitor/consultant who is approved by the Tuolumne Band of Me-Wuk Tribe. The monitor/consultant will only be present on-site during the construction phases that involve ground disturbing activities. Ground disturbing activities are defined as activities that may include pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, or trenching, within the project site. The Tribal Monitor/consultant will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. A copy of the monitoring logs or a report shall be provided to the LUNR Division of CDD. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources.	Mitigation Measure CUL-2 is required during the construction phases that involve ground disturbing activities or until the monitor indicates there is a low potential and their services are no longer needed. This will be verified by the LUNR Division of the CDD. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures.	CDD	LUNR Division

NOI-1: Hours of exterior construction on the project site shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday. Exterior construction shall be prohibited on Sunday and County holidays.	Mitigation Measure NOI-1 will be required during construction activities on site. This will be monitored through citizen complaints. Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures.	CDD	Building and Safety Division								
NOI-2: The noise levels generated by the project shall be restricted to the following exterior noise limits as measured at the property line: <table><tr><th rowspan="2">Zoning Classification of Receiving Property</th><th colspan="2">Noise Level (dB) of Sound Source</th></tr><tr><th>Daytime (7 a.m. to 10 p.m.)</th><th>Nighttime (10 p.m. to 7 a.m.)</th></tr><tr><td>MU, R-3, R-2, R-1, RE-1, RE-2, RE-3, RE-5, RE-10, C-O, C-1, C-S, BP</td><td>50 Leq. (1 hour)¹</td><td>45 Leq. (1 hour)¹</td></tr></table>	Zoning Classification of Receiving Property	Noise Level (dB) of Sound Source		Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)	MU, R-3, R-2, R-1, RE-1, RE-2, RE-3, RE-5, RE-10, C-O, C-1, C-S, BP	50 Leq. (1 hour) ¹	45 Leq. (1 hour) ¹	Mitigation Measure NOI-2 will be on-going. This will be monitored through citizen complaints. Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures.	CDD	LUNR Division
Zoning Classification of Receiving Property		Noise Level (dB) of Sound Source									
	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)									
MU, R-3, R-2, R-1, RE-1, RE-2, RE-3, RE-5, RE-10, C-O, C-1, C-S, BP	50 Leq. (1 hour) ¹	45 Leq. (1 hour) ¹									

AGENCIES CONTACTED:**Tuolumne County:**

Community Development Department, Building and Safety Division
Community Development Department, Environmental Health Division
Curtis Creek Elementary School District
Department of Public Works, County Surveyor
Department of Public Works, Engineering Division
Department of Public Works, Solid Waste Division
Department of Public Works, Roads
Fire Department, Fire Prevention Division
Sheriff's Department
Sonora Union High School District
Soulsbyville Elementary
Superintendent of Schools
Tuolumne County Transportation Council

State of California:

Department of Fish and Wildlife
Department of Forestry and Fire Protection
Department of Highway Patrol
Department of Transportation, Caltrans District 10
Regional Water Quality Control Board

Other:

AT&T
Audubon Society
Central Sierra Environmental Resource Center
Chicken Ranch Rancheria of Me-Wuk Tribal Council
Citizens for Responsible Growth
Comcast Cable Communications
Pacific Gas & Electric Company
Sierra Club, Tuolumne Group
Jamestown School District
Sonora Union High School District
Tuolumne County Association of Realtors
Tuolumne County Farm Bureau
Tuolumne Heritage Committee
Tuolumne Me-Wuk Tribal Council
Tuolumne Utilities District
United States Fish and Wildlife Service
U.S. Army Corp of Engineers

SOURCES REVIEWED:**Tuolumne County:**

2018 General Plan
EIR for the 2018 General Plan Update
Zoning Ordinance (Title 17)
Land Divisions Ordinance (Title 16)
Road Standards (Title 11)
Connecting Roadways (Chapter 12.04)
Grading Ordinance (Chapter 12.20)
Water and Sewers (Title 13)

Construction Codes (Chapter 15.04)
Fire Code (Chapter 15.08)
Fire Safety Standards (Chapter 15.20)
Traffic Impact Mitigation Fees (Chapter 3.54)
County Service Impact Mitigation Fees (Chapter 3.50)
Rubbish, Refuse and Recyclables (8.05)
Geotechnical Interpretive Maps
General Plan Maps
Wildlife Habitat Maps
Tuolumne County Wildlife Handbook
Wildlife Aerial Photography
Fire Hazard Maps
Deer Herd Maps
Regional Transportation Plan
Historic/Archeological Index to Studies

Other:

California Air Resources Board. 2005 (April). *Air Quality and Land Use Handbook: A Community Health Perspective*. Available: <https://ww3.arb.ca.gov/ch/handbook.pdf>. Accessed September 9, 2020.

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PREPARED BY: Clark Sintek, Planner II
Quincy Yaley, AICP, Community Development Director
Steve Gregory, Fire Prevention Bureau
Blossom Scott-Heim, P.E., Department of Public Works
Brian Bell, Chief Building Official

Appendix A: CalEEMod Summary Report

Tiny House Village: SDP22-006 Summary Report, 7/10/2024

Tiny House Village: SDP22-006 Summary Report

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 - 1.1. Basic Project Information
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- 2. Emissions Summary
 - 2.1. Construction Emissions Compared Against Thresholds
 - 2.4. Operations Emissions Compared Against Thresholds
- 6. Climate Risk Detailed Report
 - 6.2. Initial Climate Risk Scores
 - 6.3. Adjusted Climate Risk Scores
- 7. Health and Equity Details
 - 7.3. Overall Health & Equity Scores
 - 7.5. Evaluation Scorecard

1 / 6

1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	Tiny House Village: SDP22-006
Construction Start Date	5/15/2025
Operational Year	2025
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.80
Precipitation (days)	41.4
Location	37.81929689379062, -120.13430403435966
County	Tuolumne
City	Unincorporated
Air District	Tuolumne County APCD
Air Basin	Mountain Counties
TAZ	3025
EDFZ	4
Electric Utility	Pacific Gas & Electric Company
Gas Utility	Pacific Gas & Electric
App Version	2022.1.1.25

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
------------------	------	------	-------------	-----------------------	------------------------	--------------------------------	------------	-------------

User Defined Commercial	12.0	User Defined Unit	14.1	4,788	0.00	—	—	—
User Defined Recreational	1.00	User Defined Unit	14.1	400	0.00	—	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.1. Construction Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	4.08	3.55	31.7	31.7	0.06	1.37	19.8	21.2	1.26	10.1	11.4	—	6,811	6,811	0.28	0.06	0.87	6,837
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.36	1.14	10.5	13.2	0.02	0.43	0.02	0.45	0.40	0.01	0.40	—	2,440	2,440	0.10	0.02	< 0.005	2,450
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.21	1.02	9.20	9.57	0.02	0.38	2.26	2.64	0.35	1.01	1.37	—	1,885	1,885	0.08	0.02	0.10	1,892
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.22	0.19	1.68	1.75	< 0.005	0.07	0.41	0.48	0.06	0.19	0.25	—	312	312	0.01	< 0.005	0.02	313

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

3 / 6

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.57	0.54	0.38	2.28	< 0.005	0.01	0.22	0.23	0.01	0.06	0.07	0.00	393	393	0.03	0.02	1.21	400
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.50	0.48	0.43	2.09	< 0.005	0.01	0.22	0.23	0.01	0.06	0.07	0.00	377	377	0.03	0.02	0.03	383
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.41	0.40	0.25	1.51	< 0.005	< 0.005	0.15	0.16	< 0.005	0.04	0.04	0.00	228	228	0.02	0.01	0.37	233
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.08	0.07	0.05	0.28	< 0.005	< 0.005	0.03	0.03	< 0.005	0.01	0.01	0.00	37.8	37.8	< 0.005	< 0.005	0.06	38.6

6. Climate Risk Detailed Report

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	2	0	0	N/A
Extreme Precipitation	4	0	0	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	1	0	0	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	0	0	0	N/A
Snowpack Reduction	0	0	0	N/A
Air Quality Degradation	0	0	0	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.

The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.

The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	2	1	1	3
Extreme Precipitation	4	1	1	4
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	1	1	1	2
Flooding	N/A	N/A	N/A	N/A
Drought	1	1	1	2
Snowpack Reduction	1	1	1	2
Air Quality Degradation	1	1	1	2

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.

The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.

The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

7. Health and Equity Details

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	20.0
Healthy Places Index Score for Project Location (b)	63.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	No
Project Located in a Low-Income Community (Assembly Bill 1550)	Yes
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

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Appendix B: Hydrogeologic Analysis



CONDOR EARTH
21663 Brian Lane, P.O. Box 3905
Sonora, CA 95370
209.532.0361
Fax 209.532.0773
www.condorearth.com

Condor Project No. 8986

February 22, 2023

Stephanie Wohlfiel
Tiny House Village, LLC
4272 Alta Vista Court
Oceanside, CA 92057

Subject: Hydrogeologic Analysis for Tiny House Village, 23015 Sprague Road, Groveland, Tuolumne County, CA, APN 066-260-039

Dear Ms. Wohlfiel,

Condor Earth (Condor) prepared this hydrogeological analysis for your project, located at the above address. Condor reviewed publicly available well completion reports, analyzed local geologic information, and conducted a climate groundwater recharge analysis. The work was overseen by a California Certified Hydrogeologist.

The Tiny House Village project envisions 12 new guest cabins (prefabricated tiny homes), two existing dwelling units, an above-ground pool, a yoga dome, and parking areas. Potable water for the project will be supplied by an existing well. Sanitary sewer facilities will include a new large septic tank and leach field.

GEOLOGIC AND HYDROGEOLOGIC SETTING

The project lies within the Paleozoic Calaveras Complex which are metasedimentary rocks that are locally intruded by dioritic to granitic rocks of the Sierra Nevada batholith¹. The well completion report for the on-site well indicates the well was drilled in 1987 and encountered schist that was water-bearing from 65 feet below ground surface (bgs) to the completed depth of 165 feet bgs. The site well produced 12 gallons per minute (gpm) during a two hour well test. Other wells in the vicinity encountered intrusive rocks beneath various depths of schist/slate. The nearest well is 740 feet to the south and 73 feet higher in elevation. That well encountered intrusive rock from 250 to 350 feet bgs and produced 8.5 gpm when drilled in 1979. The site well is likely within 20 feet of the contact between the metasedimentary rocks and intrusive rocks. Most of the wells in the vicinity that have been productive even in drought conditions were completed to depths within 20 feet of or intersecting this contact. Wells in the vicinity that failed during drought conditions likely were insufficiently deep and/or too close to each other (Hells Hollow Road cluster in 2021).

¹ Wagner, D.L., Bortugno, E.J., and McJunkin, R.D. *Geologic Map of the San Francisco-San Jose Quadrangle, California*, 1:250,000, California Division of Mines and Geology, 1991



ESTIMATED ANNUAL GROUNDWATER RECHARGE

To estimate the average recharge occurring on the project parcel, Condor used climate data from a 29-year record² (1991-2020) listed in the National Oceanic and Atmospheric Administration (NOAA) U.S. Climate Normals System for Station *USC00049855*, Yosemite Park HQ, located approximately 25 miles southeast of the Site. A second dataset (PRISM) generated by Oregon State University was used to confirm the NOAA data³.

Normal (average year) annual rainfall is approximately 36 inches. Given that the site totals 14.1 acres; the total average annual volume of precipitation falling on the site parcel is 42.3 acre-feet (AF). Condor's groundwater recharge estimate uses a recharge ratio of 15 percent of total rainfall that is appropriate for the gently sloping terrain of the site. This yields 6.35 AF of average groundwater recharge annually. Recent droughts in 1977-78, 2013-2015, and 2020-2021 averaged 18 inches of rainfall per year which yields 3.17 AF of groundwater recharge in drought years. Condor concludes that the project may sustainably use up to 3.1 AF per year in severe drought conditions which averages to approximately 2,768 gallons per day just from precipitation and groundwater recharge on the parcel itself.

ESTIMATED PROJECT WATER NEEDS

The project does not include irrigated landscape, so the water needs will be for the 14 units and the pool. If the site is fully occupied year-round, each unit will require up to 140 gallons per day. The swimming pool may require up to 30,000 gallons per year to operate. The total annual project water use may be as much as 2.288 AF per year but will likely be much less. This equates to an average daily use as much as 2,043 gallons per day. Condor concludes that the project can sustainably use 2,768 gallons per day of groundwater even in drought conditions and additional units can be accommodated in the future if desired. The existing well appears to be capable of producing water well above the average required gallons per day. At 12 gallons per minute, the well can produce approximately 17,000 gallons per day. The average daily use of 2,043 gallons would require well production of approximately 1.4 gallons per minute. Water needs for the project can be supplied by the existing well and negative impacts from site well use to the water supply of nearby wells is not likely.

WATER QUALITY

The well water was recently sampled and analyzed for bacteria and residual chlorine. No constituents of concern were detected, so the well water does not appear to be impacted by bacteria or chlorine (Attachment C). There are no known contaminant sources in the vicinity that impact groundwater quality. Proper maintenance of the on-site septic system should protect water quality from impacts.

CONCLUSIONS

Based on review of the above information, Condor concludes the following:

Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

-No, provided the on-site septic system is properly maintained.

Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

²<https://www.ncei.noaa.gov/access/us-climate-normals/#dataset=normals-annualseasonal&timeframe=30&location=CA&station=USC00049855>

³ http://www.prism.oregonstate.edu/documents/PRISM_datasets.pdf



-No.

Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

-No.

Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?

-Yes, the project will have sufficient water supplies for planned and future development during normal, dry, and multiple dry years.

LIMITATIONS AND CLOSURE

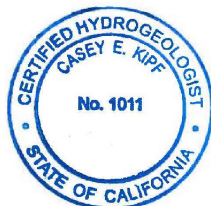
Condor has endeavored to determine as much as practicable about the site using conventional practices given our scope of services. Conclusions presented in this report are professional opinions based on limited information obtained at the time work was performed. If changes are made or errors found in the information used for this report, the interpretations and conclusions contained herein shall not be considered valid unless the changes or errors are reviewed by Condor and either appropriately modified or re-approved in writing. Condor's involvement in the work performed at this site has been limited to evaluating published data provided by State, County and private sources. Condor is not responsible for the accuracy and completeness of information collected and developed by others.

Condor prepared this report under the direct supervision of a Certified Hydrogeologist registered in the State of California. The report was prepared for Tiny House Village, LLC (Client). It is for the sole use of Client. The contents of this report may not be used or relied upon by any other person(s) without the express written consent and authorization of Client and Condor. Any questions regarding the content of this document should be addressed to Alex Dewitt or Casey Kipf 209.532.0361.

Sincerely,

CONDOR EARTH

Casey Kipf CHG No. 1011
Senior Hydrogeologist



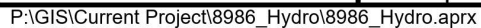
Alexander Dewitt PG No 7502
Principal Geologist

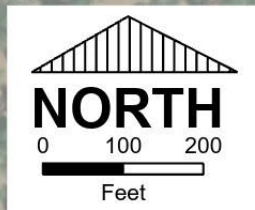
Attachments

- Figure 1, Vicinity Map
- Figure 2, Site Map
- Attachment A: Calculations
- Attachment B: Well Log
- Attachment C: Laboratory Analytical Results

X:\Project\8000_prj\8986 Tiny House Village Hydrogeologic Study\Reports\L 20230222 Hydrogeologic Evaluation Report.docx







CONDOR EARTH
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Job No.	8986
Date	24 Feb 2023
Scale	AS SHOWN
Drawn	JW
Chkd	AD

SITE MAP
HYDROGEOLOGIC STUDY
TINY HOUSE VILLAGE
23015 SPRAGUE ROAD EAST
GROVELAND, CA 95321

FIGURE
2

8986_Hydro.aprx

C:\Users\ladewitt\Desktop\8986_Hydro\8986_Hydro.aprx

ATTACHMENT A
Calculations



Tiny House Village Hydrogeologic Study

1 gallon = 3.0689e-6 acre foot

Inputs

Size of Parcel (acres)	14.1
Infiltration Ratio	15%

Water Demand Calculations

	gallons/day	gallons/year	acre feet/year	
14 Dwelling Units*	1,960	715,400	2.196	
Pool (17K gal size)		30,000	0.092	
			2.288	Water Demand (acre-feet/year)

*Dwelling units occupied 100% 365 days/year at 140 avg. gpd each.

Groundwater Recharge Estimate

	Annual Precip (Inches)	Annual Precip (Feet)	Total Volume Annual Precip (acre-feet)	Total Volume Annual Recharge (acre-feet)
Normal Year	36	3.0	42.30	6.35
Dry Year	18	1.5	21.15	3.17

ATTACHMENT B
Well Log



ORIGINAL

File with DWR

STATE OF CALIFORNIA
THE RESOURCES AGENCYDEPARTMENT OF WATER RESOURCES
WATER WELL DRILLERS REPORT

Do not fill in

No. 203479

N. Intent No. _____
L. Permit No. or Date 0-241

066 260 039

State Well No. _____
Other Well No. 01S17E29P

(1)

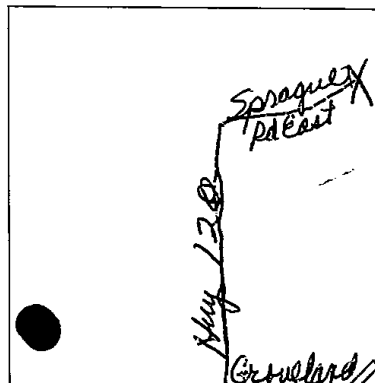
Adc

City

(2) LOCATION OF WELL (See instructions):

County San Joaquin Owner's Well Number 241
Well address if different from above Sprague Rd East Groveland
Township 15 Range 17E Section 29
Distance from cities, roads, railroads, fences, etc. 5 miles from Groveland(12) WELL LOG: Total depth 165 ft. Depth of completed well 165 ft.
from 65 to 165 ft. Formation (Describe by color, character, size or material)65-165 - sand 12g.p.m.Well address if different from above Sprague Rd East GrovelandTownship 15 Range 17E Section 29

Distance from cities, roads, railroads, fences, etc.

5 miles from Groveland

(3) TYPE OF WORK:

New Well ☐ Deepening ☐Reconstruction ☐Reconditioning ☐Horizontal Well ☐Destruction ☐ (Describe destruction materials and procedures in Item 12)

(4) PROPOSED USE:

Domestic ☐Irrigation ☐Industrial ☐Test Well ☐Stock ☐Municipal ☐Other ☐

WELL LOCATION SKETCH

(5) EQUIPMENT:

Rotary ☒Reverse ☐Cable ☐Air ☒Other ☐Bucket ☐

(6) GRAVEL PACK:

Yes ☐ No ☐ Size _____

Diameter of bore _____

Packed from 75 to 165 ft.

(7) CASING INSTALLED:

Steel ☐ Plastic ☐ Concrete ☐

(8) PERFORATIONS:

Type of perforation or size of screen _____

From ft.	To ft.	Dia. in.	Cage or Wall	From ft.	To ft.	Slot size
0	165	8"	160	70	165	18"

(9) WELL SEAL:

Was surface sanitary seal provided? Yes ☒ No ☐ If yes, to depth 80 ft.Were strata sealed against pollution? Yes ☐ No ☐ Interval _____ ft.Method of sealing concrete

(10) WATER LEVELS:

Depth of first water, if known 65 to 165 ft.

Standing level after well completion _____ ft.

(11) WELL TESTS:

Was well test made? Yes ☒ No ☐ If yes, by whom? R.C.Type of test Pump ☐ Bailor ☐ Air lift ☒

Depth to water at start of test _____ ft. At end of test _____ ft.

Discharge 12 gal/min after 2 hours Water temperature _____Water analysis made? Yes ☐ No ☒ If yes, by whom? _____Was electric log made? Yes ☐ No ☒ If yes, attach copy to this reportWork started 7/21/87 19 87 Completed 7/22/1987

WELL DRILLER'S STATEMENT:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

SIGNED Ricky Canepa

(Well Driller)

NAME CANEPAS AND SONS Drilling Inc.

(Person, firm, or corporation) (Typed or printed)

Address 1980 MONROVIACity San Joaquin, CalifZip 95370License No. 425749 Date of this report 8/2/87

DWR 188 (REV. 7.76)

IF ADDITIONAL SPACE IS NEEDED, USE NEXT CONSECUTIVELY NUMBERED FORM



PRECISION ENVIRO-TECH
Analytical Laboratory

3935 N. Coronado Ave, Stockton CA. 95204 Phone: (209) 477-8105

26 May 2022

Bobby Chaffee

Precision Pumps Service
P.O. BOX 3539
Sonoma, CA 95370

RE: Allison Terri

Enclosed are the results for sample(s) received on 24-May-22 17:27 by Precision Enviro-Tech. The sample(s) were analyzed according to instructions in accompanying chain-of-custody, utilizing EPA or other ELAP approved methodologies and . Results are summarized on the following pages.

Thank you for the opportunity to service the needs of your company.

Sincerely,

Jonathan H.V. Le
Laboratory Director



PRECISION ENVIRO-TECH

Analytical Laboratory

3935 N. Coronado Ave, Stockton CA, 95204 Phone: (209) 477-8105

CERTIFICATE OF ANALYSIS

Precision Pumps Service
P.O.BOX 3539
Sonora, CA 95370

Project Number: 23015 Sprague Rd East Groveland

Project Name: Allison Terri

Work Order No.:

Project Manager: Bobby Chaffee

ANALYTICAL REPORT FOR SAMPLES

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
23015 Sprague Rd East Groveland	2052408-01	Water	24-May-22 09:30	24-May-22 17:27



PRECISION ENVIRO-TECH
Analytical Laboratory

3935 N. Colorado Ave, Stockton CA, 95204 Phone: (209) 477-8105

CERTIFICATE OF ANALYSIS

Precision Pumps Service
P.O. BOX 3539
Sonoma, CA 95370

Project Number: 23015 Sprague Rd East Groveland
Project Name: Allison Terri
Project Manager: Bobby Chaffee

Work Order No.:

Microbiological Parameters by APHA Standard Methods

Analyte	Result	Reporting			Analyzed	Method	MCL	Notes
		Limit	Units	Dilution				
23015 Sprague Rd East Groveland (2052408-01) Water Sampled: 24-May-22 09:30 Received: 24-May-22 17:27								
Residual Chlorine	ND	0.0200	mg/L	1	24-May-22	Hach (Field)		
Total Coliforms	< 1.0	1	MPN/100 ml	"	24-May-22	SM9223B/QT		
E. Coli	< 1.0	1	"	"	"	"		



PRECISION ENVIRO-TECH
Analytical Laboratory

3935 N. Coronado Ave, Stockton CA. 95204 Phone: (209) 477-8105

CERTIFICATE OF ANALYSIS

Precision Pumps Service
P.O. BOX 3539
Sonora, CA 95370

Project Number: 23015 Sprague Rd East Groveland
Project Name: Allison Terri
Project Manager: Bobby Chaffee

Work Order No.:

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	RPD	Notes
---------	--------	--------------------	-------	----------------	------------------	------	-----	-------

Notes and Definitions

Item Definition

Dry Sample results reported on a dry weight basis.

ND Analyte NOT DETECTED at or below the reporting limit.

mg/L = milligrams per Liter = ppm

G- Grab Sample

Comp-Grab- Composite of 4 Grab Sample during 24hrs Grab period and composite into 1 sample prior analysis

ug/L = micrograms per Liter = ppb

C-Composite Sample

DLR = Detection Limit for Purpose of Reporting.
Exceptional sample matrices or interferences may result in higher detection limits.

MCL- Maximum contaminant level (MCL) is the highest concentration of chemicals permitted in drinking water systems

RPD Relative Percent Difference

%REC Percent Recovery

Source Sample that was matrix spiked or duplicated.

MMO-MUG-P/A - Total Coliform and E.Coli Test in Drinking Water by MMO-MUG, using Standard Method 22nd Edition.

The State Board of Health requires that bacteriological results must be 'ABSENCE' or less than 1.1 (for MTF method) to meet drinking water requirements.

Stakeholder Comment Letters

January 6, 2023

RE: Site Development Permit SDP22-006

Assessor's Parcel Number: 066-260-039

I understand that there is a site development in the works for 23003 and 23015 Sprague Road East in Groveland that is currently under review. As an owner of two nearby properties, I have a few questions/comments regarding the project and its impact on the surrounding area. The questions and comments are as follows:

1. Water. Several residents in the area have experienced at one time or another, an issue with water. The consequences of years of gradual declines in groundwater have become apparent in the area and have left people I know struggling with the cost of drilling a deeper well or finding water from another source. I am worried about groundwater depletion with the large increase in use, especially with a pool on site. Will they be having water trucked in to fill the pool or will they be pulling from the groundwater to fill it, and will they be making any other water conservation efforts?
2. Trespassing. I have concerns about guests staying at this facility unintentionally trespassing onto my property as most of the nearby properties border the Stanislaus National Forest. If a guest decides to go for a hike in the forest, they could easily wander onto mine, or a neighboring property without knowing; which could present a serious liability for neighboring land owners. None of us nearby have perimeter fences that would prevent this from happening, and I am not in a position to install perimeter fences along the entirety of my property boundary. Is this something the site owner can address and/or prevent on their end?
3. Noise. I know Tuolumne County does not have a specific noise ordinance, but I do have concerns about potential noise issues should the developer decide to have events, or live and/or amplified music. In my first-hand experience where transient traffic is brought into a residential area, the people are not always mindful of those who live in the area full-time. The full-time residents have day to day lives that can be negatively impacted by loud events and parties. Is it possible to define in their permit what an acceptable noise level is, and establish a reasonable time that excessive noise shall cease?

Thank you for your time and consideration of my few concerns.

Respectfully,

Nearby Owner, Groveland CA.



Central Sierra Environmental Resource Center
Box 396, Twain Harte, CA 95383 • (209) 586-7440 • fax (209) 586-4986
Visit our website at: www.cserc.org or contact us at: johnb@cserc.org

January 5, 2023

Natalie Rizzi
Community Development Department
2 South Green Street
Sonora, CA 95370

RE: Site Development Permit SDP22-008
Landon Blake, Redefined Horizons

To Natalie:

We have looked at the limited information currently available for the application for a Site Development Permit for Landon Blake. The project proposes to allow 12 guest cabins, a swimming pool, dome, and various other associated infrastructure on a site located near Hells Hollow on Sprague Road East. Although the advisory notification states that the site is “in the community of Groveland” the site actually is located many miles east of the Groveland community area.

That point is important for the relevance of our comments below.

WATER AND WASTEWATER

This commercial recreational lodging operation is proposed on site without any public water or any public wastewater option. As our Center has raised in numerous past comment letters for lodging development projects in the County, neither the County nor the applicant can provide any assurance of long-term productivity of a well, nor can the public or adjacent property owners be assured that on site wastewater treatment won't result in fecal coliform contamination of groundwater.

Put most simply, CSERC asserts that there is potential for the well to fail and the engineered septic system to also fail over time. If the well fails, the resulting need to truck in water or otherwise provide water for the operation poses a number of associated issues of concern. And if the septic system fails, there is no back-up option for the project to be quickly switched over to a public wastewater system.

For these reasons, CSERC identifies the lack of public water and wastewater service as an issue of potential significance.

VERY HIGH FIRE HAZARD SEVERITY RATING

One of the most controversial aspects that resulted in litigation for the Under Canvas and Terra Vi Lodge development projects along the same highway corridor was the issue of developing lodging that would place customers and staff at risk from wildfire. Unlike those two other sites, this site has not yet burned in a recent large fire, but it has the same very high hazard severity rating.

Given the miles of distance from the nearest engine station and the high flammability of the fuels in the project area, there is the double-sided risk of a wildfire trapping guests and staff on the project site and the risk of a fire ignited at the project site rapidly spreading out into the wildland interface area around the project site.

While for large projects it was feasible for our Center to request a very large water tank, hoses, and associated fire preparedness items, it is likely that the economic feasibility of this project will not enable the applicant to provide a 30,000 or 50,000-gallon water tank to not only supply the project during drought or critical dry periods, but to also hold in reserve 20,000 gallons of water for fire protection purposes. CSERC raises the major issue of a significant high fire risk that would result from allowing a project with potentially 50 or more people onsite at a time during the busy summer tourism season when fire risk is often very high.

CUMULATIVE IMPACTS OF THIS AND THREE NEWLY APPROVED OTHER PROJECTS

As the County is fully aware, along the Highway 120 corridor there is the giant new approved lodging project at the scar site between Big Oak Flat and Groveland as well as the two approved lodging projects located at the turnoff to Sawmill Mountain. The amount of traffic from those three projects adds up to a truly significant number of trips when added to the already high traffic numbers on summer weekends or on holidays when so many visitors head to Yosemite Park. Even if this project will result in less than 100 additional overall trips a day at full capacity, whatever number of trips it generates will add to the already high number of vehicle trips that will come at full buildout from the other three already approved development projects.

While it is not fair to lay the responsibility of unsafe levels of traffic on the smallest of the four projects, the County has simply failed to assure that there is meaningful mitigation measures for the three already approved projects that would actually reduce traffic numbers and reduce threats of accidents, traffic jams, etc. The cumulative impacts of the four projects combined does result in a significant impact for traffic and public safety along the already frequently congested Highway 120 corridor.

A second significant issue tied to cumulative effects is the lack of access to public services. Law enforcement, ambulance service, as well as fire service can already be committed elsewhere when there is a need for the service at this new development site. Yet the Highway 120 corridor lacks sufficient ambulance, fire, and law enforcement services. This adds to the cumulative problems created by approval of the three previous lodging projects.

SUMMARY OF ISSUES OF CONCERN

This project is not proposed for a site within an established community nor adjacent to any such community. Instead, it is proposed for a rural forest site that is not close to any public services, is not close to any restaurant, year-round store, medical services, or any other service needed by guests or clients.

The lack of public water and wastewater makes the project susceptible to well failure and wastewater contamination of groundwater. The very high fire risk rating at the site poses risk for guests and staff due to any fire response crew being located so far away (the engine at Buck Meadows is only staffed part of the year and is not set up to do structure fires).

The cumulative effects of this project and the three already approved projects adds up to a high level of overall risk for significant effects for traffic and public safety. And the lack of adequate services along the Highway 120 corridor is magnified by the fact that up to 1,000 "additional" guests will be added to the highway corridor once the three approved projects are fully functional. So this project is simply that much more.

We ask that these issues be carefully considered.

A handwritten signature in black ink that reads "John Buckley". The signature is written in a cursive, flowing style.

Executive Director

From: [Donna DeNino](#)
To: [Natalie Rizzi](#)
Subject: Sprague Rd proposal
Date: Friday, December 9, 2022 7:12:18 AM

Hi my name is Donna DeNino and i live in Groveland. Im opposing this proposal for ANOTHER resort up here, this time on Sprague Rd, 14 acres with cabins, a yoga dome, and pool. We dont need anymore resorts or people up here. Our little town can barely handle the influx of summer people as it is. Our grocery store isnt very big. Parking lots are clogged up, because of to many people! Also, they keep putting in resorts up here, yet on a 2 lane highway. What about fire safety?? When we evacuated up here a couple years ago, the traffic trying to get down the mountain was bottlenecked up. I ended up going up the mountain to Rush Creek. I would like this email noted that i vehemently oppose this, and im having everybody else who lives here to also oppose it. Im concerned about the habitat that is being destroyed so people can come up here. They are already doing a dude ranch? On 120 in Groveland and they are going to build a 40 acre resort on the “Scar” area. Please enough is enough!! No more resorts! Our town needs to stay small, quaint and historic.

[Sent from the all new AOL app for iOS](#)

From: [Dave Douglass](#)
To: [Natalie Rizzi](#)
Subject: Proposed Development
Date: Saturday, December 10, 2022 11:33:55 AM

Our biggest concern is our fire and medical services are spread too thin. Traffic accidents as well as wildfires occurring. Also, even with well water, water up here is scarce-even wells run dry. Thank you for the opportunity of allowing us a voice.

Sincerely,
Dave & Patty Douglass
Pine Mountain Lake

From: [Cheydi Gonzales](#)
To: [Clark Sintek](#)
Subject: FW: Notice of Availability and Intent to Adopt Mitigative Negative Declaration - Site Development Permit SDP22-006
Date: Thursday, January 25, 2024 6:42:20 AM

Cheydi Gonzales

Planner II

Community Development Department
County of Tuolumne – Land Use and Natural Resources Division
O: 1(209)533 – 5613
Email: cgonzales@co.tuolumne.ca.us
Physical: 48 Yaney Ave. Sonora, CA. 95370
Mailing: 2 S. Green St. Sonora, CA. 95370



From: Debbie Cook <editor@foothillexpress.com>
Sent: Wednesday, January 24, 2024 11:12 AM
To: Cheydi Gonzales <cgonzales@co.tuolumne.ca.us>
Subject: Re: Notice of Availability and Intent to Adopt Mitigative Negative Declaration - Site Development Permit SDP22-006

Received...

Debbie A. Woodbury, Publisher

Yosemite Express
3500 Highway 132
Coulterville, CA 95311
209-878-0300
editor@foothillexpress.com
Visit yosemiteexpress.news to read the Yosemite Express online
Visit, like and follow us on Facebook: Yosemite Express

PLEASE NOTE:

Deadline for submissions to the Yosemite Express is the 15th of the month. Delivery will be the 1st of the following month

The Yosemite Express is delivered to the communities of La Grange, Lake Don Pedro/Subdivision, Coulterville, Greeley Hill, Buck Meadows, Groveland, Big Oak Flat, Chinese Camp Pine Mountain Lake, Sonora and Waterford

On Wed, Jan 17, 2024 at 1:18 PM Cheydi Gonzales <cgonzales@co.tuolumne.ca.us> wrote:

Greeting,

Please see the attached filed Notice of Availability and Intent to Adopt Mitigative Negative Declaration.

This notice is in relation to the project Tiny House Village Site Development Permit SDP22-006.

The Environmental Document can be found here:

<https://www.tuolumnecounty.ca.gov/821/Environmental-Review-Documents> .

Please contact myself or Clark Sintek should you have any questions.

Sincerely,

Cheydi Gonzales

Planner II

Community Development Department

County of Tuolumne – Land Use and Natural Resources Division

O: 1(209)533 – 5613

Email: cgonzales@co.tuolumne.ca.us

Physical: 48 Yaney Ave. Sonora, CA. 95370

Mailing: 2 S. Green St. Sonora, CA. 95370



From: [Gordon Galbraith](#)
To: [Natalie Rizzi](#)
Subject: Proposed resort Sprague Rd
Date: Saturday, December 10, 2022 8:13:22 AM

Dear Sir or Madam:

I am opposed to the proposed resort project on Sprague Rd. I feel that we already have too many resorts on the 120 corridor as well as too little support services such as Fire and Medical to support yet another resort.

Please vote no on this proposed resort project.

Sincerely,

Gordon Galbraith
12060 Hillhurst Cir
Groveland, CA 95321

Sent from my iPhone

AGENCY:

Tuolumne Heritage Committee

RECEIVED

COMMENTS:

Indicator

DEC 20 2022

Community Development
Department

1) If there is a cultural resource here, please require a study by a qualified professional to follow recommendations in the study. Please consult recorded sites at Stanislaus State & any relevant CALTRANS reports. This area was the 19th century Springside Ranch & appears to be in the area of the headwaters of Big Creek

2) What is mitigation for tree removal or Plan to avoid same?

3) Design. Surely the tiny houses proposed as overnight guest accommodations come in a more harmonious design than the one shown. Something with a pitched roof, horizontal siding that looks like wood, even shutters would be major improvement. Please insist on a more cabin-like, rustic appearance that acknowledges the building's rustic setting. That goes for the "yoga dome" & any other

Please utilize the following link to sign up and receive future agenda notices that may include the above-mentioned project:

<https://www.tuolumnecounty.ca.gov/list.aspx>.

Amenities,

Planning Stakeholder Notification letters are now posted at the following link:
<https://www.tuolumnecounty.ca.gov/1512/Planning-Stakeholder-Notifications>

Signed by:

Agency: Tuolumne Heritage Committee

Date:

12/12/22

From: [Don Lacy](#)
To: [Natalie Rizzi](#)
Subject: Proposal on Sprague Road
Date: Friday, December 9, 2022 7:07:30 PM

We strongly oppose this proposal. Donna and Barbara Lacy. Residence of Groveland and Pine Mountain Lake

Sent from my iPhone

From: [Mair MacKinnon](#)
To: [Natalie Rizzi](#)
Subject: Resort proposed for Groveland
Date: Friday, December 9, 2022 5:31:32 PM

I'm writing to oppose another resort being built in Groveland. As a full-time resident for the past 6 years I've never been able to go to the lake in any seasonable weather nor take my own visitors there and yet I'm paying for that and all the other amenities enjoyed by the overwhelming influx of visitors here already. Groveland can't handle the increased traffic nor the increase in bodies! Build your resort somewhere else!!

Thank you!
Mair MacKinnon

Sent from my iPhone

From: [Gary Margadant](#)
To: [Natalie Rizzi](#)
Subject: Comments for SDP22-006, Sprague Road E
Date: Friday, January 6, 2023 10:39:54 PM

Natalie,
Hello and please accept my comments for this Development project Near my home on Elmore Road.

Comments for SDP22-006, Parcel #066 260 039, 23003, 23015 Sprague Rd, Groveland CA 95321, owner Stephanie Wohlfiel.

Proposed Development by Landon Blake of Redefined Horizons, consisting of 12 Guest Cabins, swimming pool, yoga dome and associated infrastructure on the 14.1 acre parcel, zoned C-K (Commercial Recreation). The property includes existing structures (2), a residential Home and an adjacent Auto Garage.

My Comments:

1) The vehicle access to this property is off Sprague Road, the original road prior to the construction of CA Highway 120, a direct and popular route to the N entrance to Yosemite Park (17 miles). The nearest town, Groveland, is 7 miles to the West, with Grocery/USPS/CalFire Fire Station. Highway speeds on CA120 are 55mph + with auto, RV, Heavy Delivery trucks, Buses and working residents with trailers and equipment. Especially entering 120 from Hells Hollow and Smith Station Roads. And 4 times a year (April and October) there are cattle drives of 700+ head crossing 120 @ Hells Hollow. The Hells Hollow/120 intersection is a long sweeping, dropping curve with good visibility yet with high speed traffic (60mph +) no left turn or deceleration/acceleration lanes for entering/exiting traffic. The 120 exits to Sprague Road and Smith Station Roads have the same conditions. There have been fatal accidents in this area of the 120 corridor. I want to emphasize the dangerous difficulty of exiting/entering 120 at Sprague Road E. There are no turn or deceleration/acceleration lanes for access to 120. Not all guests to this proposed development will understand the difficulty of entering/exiting 120 at Sprague Rd East exit, if this is used as the recommended exit to the development. Signage or deceleration/turn lanes should be added to Sprague Road 120 exit for the safety of all travelers.

2. How long has this parcel property been zoned C-K? What is the Zoning of all Parcels in the vicinity map for this project? Are they all zoned C-K (Commercial Recreation)? Or are they all zoned Rural Residential? How does this zoning fit into the current zoning of Elmore, Hells Hollow and Smith Station Roads?

How does this zoning compare with the current projects along 120? The Yosemite Cattle Co @ 24025 St Hwy 120 @ Farretti Road. Sawmill Hill (2 projects) and Rush Creek +Evergreen Lodge. Only Sawmill Hill on the N side of 120 is adjacent to Residential zoning.

3. This project is in a "Very High fire hazard severity zone". Is this a designation by a State Agency that would affect FireSafe construction codes required for the construction? Calif Dept of Forestry, Fire Safe Construction recommendations in front of the CA Insurance Commissioner providing any current construction codes applicable to this project? Does Dolumne county recommend/require these new codes for this project?

4. Will the swimming pool water be available (connected to a draft line into the pool structure) to fire fighting engines and equipment? Does the county require a minimum gallonage of water available via hydrants to emergency fire apparatus?
5. The sewage/waste water for 13 living units is large. Is a special engineered active system required? If a standard gravity flow system comprises the existing water supply (well)? What is the available water supply from the well? Is it sufficient for the 13 unit demand? Are well drilling logs and Well testing logs available to the public?
6. Are the guest cabins to be mounted on perimeter foundations?
7. Will the utilities (electricity and propane) distributions be underground? Will any propane service be supplied by one tank or multiple tanks?
8. Will all access roads to the structures be designed for heavy truck fire service and have turnarounds for the trucks and pullouts for passage?
9. Broadband and Cell Service is spotty to non-existent in this area. Will emergency calls be designed into any communications equipment?
10. Is emergency generation of Electricity part of the planning for this project?.
11. Is workforce housing required for this project? The availability and cost of residential housing and public transportation in this area is detrimental to local families. How is the county guiding development to assist with the workforce? I note that Evergreen Lodge and Rush Creek developments were required to install a level of employee housing. Will this level be duplicated in this project?

Please let me know if you have any requests for further clarification of my comments.

Best, Gary

Gary Margadant

23131 Elmore Road
Groveland CA 95321

From: [Megan Ponder](#)
To: [Clark Sintek](#)
Subject: RE: Permit SDP22-006 - Tuolumne Country Community Development Dept
Date: Tuesday, January 23, 2024 11:35:44 AM

Dear Clark Sintek,

It is great news to see you taking the public comment on Permit SDP22-006 Tiny House Village.

More accommodations in the area that fit with the environment would help families, organizations and kids enjoy nature, without residents feeling a change to the community. This Tiny House Village was set up to offer church groups, or organizations like boys scouts or girl scouts to have an area to have a retreat, and enjoy nature with ease. It can also serve as a way for families to have reunions and make memories. The village is meant to fit in to the property, not remove the beauty of its surroundings. It is also very small, so it can handle small groups or a handful of individual renters only. The goal is to have a very small footprint, and compliment the surrounding community to allow a handful of visitors the opportunity to enjoy this beautiful area without some large commercial development or housing project coming.

Thank you for your support and consideration,

Megan Ponder

From: [Terre Passeau](#)
To: [Natalie Rizzi](#)
Cc: [Kathleen Haff](#)
Subject: Comments Regarding Site Development Permit SDP22-006 / Assessor's Parcel Number: 066-260-039 / Owner Stephanie Wohlfiel
Date: Thursday, January 5, 2023 3:04:25 PM

This resort will be the FIFTH NEW RESORT approved for development in the Groveland area in the last couple of years. The Groveland area lacks sufficient emergency services to provide for all the thousands of tourists these resorts attract in addition to covering emergency services for the local residents.

As a Groveland resident, I am concerned about the added drain on emergency services to this area by the tourists that stay at these resorts in the event they need emergency assistance, taking away emergency services from the taxpayers who pay for these services.

There is **ONE** ambulance staffed fulltime in Groveland. This is not enough to adequately cover the local residents plus all the added tourists these resorts bring to the area! It should be a priority to add additional ambulance services in Groveland since the County continues to approve more resorts in the Groveland area, and these resorts should be funding this not the taxpayers.

Law enforcement could be 45⁺ minutes away in an emergency. The Sheriff's Office is severely understaffed and it should be a priority to fund additional deputies so that they can adequately respond to emergencies in the Groveland area.

While the County is currently paying to staff an additional fire engine at the Groveland Fire Department, the last I heard this was only a temporary solution unless permanent funding is allocated for it. This potential future lack of fire protection should be taken into consideration and permanent funding should be secured for additional fire protection before this resort is approved.

With Groveland being in a very high fire hazard severity zone, it does not make sense to keep approving resort after resort and attracting thousands of additional tourists to an area with **ONE MAJOR EVACUATION ROUTE** in the event of a wildfire emergency evacuation! Please consider the safety of the Groveland and Big Oak Flat residents who will need to evacuate in a wildfire emergency ahead of the tax dollars the County wants.

As a condition of approval for this resort, the owner should be required to pay fees in order to fund calls for emergency services that could occur at her resort.

Natalie, please confirm you received this.

From: Taryn Vanderpan <TVanderpan@co.tuolumne.ca.us>
Sent: Tuesday, December 6, 2022 8:42 AM
Subject: Stakeholder Notification (SDP22-006)

Good Morning,

Attached, please find a stakeholder notification for a proposed project in Tuolumne County.
If you have any questions or comments, please do not hesitate to contact us.

Thank you,

Taryn Vanderpan
Administrative Assistant
Community Development Department
(209) 533-5635
www.tuolumnecounty.ca.gov

From: [Ted R](#)
To: [Natalie Rizzi](#)
Subject: SDP22-006
Date: Saturday, December 10, 2022 7:41:29 AM

To whom it may concern.

I would like to put on record that I am in favor of SDP22-006. I am an 8-year owner, 2 year resident of Tuolumne Co, specifically the Groveland area. This is the exact type of development that should be promoted in our area. After a cursory search of the applicant and landowner, I strongly encouraged this project

Thank you,
Edward Reedy
Groveland, CA

From: [Randy Silvestro](#)
To: [Natalie Rizzi](#)
Subject: Sprague Rd complex
Date: Friday, December 9, 2022 8:57:35 AM

Not in favor due to congestion and water concerns.

Randy

From: [Vicki Wagner](#)
To: [Natalie Rizzi](#)
Subject: Proposed development -12 canins
Date: Thursday, December 8, 2022 10:53:57 AM

I approve of this development. Looks like a great option for Yosemite visitors and vacation spot.

[Sent from Yahoo Mail on Android](#)

From: [Randy Silvestro](#)
To: [Natalie Rizzi](#)
Subject: Sprague Rd complex
Date: Friday, December 9, 2022 8:57:35 AM

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Community Development Department
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www.tuolumnecounty.ca.gov

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Please let me know if you have any requests for further clarification of my comments.

Best, Gary

Gary Margadant

23131 Elmore Road
Groveland CA 95321

From: [Mair MacKinnon](#)
To: [Natalie Rizzi](#)
Subject: Resort proposed for Groveland
Date: Friday, December 9, 2022 5:31:32 PM

I'm writing to oppose another resort being built in Groveland. As a full-time resident for the past 6 years I've never been able to go to the lake in any seasonable weather nor take my own visitors there and yet I'm paying for that and all the other amenities enjoyed by the overwhelming influx of visitors here already. Groveland can't handle the increased traffic nor the increase in bodies! Build your resort somewhere else!!

Thank you!
Mair MacKinnon

Sent from my iPhone

From: [Don Lacy](#)
To: [Natalie Rizzi](#)
Subject: Proposal on Sprague Road
Date: Friday, December 9, 2022 7:07:30 PM

We strongly oppose this proposal. Donna and Barbara Lacy. Residence of Groveland and Pine Mountain Lake

Sent from my iPhone

AGENCY:

Tuolumne Heritage Committee

RECEIVED

COMMENTS:

Indicator

DEC 20 2022

Community Development
Department

1) If there is a cultural resource here, please require a study by a qualified professional to follow recommendations in the study. Please consult recorded sites at Stanislaus State & any relevant CALTRANS reports. This area was the 19th century Springside Ranch & appears to be in the area of the headwaters of Big Creek.

2) What is mitigation for tree removal or Plan to avoid same?

3) Design. Surely the tiny houses proposed as overnight guest accommodations come in a more harmonious design than the one shown. Something with a pitched roof, horizontal siding that looks like wood, even shutters would be major improvement. Please insist on a more cabin-like, rustic appearance that acknowledges the building's rustic setting. That goes for the "yoga dome" & any other

Please utilize the following link to sign up and receive future agenda notices that may include the above-mentioned project:

<https://www.tuolumnecounty.ca.gov/list.aspx>.

Amenities.

Planning Stakeholder Notification letters are now posted at the following link:
<https://www.tuolumnecounty.ca.gov/1512/Planning-Stakeholder-Notifications>

Signed by:

Agency: Tuolumne Heritage Committee

Date:

12/12/22

From: [Gordon Galbraith](#)
To: [Natalie Rizzi](#)
Subject: Proposed resort Sprague Rd
Date: Saturday, December 10, 2022 8:13:22 AM

Dear Sir or Madam:

I am opposed to the proposed resort project on Sprague Rd. I feel that we already have too many resorts on the 120 corridor as well as too little support services such as Fire and Medical to support yet another resort.

Please vote no on this proposed resort project.

Sincerely,

Gordon Galbraith
12060 Hillhurst Cir
Groveland, CA 95321

Sent from my iPhone

From: [Dave Douglass](#)
To: [Natalie Rizzi](#)
Subject: Proposed Development
Date: Saturday, December 10, 2022 11:33:55 AM

Our biggest concern is our fire and medical services are spread too thin. Traffic accidents as well as wildfires occurring. Also, even with well water, water up here is scarce-even wells run dry. Thank you for the opportunity of allowing us a voice.

Sincerely,
Dave & Patty Douglass
Pine Mountain Lake

From: [Donna DeNino](#)
To: [Natalie Rizzi](#)
Subject: Sprague Rd proposal
Date: Friday, December 9, 2022 7:12:18 AM

Hi my name is Donna DeNino and i live in Groveland. Im opposing this proposal for ANOTHER resort up here, this time on Sprague Rd, 14 acres with cabins, a yoga dome, and pool. We dont need anymore resorts or people up here. Our little town can barely handle the influx of summer people as it is. Our grocery store isnt very big. Parking lots are clogged up, because of to many people! Also, they keep putting in resorts up here, yet on a 2 lane highway. What about fire safety?? When we evacuated up here a couple years ago, the traffic trying to get down the mountain was bottlenecked up. I ended up going up the mountain to Rush Creek. I would like this email noted that i vehemently oppose this, and im having everybody else who lives here to also oppose it. Im concerned about the habitat that is being destroyed so people can come up here. They are already doing a dude ranch? On 120 in Groveland and they are going to build a 40 acre resort on the “Scar” area. Please enough is enough!! No more resorts! Our town needs to stay small, quaint and historic.

[Sent from the all new AOL app for iOS](#)



Central Sierra Environmental Resource Center
Box 396, Twain Harte, CA 95383 • (209) 586-7440 • fax (209) 586-4986
Visit our website at: www.cserc.org or contact us at: johnb@cserc.org

January 5, 2023

Natalie Rizzi
Community Development Department
2 South Green Street
Sonora, CA 95370

RE: Site Development Permit SDP22-008
Landon Blake, Redefined Horizons

To Natalie:

We have looked at the limited information currently available for the application for a Site Development Permit for Landon Blake. The project proposes to allow 12 guest cabins, a swimming pool, dome, and various other associated infrastructure on a site located near Hells Hollow on Sprague Road East. Although the advisory notification states that the site is “in the community of Groveland” the site actually is located many miles east of the Groveland community area.

That point is important for the relevance of our comments below.

WATER AND WASTEWATER

This commercial recreational lodging operation is proposed on site without any public water or any public wastewater option. As our Center has raised in numerous past comment letters for lodging development projects in the County, neither the County nor the applicant can provide any assurance of long-term productivity of a well, nor can the public or adjacent property owners be assured that on site wastewater treatment won't result in fecal coliform contamination of groundwater.

Put most simply, CSERC asserts that there is potential for the well to fail and the engineered septic system to also fail over time. If the well fails, the resulting need to truck in water or otherwise provide water for the operation poses a number of associated issues of concern. And if the septic system fails, there is no back-up option for the project to be quickly switched over to a public wastewater system.

For these reasons, CSERC identifies the lack of public water and wastewater service as an issue of potential significance.

VERY HIGH FIRE HAZARD SEVERITY RATING

One of the most controversial aspects that resulted in litigation for the Under Canvas and Terra Vi Lodge development projects along the same highway corridor was the issue of developing lodging that would place customers and staff at risk from wildfire. Unlike those two other sites, this site has not yet burned in a recent large fire, but it has the same very high hazard severity rating.

Given the miles of distance from the nearest engine station and the high flammability of the fuels in the project area, there is the double-sided risk of a wildfire trapping guests and staff on the project site and the risk of a fire ignited at the project site rapidly spreading out into the wildland interface area around the project site.

While for large projects it was feasible for our Center to request a very large water tank, hoses, and associated fire preparedness items, it is likely that the economic feasibility of this project will not enable the applicant to provide a 30,000 or 50,000-gallon water tank to not only supply the project during drought or critical dry periods, but to also hold in reserve 20,000 gallons of water for fire protection purposes. CSERC raises the major issue of a significant high fire risk that would result from allowing a project with potentially 50 or more people onsite at a time during the busy summer tourism season when fire risk is often very high.

CUMULATIVE IMPACTS OF THIS AND THREE NEWLY APPROVED OTHER PROJECTS

As the County is fully aware, along the Highway 120 corridor there is the giant new approved lodging project at the scar site between Big Oak Flat and Groveland as well as the two approved lodging projects located at the turnoff to Sawmill Mountain. The amount of traffic from those three projects adds up to a truly significant number of trips when added to the already high traffic numbers on summer weekends or on holidays when so many visitors head to Yosemite Park. Even if this project will result in less than 100 additional overall trips a day at full capacity, whatever number of trips it generates will add to the already high number of vehicle trips that will come at full buildout from the other three already approved development projects.

While it is not fair to lay the responsibility of unsafe levels of traffic on the smallest of the four projects, the County has simply failed to assure that there is meaningful mitigation measures for the three already approved projects that would actually reduce traffic numbers and reduce threats of accidents, traffic jams, etc. The cumulative impacts of the four projects combined does result in a significant impact for traffic and public safety along the already frequently congested Highway 120 corridor.

A second significant issue tied to cumulative effects is the lack of access to public services. Law enforcement, ambulance service, as well as fire service can already be committed elsewhere when there is a need for the service at this new development site. Yet the Highway 120 corridor lacks sufficient ambulance, fire, and law enforcement services. This adds to the cumulative problems created by approval of the three previous lodging projects.

SUMMARY OF ISSUES OF CONCERN

This project is not proposed for a site within an established community nor adjacent to any such community. Instead, it is proposed for a rural forest site that is not close to any public services, is not close to any restaurant, year-round store, medical services, or any other service needed by guests or clients.

The lack of public water and wastewater makes the project susceptible to well failure and wastewater contamination of groundwater. The very high fire risk rating at the site poses risk for guests and staff due to any fire response crew being located so far away (the engine at Buck Meadows is only staffed part of the year and is not set up to do structure fires).

The cumulative effects of this project and the three already approved projects adds up to a high level of overall risk for significant effects for traffic and public safety. And the lack of adequate services along the Highway 120 corridor is magnified by the fact that up to 1,000 "additional" guests will be added to the highway corridor once the three approved projects are fully functional. So this project is simply that much more.

We ask that these issues be carefully considered.

A handwritten signature in black ink that reads "John Buckley". The signature is written in a cursive, flowing style.

Executive Director

January 6, 2023

RE: Site Development Permit SDP22-006

Assessor's Parcel Number: 066-260-039

I understand that there is a site development in the works for 23003 and 23015 Sprague Road East in Groveland that is currently under review. As an owner of two nearby properties, I have a few questions/comments regarding the project and its impact on the surrounding area. The questions and comments are as follows:

1. Water. Several residents in the area have experienced at one time or another, an issue with water. The consequences of years of gradual declines in groundwater have become apparent in the area and have left people I know struggling with the cost of drilling a deeper well or finding water from another source. I am worried about groundwater depletion with the large increase in use, especially with a pool on site. Will they be having water trucked in to fill the pool or will they be pulling from the groundwater to fill it, and will they be making any other water conservation efforts?
2. Trespassing. I have concerns about guests staying at this facility unintentionally trespassing onto my property as most of the nearby properties border the Stanislaus National Forest. If a guest decides to go for a hike in the forest, they could easily wander onto mine, or a neighboring property without knowing; which could present a serious liability for neighboring land owners. None of us nearby have perimeter fences that would prevent this from happening, and I am not in a position to install perimeter fences along the entirety of my property boundary. Is this something the site owner can address and/or prevent on their end?
3. Noise. I know Tuolumne County does not have a specific noise ordinance, but I do have concerns about potential noise issues should the developer decide to have events, or live and/or amplified music. In my first-hand experience where transient traffic is brought into a residential area, the people are not always mindful of those who live in the area full-time. The full-time residents have day to day lives that can be negatively impacted by loud events and parties. Is it possible to define in their permit what an acceptable noise level is, and establish a reasonable time that excessive noise shall cease?

Thank you for your time and consideration of my few concerns.

Respectfully,

Nearby Owner, Groveland CA.

From: [Vicki Wagner](#)
To: [Natalie Rizzi](#)
Subject: Proposed development -12 canins
Date: Thursday, December 8, 2022 10:53:57 AM

I approve of this development. Looks like a great option for Yosemite visitors and vacation spot.

[Sent from Yahoo Mail on Android](#)



COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

Date: **December 6, 2022**
To: Interested Stakeholder
From: Tuolumne County Community Development Department
RE: Site Development Permit SDP22-006
Assessor's Parcel Number: 066-260-039

48 Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
(209) 533-5633
(209) 533-5616 (Fax)
(209) 533-5909 (Fax – EHD)
www.tuolumnecounty.ca.gov

The Community Development Department thanks you for your participation in the land development process in Tuolumne County. We value your comments and look forward to your continued participation in our planning process. This process provides information on your requirements and concerns to the applicant early in the review process. Involvement on your part can eliminate or minimize problems that could arise later.

Owner: Stephanie Wohlfel

Applicant: Landon Blake, Redefined Horizons

Project: Site Development Permit SDP22-006 to allow a recreational development consisting of twelve guest cabins, swimming pool, yoga dome, and associated infrastructure on a 14.1± acre parcel zoned C-K (Commercial Recreation) under Title 17 of the Tuolumne County Ordinance Code (TCOC).

Location: The project site is located at 23003 and 23015 Sprague Road East in the Community of Groveland. Within a portion of Section 29, Township 1 South, Range 17 East Mount Diablo Baseline and Meridian and within Supervisorial District 4. Assessor's Parcel Numbers 066-260-039.

Access: Sprague Road East

Sewage Disposal Method: On Site Wastewater Treatment System

Water Source: Well

Fire Hazard Rating: Very High fire hazard severity zone

Additional Information:

1. The project would consist of twelve guest cabins rented out for overnight stays. The cabins would consist of prefabricated units. The yoga dome and other amenities on site would be for guests only. The facility proposes to be open year-round.

Please return your comments to the CDD by **January 6, 2023**. Comments may be emailed to Natalie Rizzi, nrizzi@co.tuolumne.ca.us. Comments may also be mailed to: 2 South Green Street, Sonora, CA 95370 or brought to the Community Development Department at 48 Yaney Avenue during business hours.

Staff Contact: Natalie Rizzi
Phone: (209) 533-5936
Email: nrizzi@co.tuolumne.ca.us

AGENCY: Groveland Community Services District

COMMENTS: See attached.

Please utilize the following link to sign up and receive future agenda notices that may include the above-mentioned project:

<https://www.tuolumnecounty.ca.gov/list.aspx>.

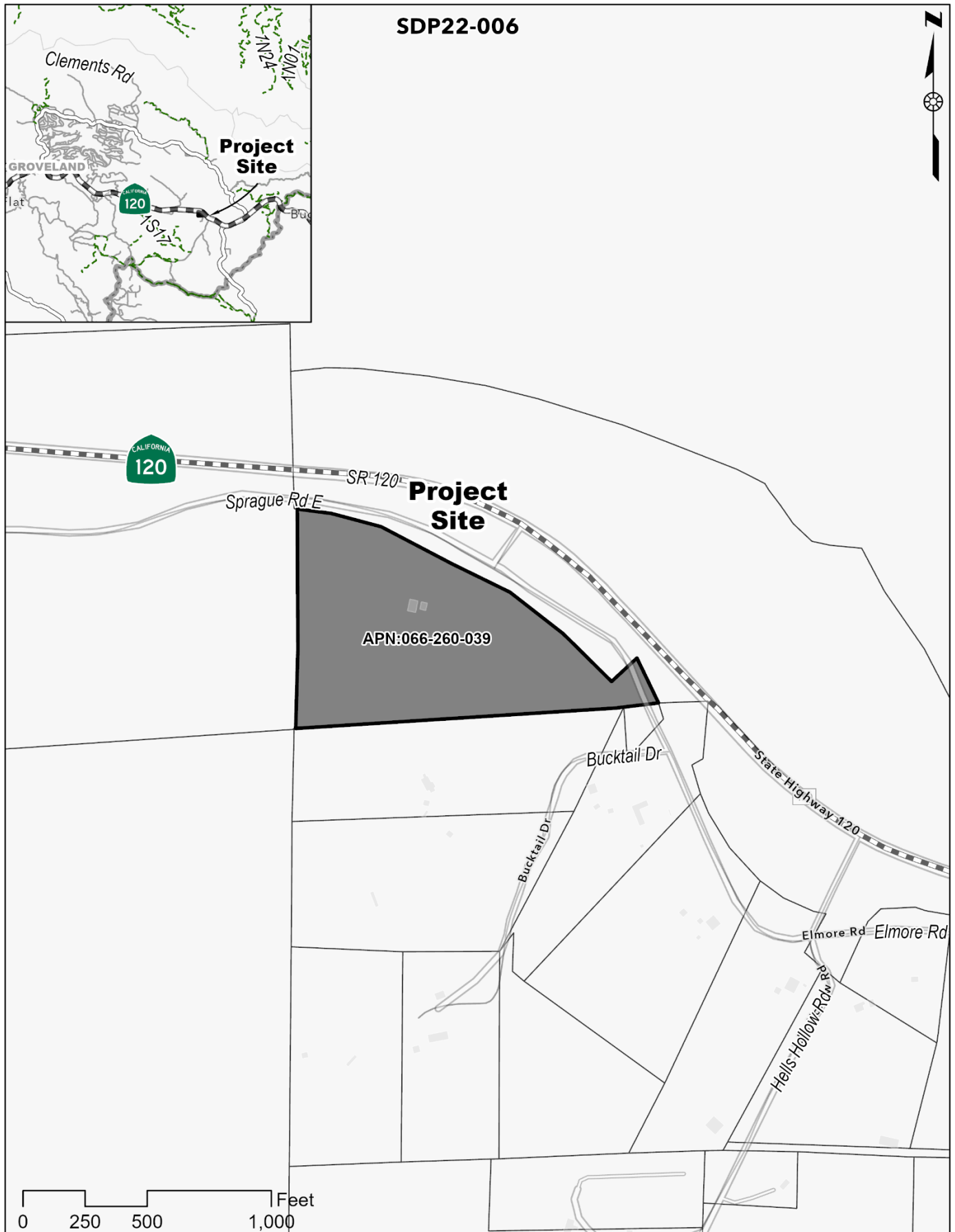
Planning Stakeholder Notification letters are now posted at the following link:
<https://www.tuolumnecounty.ca.gov/1512/Planning-Stakeholder-Notifications>

Signed by: James G. Flors

Agency: Groverland Community Services District

Date: 12/07/2022

Vicinity Map



Entire Parcel Site Plan

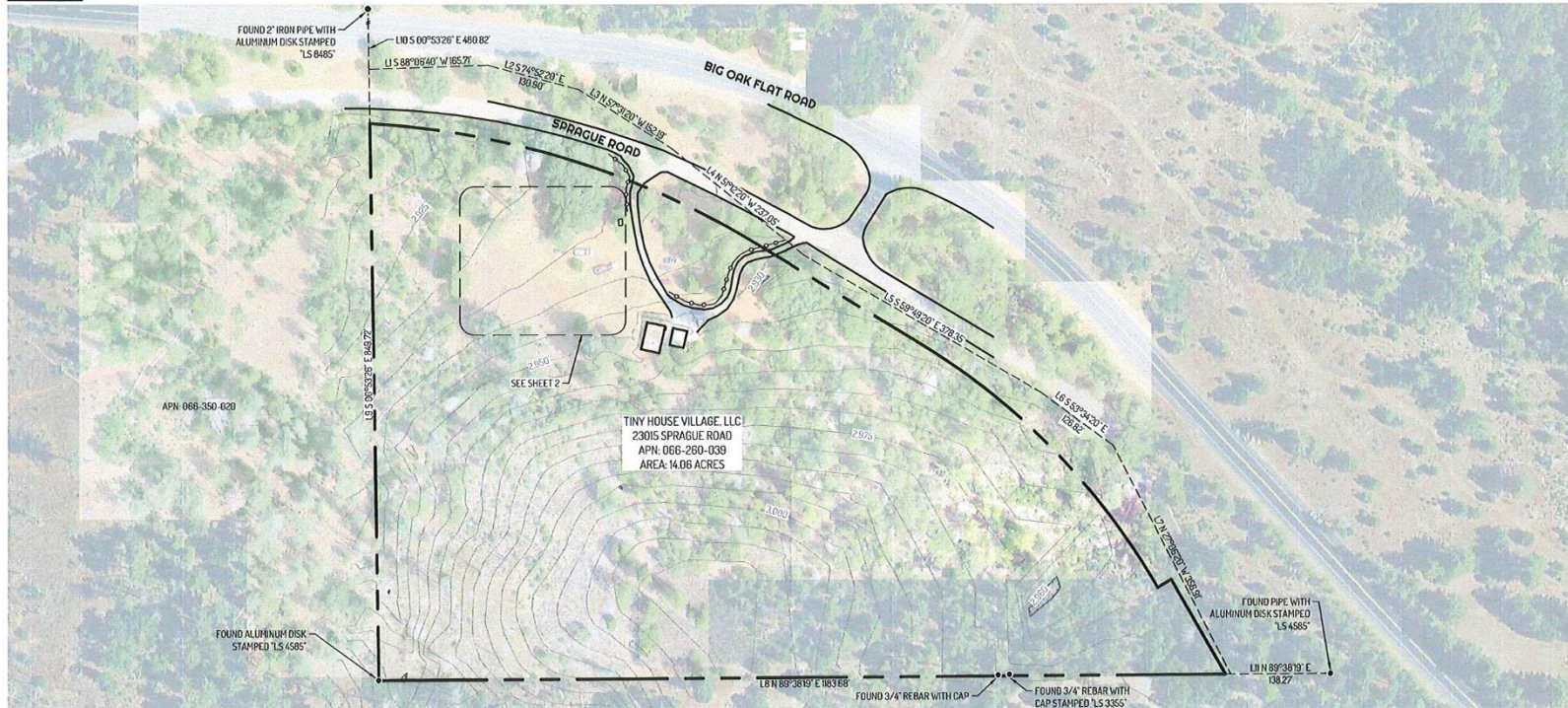


SITE PLAN

JOB #065-001

23015 SPRAGUE ROAD, GROVELAND, CALIFORNIA

SEPTEMBER 2022



REVISION HISTORY

VERSION 1.00. ORIGINAL DRAWING CREATION

PURPOSE

THE PURPOSE OF THIS SITE PLAN IS TO SHOW THE EXISTING CONDITIONS OF THE SUBJECT PARCEL ALONG WITH THE PROPOSED IMPROVEMENTS FOR A CAMPGROUND.

SURVEYOR NOTES

1) UAV ORTHOPHOTOGRAPHY FLOWN IN JULY 2022 AND IS SURVEY GRADE.

PROPOSED IMPROVEMENTS

THE PROPOSED IMPROVEMENTS SHOWN ON THIS SITE PLAN ARE FOR THE PURPOSES OF LAND USE PLANNING. THE PROPOSED IMPROVEMENTS ARE NOT THE RESULT OF CIVIL ENGINEERING ANALYSIS OR DESIGN. THE TOTAL SQUARE FOOTAGE OF PROPOSED IMPROVEMENTS IS APPROXIMATELY 7,800 SQUARE FEET.

LEGEND

- FOUND MONUMENT AS NOTED
- C CALCULATED
- HRC HELD RECORD
- MHD MONUMENT
- M MEASURED
- PC PROPERTY CORNER
- PGB POINT OF BEGINNING
- R RECORD

UNITS

- UNLESS OTHERWISE NOTED:
- 1) ALL DISTANCES SHOWN ARE IN US SURVEY FEET.
 - 2) ALL ANGLES AND BEARINGS ARE SHOWN IN DEGREES/MINUTES/SECONDS FORMAT.
 - 3) DISTANCES SHOWN ARE GROUND (NOT GRID) DISTANCES.

LINETYPES

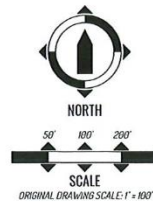
- EXISTING PARCEL BOUNDARY
- - - TIE LINE
- EXISTING PAVEMENT LINE
- - - EXISTING FENCE LINE
- EXISTING BUILDING LINE
- PROPOSED BUILDING LINE
- PROPOSED ACCESS ROAD
- PROPOSED UTILITY LINE
- PROPOSED SEPTIC AREA
- PROPOSED PARKING AREA

OWNER INFORMATION

TINY HOUSE VILLAGE, LLC
23015 SPRAGUE ROAD, GROVELAND, CALIFORNIA

SURVEYOR INFORMATION

SCOTT LANDON BLAKE - PLS 0489
365 WEST F STREET, OAKDALE, CALIFORNIA



ORIGINAL DRAWING SCALE: 1" = 100'

SHEET 1 OF 2

RECEIVED

SEP 29 2022

**Community Development
Department**

Close Up Site Plan

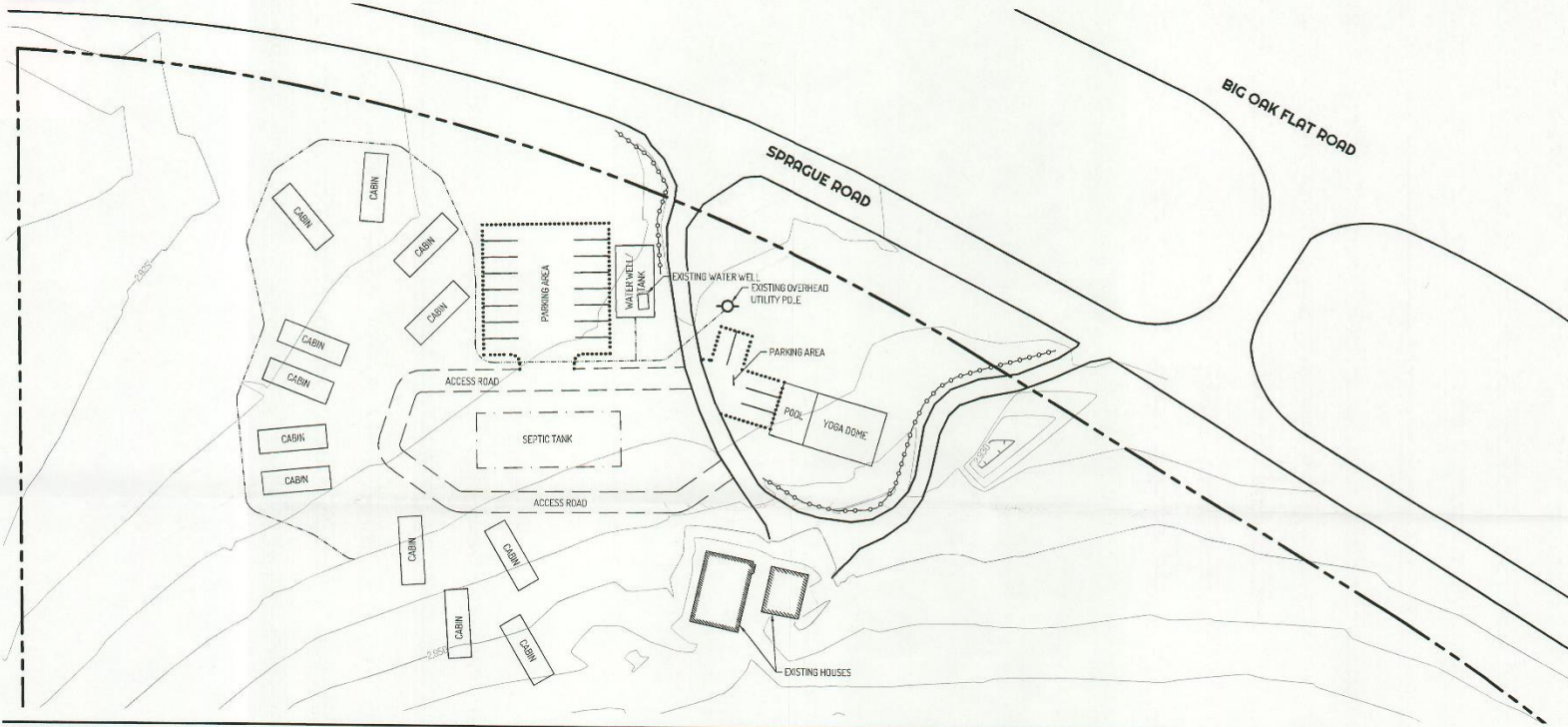


SITE PLAN

JOB #065-001

23215 SPRAGUE ROAD, GROVELAND, CALIFORNIA

SEPTEMBER 2022



REVISION HISTORY

VERSION 1.00: ORIGINAL DRAWING CREATION

PURPOSE

THE PURPOSE OF THIS SITE PLAN IS TO SHOW THE EXISTING CONDITIONS OF THE SUBJECT PARCEL, ALONG WITH THE PROPOSED IMPROVEMENTS FOR A CAMPGROUND.

SURVEYOR NOTES

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LEGEND

C CALCULATED
HRC FIELD RECORD
MMD MONUMENT
M MEASURED
PC PROPERTY CORNER
POB POINT OF BEGINNING
R RECORD

UNITS

UNLESS OTHERWISE NOTED:
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LINE TYPES

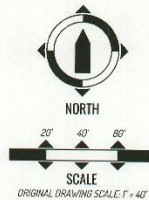
— EXISTING PARCEL BOUNDARY
--- TIE LINE
--- EXISTING PAVEMENT LINE
--- EXISTING FENCE LINE
--- EXISTING BUILDING LINE
--- PROPOSED BUILDING LINE
--- PROPOSED ACCESS ROAD
--- PROPOSED UTILITY LINE
--- PROPOSED SEPTIC AREA
--- PROPOSED PARKING AREA

OWNER INFORMATION

TINY HOUSE VILLAGE, LLC
23815 SPRAGUE ROAD, GROVELAND, CALIFORNIA

SURVEYOR INFORMATION

SCOTT LONDON BLAKE - PLS 8489
385 WEST F STREET, OAKDALE, CALIFORNIA

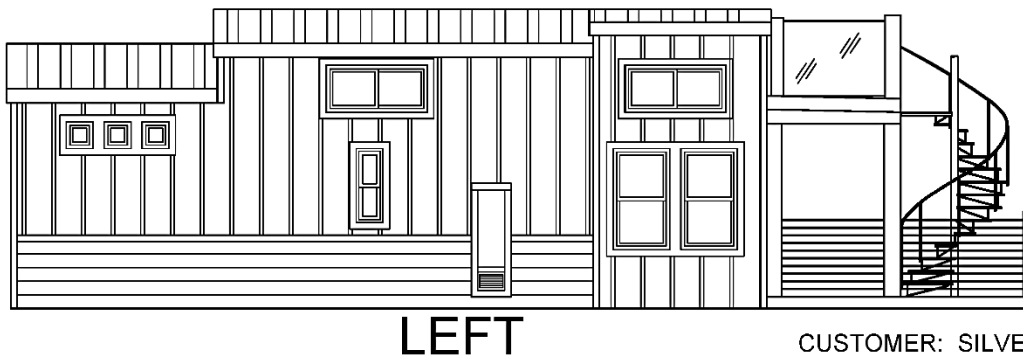
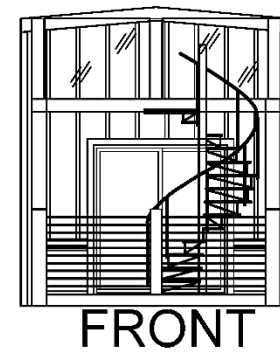
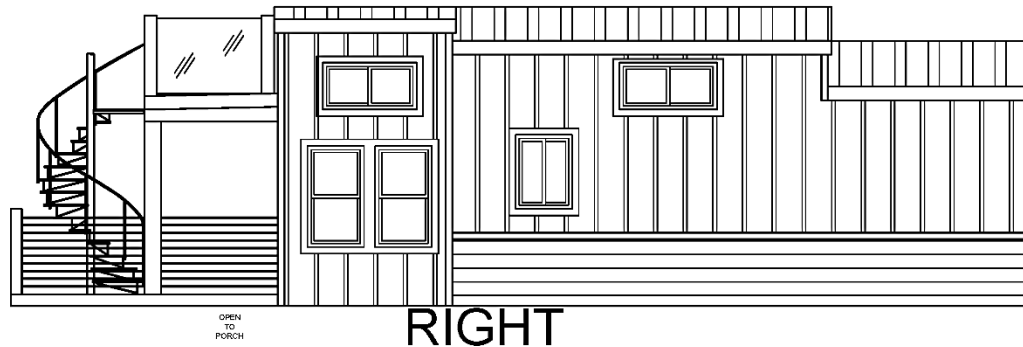


RECEIVED

SEP 20 2022

Community Development
Department

Typical Elevation



CUSTOMER: SILVERCREST ATH-15 DISPLAY
(NAVISION REVISION # NONE)



COUNTY STAKEHOLDER NOTIFICATION RESPONSE FORM

COUNTY PROJECT NUMBER: SDP22-006

PROJECT APPLICANT: Landon Blake, Redefined Horizons

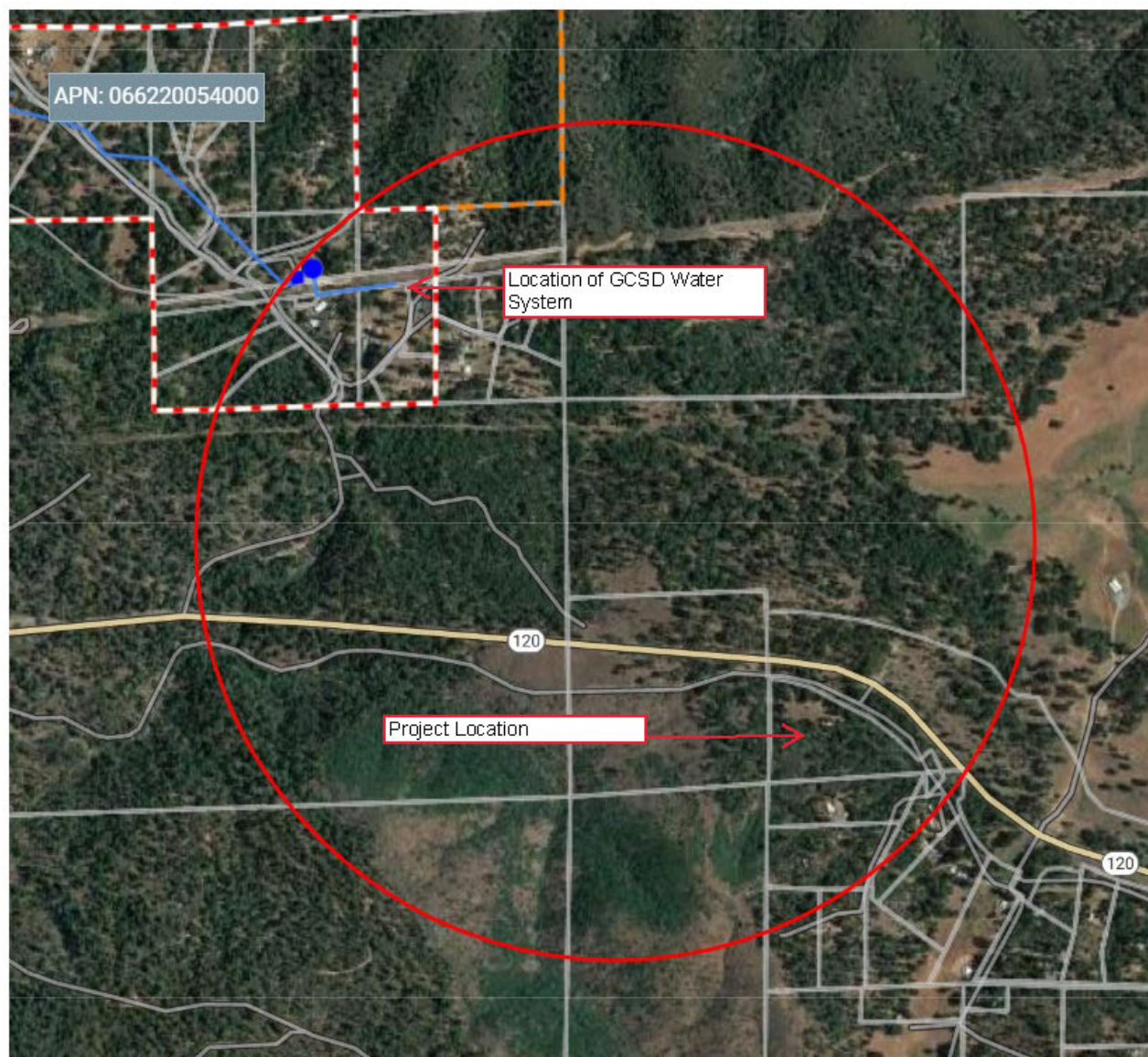
PROJECT DESCRIPTION: Site Development Permit SDP22-006 to allow a recreational development consisting of twelve guest cabins, swimming pool, yoga dome, and associated infrastructure on a 14.1± acre parcel zoned C-K (Commercial Recreation) under Title 17 of the Tuolumne County Ordinance Code (TCOC).

District Response:

The Groveland Community Services District is the local government entity and utility provider of water, sewer, fire protection and recreational park services.

The proposed project is located outside of the district's boundaries, but within 4000 feet of the District's public water system as shown on the attached diagram. Also attached for reference is a groundwater well failure report compiled by Tuolumne County showing a high number of failed wells in the location of the proposed project. Creation of an additional transient-public water system serving the project could be problematic. Connection to the public water system should be encouraged.

For the project site to receive services from the district, including public water service, fire protection and emergency response services, the property will be required to annex to the Groveland Community Services District.



Groveland Area Dry & Failing Wells
11 Reports Received
2021 - 10
2022 - 1

● Dry & Failing Wells: 2021-22

Date Reported: 2021

Date Reported: 5/24/2021

Date Reported: 2021

Date Reported: 11/4/2021

Project Location

Hells Hollow
Dates Reported: August 2021

Date Reported: 5/21/2022

California Department of Transportation

OFFICE OF THE DISTRICT 10 PLANNING
P.O. BOX 2048 | STOCKTON, CA 95201
(209) 948-7325 | FAX (209) 948-7164 TTY 711
www.dot.ca.gov



December 21, 2022

Natalie Rizzi
Senior Planner
Tuolumne Community Development Department
2 S. Green Street
Sonora, CA 95370

TUO-120-PM R38.461
Tiny House Village
Site Development
Permit SDP22-006

Dear Ms. Rizzi,

Caltrans appreciates the opportunity to review and respond to the Site Development Permit application (SDP22-006) to allow a recreational development consisting of twelve guest cabins, swimming pool, yoga dome, and associated infrastructure on a 14.1± acre parcel zoned Commercial Recreation (C-K) under Title 17 of the Tuolumne County Ordinance Code (TCOC). The project location is 23003 and 23015 Sprague Road East in the community of Groveland. The Assessor's Parcel Number (APN) is 066-260-039.

Caltrans has the following comments:

Environmental

If any construction related activities encroach into Caltrans Right of Way (ROW), the project proponent must apply for an Encroachment Permit (EP) to the Caltrans Encroachment Permit Office. All California Environmental Quality Act (CEQA) documentation, with supporting technical studies, must be submitted with the Encroachment Permit Application. These studies will include an analysis of potential impacts to any cultural sites, historic properties, biological resources, hazardous waste locations, scenic highways, and/or other environmental resources within Caltrans Right of Way, at the project site(s). For more information, please visit the Caltrans Website at: <https://dot.ca.gov/programs/traffic-operations/ep/applications>.

There are mature trees within and/or near Caltrans ROW that could provide suitable nesting habitat. If work will occur between February 1 and September 30 of any year, a pre-construction bird survey must be conducted by a qualified biologist prior to the start of any construction related activities in Caltrans ROW. If an active nest is observed, a protective buffer must be established around the nest per California Department of Fish and Wildlife (CDFW) guidelines. No work is allowed within the protective buffer limits until the young have fledged and until authorized by the Caltrans District 10 Environmental Office.

Traffic Operations

If any construction related activities encroach into Caltrans Right of Way (ROW), the project proponent must apply for an Encroachment Permit (EP) to the Caltrans Encroachment Permit Office. All California Environmental Quality Act (CEQA) documentation, with supporting technical studies, must be submitted with the Encroachment Permit Application. These studies will include an analysis of potential impacts to any State Route as well as an existing local intersection and any proposed new access.

All future development for the project location will require further review by Caltrans. If you have any questions or would like to discuss these comments, please contact Lloyd Clark at (209) 941-1982 (Email: Lloyd.Clark@dot.ca.gov) or me at (209) 483-7234 (email: Gregoria.Ponce@dot.ca.gov).

Sincerely,

Gregoria Ponce

Gregoria Ponce', Chief
Office of Rural Planning

For Fire conditions applicant will need to contact HCD.



Department of Public Works

Kim MacFarlane, P.E.
Director

48 W. Yanez Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
209.533.5601
www.tuolumnecounty.ca.gov

MEMORANDUM

Date: December 12, 2022

To: Natalie Rizzi, Senior Planner

From: Blossom Scott-Heim, P.E., Supervising Engineer
Juan Maya, Engineer I

BSH

Re: SDP-22-006 Landon Blake, Redefined Horizons
Assessor's Parcel No.: 066-260-039

This project seeks a Site Development Permit SDP22-006 to allow a recreational development consisting of twelve guest cabins, swimming pool, yoga dome, and associated infrastructure on a 14.1± acre parcel zoned C-K (Commercial Recreation) under Title 17 of the Tuolumne County Ordinance Code (TCOC).

The Site Plan exhibit submitted with the application illustrates an existing water well/tank as the only water source for the development and a proposed on-site wastewater treatment system. While the project peak hour trips do not trigger a full traffic study, the existing encroachments onto Sprague Road East will require a sight distance analysis due to their proximity to the intersection. Caltrans may request further study, due to the project's proximity to Highway 120.

The following conditions apply to SDP22-006:

1. A Grading Plan shall be submitted to the Engineering Division of the Department of Public Works for review and approval (TCOC, Section 12.20.140).
2. Submit to the State Water Resources Control Board Storm Water Permitting Unit, a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit (California's National Pollutant Discharge Elimination System (NPDES) General Permit for construction related storm water discharge) for the disturbance of one acre or more. Disturbances of less than one acre may also require an NOI for coverage under the NPDES General Permit for construction related storm water discharge and the State Water Resources Control Board Water Permitting Unit shall be contracted for determination of permit requirements. Commercial and Industrial developments may require an NOI even if less than one acre and should be submitted to SWRCB. Obtain and NOI or an exemption from requirements.
3. A Grading Permit shall be obtained from the Engineering Division of the Department of Public Works prior to any grading (TCOC, Section 12.20.050).
4. A Drainage Plan shall be required and address the concerns listed below (TCOC

ADMINISTRATION
Assistant to the
Department Head
Emma Hawks
09.694.2718

REPORTS
Reports Manager
Benedict Stuth
09.533.5685

BUSINESS
Business Manager
Melanie Kostlivy
09.533.5972

ENGINEERING
Supervising Engineer
Blossom Scott-Heim, P.E.
09.533.5904

LEET SERVICES
Leet Services Manager
Mike Young
09.536.1622

GEOGRAPHIC
INFORMATION
SYSTEMS
GIS Coordinator
Madeline Amlin
09.533.6592

ROAD OPERATIONS
Road Superintendent
Mike Cognetti
09.533.5609

SOLID WASTE
09.533.5588

SURVEYING
County Surveyor
Warren Smith, L.S.
09.533.5626

Sections 11.04.050E; 12.20.300-12.20.360; 16.26.180).

- a. The entire project site including the parking lot drainage.
 - b. The increased runoff and effect to downstream drainages, culverts and adjacent property.
 - c. On-site detention/retention shall be required; this feature may be proposed as subsurface under the parking area.
5. Provide proof that slope and drainage easements have been obtained or provided in such locations as necessary to accommodate cut and fill slopes, setbacks, and flow from the site (TCOC, Section 12.20.270-280).

Also provide a 15-foot wide drainage easement along all existing pipes that are not located in a road and public utility easement (TCOC, Section 16.24.180).

6. An Encroachment Permit shall be obtained from the Engineering Division of the Department of Public Works for any work that may be proposed within the County road rights-of-way along Sprague Road East (TCOC, Section 12.04).
7. A Parking Area Plan (TCOC, Sections 17.68.150; 17.60).
- a. The parking area plan shall be submitted to the Engineering Division of the Department of Public Works for review and acceptance. Plans shall address internal traffic circulation, phasing, parking stall layout and include necessary striping, marking and signing. All parking areas and traveled ways on the site shall be paved, striped and lined in accordance with approved plans. The parking plan shall be submitted in connection with the site grading and drainage plans.
8. Prior to the construction of any site improvements or grading on the site, 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 (TCOC, Section 12.20).
9. All soils disturbed by clearing and grubbing and/or grading shall be reseeded or hydro-mulched or otherwise stabilized as soon as possible, and emergency erosion control measures shall be utilized as requested by County officials (TCOC, Title 12).
10. The applicant shall submit an erosion control plan for any construction to take place (TCOC, Title 12).
11. All parking areas and traveled ways on the site shall be paved (TCOC, Section 17.60.070 C).
12. Commercial driveways, meeting the requirements of Title 11 for onsite roads must be paved and extended to within 150 feet of all portions of all buildings (TCOC, Section 11.16.020).
- a. Encroachments shall require an encroachment detail plan submitted for review and approval.
13. Drainage improvements shall be installed in accordance with approved drainage plans. (TCOC Sections 11.04, 11.12, 16.26.180)

14. Exposed serpentine gravel is prohibited on the construction site. (17 California Code of Regulations, Section 93106)
15. The Contractor shall be responsible for dust abatement during construction and development operations. A water truck or other watering device shall be on the project site on all working days when natural precipitation does not provide adequate moisture for complete dust control. Said watering device shall be used to spray water on the site at the end of each day and at other intervals, as need dictates, to control dust (TCOC, Section 12.20.370).
16. Verify that a Road and/or Public Utility Easement a minimum of 25 feet in width from the existing centerline of Sprague Road East as it abuts the project property has been dedicated. (TCOC, Section 17.68.150).

December 6, 2022

Natalie Rizzi
Tuolumne County Community Development Department
2 South Green Street
Sonora, CA 95370

RE: Tuolumne County Air Pollution Control District (District) Comments - Site Development Permit SDP22-006. Assessor's Parcel Number: 066-260-039

Dear Natalie Rizzi,

The Tuolumne County Air Pollution Control District (District) is providing the following comments for the Site Development Permit SDP22-008 with a project site located at 23003 and 23015 Sprague Road, Groveland.

1. Any construction or site activities that create fugitive dust emissions shall implement dust suppression methods using either water or chemical stabilizer/suppressants. A water truck or other dust suppression equipment shall be on site at all times. The frequency of dust suppression measures shall be dependent on whether visible dust emissions are present.
(TCAPCD Rule 505 - Conditional Approval)
2. Should serpentine or ultramafic rock be found on site, a Dust Mitigation Plan pursuant to Air District Rule 908 - *Asbestos ATCM*, shall be submitted to the Air District prior to any building or site work. *(TCAPCD ATCM 908 - Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations)*
3. Any construction activities, road construction, road maintenance, or grading that disturbs naturally occurring asbestos, serpentine, or ultramafic rock shall be subject to TCAPCD Rules and Regulations, Regulation IX, Rule 908 unless specifically exempted under Sections (C) or (D) (3). All dust mitigation requirements shall be implemented and maintained throughout the duration of the construction or grading activity.
 - a. Requirements for Road Construction and Road Maintenance Activities:
 - i. Equipment and operations must not cause any visible dust crossing project boundaries;
 - ii. Unpaved roads, area subject to vehicle traffic, storage piles, and disturbed areas shall be kept adequately wetted, treated with dust suppressants, or covered with material that contains less than 0.25% asbestos;
 - iii. Construction vehicle speeds shall be limited to 15 mph; and
 - iv. Track out from any road construction project is prohibited on any paved public roadway.
4. Exposed serpentine gravel is prohibited on the project site, unless exempted pursuant to TCAPCD Rules and Regulations, Regulation IX, Rule 904 Section (F) or Rule 908 Section (C) or

(D)(3). No person shall use, apply, sell, supply, or offer for sale or supply any restricted material (as defined in subsection (I)(20) of Rule 904) for surfacing, unless it has been tested and determined to have an asbestos content that is less than 0.25 percent. Any roadway including road shoulders or any surface that is subject to vehicular travel or pedestrian access must be completely covered with non-restricted material. (*California Health and Safety Code, Sections 93105 and 93106*)

5. Any aggregate rock used for surfacing material that contains greater than 0.25% asbestos shall be incorporated into or completely covered by asphalt concrete, Portland cement concrete, or other similarly cemented material. (*TCAPCD ATCM 904 - Asbestos ATCM for Surfacing Applications*)
6. Existing county or State paved roads and streets adjacent to the construction site shall be cleaned as necessary to limit track out and prevent fugitive dust. (*TCAPCD Rule 505 - Conditional Approval*)
7. Open burning of vegetation for land clearing purposes shall be prohibited without a valid burn permit from the District. (*TCAPCD Rule 310.2(A) - Land Development Clearing*)
8. CARB mobile equipment regulations shall be adhered to for all diesel fired mobile sources used at this site during construction. (*CCR Title 13 Section 2449 et al*)
9. Any diesel fired portable equipment used at this site during construction shall comply with the *ATCM for Diesel PM from Portable Engines Rated at 50 BHP or Greater*. (*CCR Title 17 Section 93116*)
10. EPA certification shall be provided for any woodstoves proposed for use in structures on this real property. Fireplaces are discouraged. (*2018 General Plan, Implementation Program 12.C.a; CEQA, Chapter 15, Policy 15.C.1*)
11. Demolition or renovation of a structure may disturb asbestos containing material, which would require a survey and/or notification to the U.S. EPA and California Air Resources Board (CARB) as per the National Emissions Standards for Hazardous Air Pollutants (NESHAP). (*Asbestos NESHAP, 40 CFR Part 61, Subpart M, Section 61.145 Standard for Demolition and Renovation*)

If you have any questions or need additional information, please call me at (209) 533-5693 or email to yzardo@co.tuolumne.ca.us.

Sincerely,

Yousif Zardo
Deputy Air Pollution Control Officer

c. Kelle Schroeder, Air Pollution Control Officer

30-day Comment Letters from IS/MND

State Water Resources Control Board

February 9, 2024

Tuolumne County
Community Development Department
Attn: Mr. Clark Sintek
A.N. Francisco Building, 4th floor
48 Yaney Avenue
Sonora, CA 95370

TUOLUMNE COUNTY (COUNTY), INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (IS/MND) FOR THE TINY HOUSE VILLAGE SITE DEVELOPMENT PERMIT SDP22-006 PROJECT (PROJECT); STATE CLEARINGHOUSE #2024010359

Dear Mr. Clark Sintek:

Thank you for the opportunity to review the IS/MND for the proposed Project. The State Water Resources Control Board, Division of Drinking Water (State Water Board, DDW) is responsible for issuing water supply permits pursuant to the Safe Drinking Water Act. This Project is within the jurisdiction of the State Water Board, DDW's Yosemite District. DDW Yosemite District issues domestic water supply permits to the public water systems serviced with a new or modified source of domestic water supply or new domestic water system components pursuant to Waterworks Standards (Title 22 CCR chapter 16 et. seq.). If a Project includes the creation of a new public water system a new water supply permit will be required. The new water system may need to apply for a water supply permit for this Project.

A public water system, as defined in the California Health and Safety Code (Health & Saf. Code) section 116275(h), is "a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year."

Note, Health & Saf. Code section 116527(b), effective January 1, 2017, requires that any person submitting a permit application for a proposed new public water system must first submit a technical report at least six months before initiating construction of any drinking water-related improvements. The technical report must include an examination of the possibility of consolidation with an existing public water system or consolidation of multiple proposed public water systems.

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

The State Water Board, DDW, as a responsible agency under the California Environmental Quality Act (CEQA), has the following comments on the County's IS/MND:

- The IS/MND indicates that a total of three full time employees (one that lives on-site) would be required on-site [PDF page 59] and twelve prefabricated mobile units would be rented out for overnight stays [PDF page 3]. Providing domestic water to the mobile unit guests and employees would meet the definition of a public water system if it would serve 25 individuals daily at least 60 days out of the year. The DDW encourages potential new public water systems to connect with nearby community water systems where possible, rather than forming a new public water system. Grover Community Services District is a nearby system. Note: If the Project would create a public water system, the applicant should coordinate with nearby water systems to determine if another system may provide water for their drinking water needs. If no nearby system will agree to serve the Project, the applicant will need to submit a Health and Saf. Code section 116527(b) technical report to DDW. The County should then reflect what was determined by the applicant through the coordination process in the IS/MND.
- Please indicate if a new public water system will be formed by the Project. If so,
 - Please include "Division of Water Quality" and "for a General Construction Stormwater Permit", and "Division of Drinking Water" and "for a water supply permit", under "Other Agencies Approvals- State Water Resources Control Board" (PDF page 4).
 - Discuss the new and existing water system components that would become part of the new public water system.
 - Will water for fire protection be provided by the domestic water system or will there be a separate non-potable supply for fire flow? If the domestic water system will provide domestic supply and fire flow, is the well capacity and amount of stored water sufficient to meet both fire flow and drinking water needs?
 - The IS/MND indicates "In the event that the well goes dry in Tuolumne County, steps would be taken by the property owner to deepen, further test potential sites on the parcel, or contract with a well company to have water trucked in and stored on the site." Please indicate in the IS/MND that trucking in water and storing it at the site would be an interim solution and not permitted by the Yosemite District as a permanent solution to a well going dry.

Once the IS/MND is adopted, please forward the following items in support of the new water system's permit application to the State Water Board, DDW Yosemite District Office at DWPDIST28@waterboards.ca.gov:

- Copy of the IS/MND with all comment letters received and the lead agency responses as appropriate.
- Copy of the Resolution or Board Minutes adopting the IS/MND, and
- Copy of the date stamped Notice of Determination filed at the Tuolumne County Clerk's Office and the Governor's Office of Planning and Research, State Clearinghouse.

Please contact Lori Schmitz of the State Water Board at (916) 449-5285 or Lori.Schmitz@waterboards.ca.gov, if you have any questions regarding this comment letter.

Sincerely,

Lori Schmitz

Lori Schmitz
Environmental Scientist
Division of Financial Assistance
Special Project Review Unit
1001 I Street, 16th floor
Sacramento, CA 95814

Cc:

Office of Planning and Research, State Clearinghouse

Ofelia Romero-Maraccini
District Engineer
Yosemite District

Austin Ferreria
Water Resources Control Engineer
Yosemite District



Office – 209.962.7161
Fax – 209.962.4943
Fire Department – 209.962.7891
www.gcsd.org

Water ▪ Sewer ▪ Parks ▪ Fire Protection
18966 Ferretti Road P.O. Box 350 Groveland, CA 95321-0350

February 15, 2024

Clark Sintek
Community Development Department
Tuolumne County Community Development Department
2 South Green Street,
Sonora, CA 95370

RE: Mitigated Negative Declaration, Tiny House Village, Site Development Permit SDP22-006

Dear Mr. Sintek,

The Groveland Community Services District has reviewed the Mitigated Negative Declaration for the above referenced project in detail and has provided its comments surrounding the project and document below.

HAZARDS AND HAZARDOUS MATERIALS Section:

Q: Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

District Response:

The document failed to evaluate and document the ability of the Groveland Community Services District Fire Department (GCSD or District) to meet its adopted emergency response standards for emergency calls occurring within the District boundaries when an emergency call occurs at the project location. If the District Fire Department were to respond to an emergency call at the project site, the ability to implement its own emergency response plan standard would be impaired and creates a hazard to life and property.

There is no fire station, other than GCSD Station 78, within 45 minutes travel time of the project location, with a guaranteed fire engine, staffed full time, year round and able to respond to emergency calls at the project site. The Tuolumne County Fire engine currently collocated at the GCSD Station 78 is only contracted to be in that location until August 2024. The preparer of the environmental documents never contacted the District to discuss the availability of the Groveland Fire Department or its ability to respond to the project site.

Q: Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

District Response:

The document failed to evaluate and document the ability of the Groveland Community Services District Fire Department (GCSD or District) to meet its adopted emergency response standards for wildland fire calls occurring within the District boundaries when an emergency call occurs at the project location. If the District Fire Department were to respond to an emergency call at the project site located outside the District boundaries, the ability of the District would

be impeded to respond to an evolving wildfire scenario within the District boundaries, indirectly exposing people to a significant risk of loss, injury or death while the fire burns unchecked until the single District engine and crew can respond back from the project location to the incident scene.

The County Policy 9.A.1 **was not followed:** *Actively involve fire protection agencies within Tuolumne County in land use planning decisions.*

The District, who is listed as a fire department that would respond to emergency calls on the project site, was never consulted to discuss the availability of the Groveland Fire Department or its ability to respond to the project site.

The County Policy 9.E.3 **was not followed:** *Require new development to be consistent with State and County regulations and policies regarding fire protection.*

The District, who is listed as a fire department that would respond to emergency calls on the project site, was never consulted to discuss the need for emergency responses to the project site and their potential impact on the emergency call response times of the Groveland Fire Department or its ability to even respond to the project site.

The document states that the estimated water needs for the site would be up to 140 gallons per day with the pool requiring up to 30,000 gallons per year to operate. Is the 140 gallons per day a per-cabin water usage estimate or overall daily demand for all cabins, which is not possible?

There is currently no water tender located within the project location or Groveland fire station. It will take at least ½ hour for a water tender to arrive, and in a fire situation, the water tender will be drained within 5 minutes. In addition, the water tender will take 20-30 minutes to refill using fire hydrants located within the District boundaries at least five minutes away. The onsite swimming pool would be pumped dry in less than 12 minutes.

Although the groundwater well is reported to produce an adequate supply of water using a two hour pump test, there is no analysis to show the ability of the well to continue to pump the required amount of water beyond the two hours, when it will run continuously, around the clock at that rate throughout the summer.

PUBLIC SERVICES Section:

Q: 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 these public services?

The document states “Fire and emergency response is provided to this site by the County of Tuolumne, with support from regional partners including Groveland Community Services District (GCSD)”.

District Response:

The County of Tuolumne does not operate a fire station in the Groveland area, nor does it currently fund the CAL FIRE Amador Plan in Groveland, which provided a non-fire season staffed engine to respond to 911 calls. The County currently funds the cost to collocate a staffed fire engine at the Groveland CSD Fire Station 78, under an agreement through August 2024. Without a county fire station in the area and lacking a perpetual agreement for the staffed county fire engine to remain in Groveland, there is no assurance that the project will be provided fire protection services by the County. Without a County staffed engine within 45 minutes of the project site, they cannot provide effective mutual aid, and the District is left as the only responding fire department unless a staffed CAL FIRE engine is located in its Merrell Road Station. The GCSD fire department will respond to the project site under the Mutual Aid Agreement, so long as a staffed County fire engine is located permanently in Groveland. The project must annex to the boundaries of GCSD for the District fire department to respond to emergency calls on the project site as the first-in, or only engine.

As stated above, the analysis did not contact or review the impact on services provided by GCSD, or its ability to meet its adopted emergency response time standards should it respond to that “one” estimated call at the project site. While on that “one” call to the project site and with no County engine, a simultaneous call for a cardiac arrest in Big Oak Flat would render the District department unable to meet its service commitments and obligations to its taxpayers, unfairly risking the lives and property of our citizens, and those who pay for this service.

The project is located one-half mile outside the GCSD boundaries. The project site is not served by the Groveland CSD. The Tuolumne County LAFCo and the California Government Code have responsibility to determine the appropriate service provider when a project requiring services is located outside the boundaries of the local service provider.

The Project analysis states: *“The project is not required to receive fire protection services from GCSD since they are not located within their district.”*

This statement is not consistent with LAFCo law and the District is not required to provide services to the site BECAUSE the project is located outside its boundaries.

The project evaluation goes on to state: *“Fire protection will be provided to the site as it currently receives services under either agreement, and annexation is not required for the site to receive fire protection response.”*

This statement is only correct if a County funded engine and crew is permanently located in Groveland; in a new staffed County fire station or collocated with GCSD permanently (with station improvements). Otherwise, this is a false and inaccurate statement.

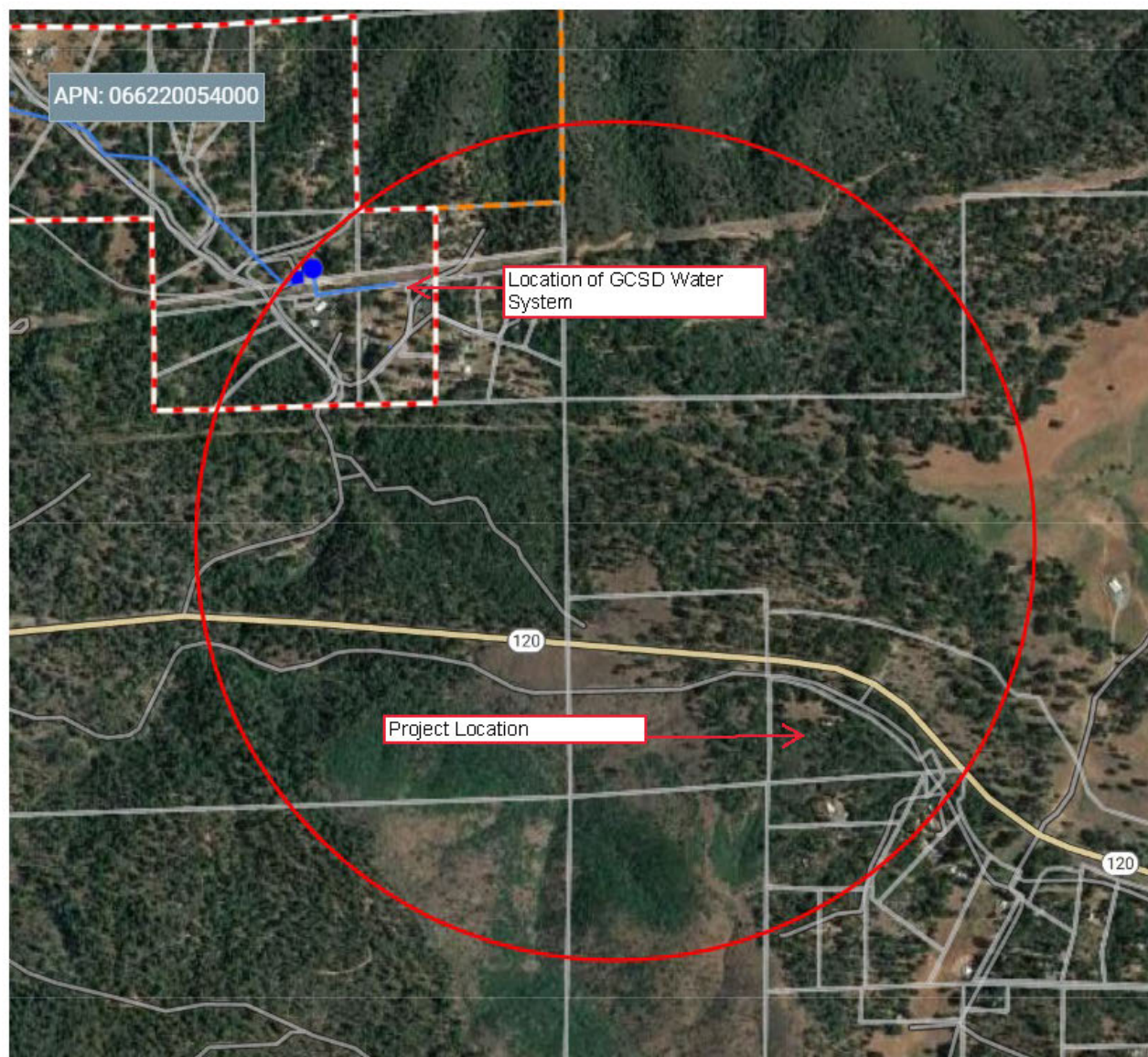
Just as the Terra Vi and Under Canvas resort projects, approval of this project must be conditioned on the payment of its fair share of the cost of providing emergency response services. As the services exist today, without a permanent staffed County Fire engine in Groveland, the project will result in potentially significant impacts to the fire and emergency response services in Groveland. The placement of a permanent staffed County Fire Engine in Groveland will mitigate those impacts to a less than significant level.

Again, directly reaching out to and consulting with GCSD would be the cooperative and efficient way to ensure that service impacts could be agreed upon, for land development projects to which GCSD is expected to provide service.

Sincerely,

A handwritten signature in black ink that reads "Peter J. Kampa". The signature is written in a cursive, flowing style.

Peter Kampa
General Manager
Groveland Community Services District



APN: 066220054000

Location of GCSD Water System

Project Location

120

120

Groveland Area Dry & Failing Wells
11 Reports Received
2021 - 10
2022 - 1

● Dry & Failing Wells: 2021-22

Date Reported: 2021

Date Reported: 5/24/2021

Date Reported: 2021

Date Reported: 11/4/2021

Project Location

Hells Hollow
Dates Reported: August 2021

Date Reported: 5/21/2022



Central Sierra Environmental Resource Center
Box 396, Twain Harte, CA 95383 • (209) 586-7440 • fax (209) 586-4986
Visit our website at: www.cserc.org or contact us at: johnb@cserc.org

VIA EMAIL AND MAIL

February 15, 2024

Clark Sintek
Community Development Department
2 South Green Street
Sonora, CA 95370

COMMENTS ON THE TINY HOUSE VILLAGE INITIAL STUDY/PROPOSED MND

Our Center's staff have reviewed the Initial Study/Proposed Mitigated Negative Declaration ("Proposed MND") for the Tiny House Village as proposed by the project proponents: Tri Cap Properties, Inc., Boss Girl Pro, LLC, and Stephanie Wohlfel. Based upon our review of the information contained in the Proposed MND, the determination that the proposed Mitigation Measures will render the proposed project's environmental impacts to a less-than-significant level fails to fully consider the direct environmental impacts of this particular proposed project and, more importantly, the cumulative impacts of this proposed project together with the numerous already approved, but not yet completed, projects along the Highway 120 corridor.

WATER AND SEWER

This commercial recreational lodging operation as proposed would not utilize any public water or public sewer service. Reliance on a single domestic well and one small, 10,000 gallon water tank is being proposed for the entire project. The Proposed MND repeatedly relies on the erroneous assumption that Section 17.31.010 of the TCOC allows a C-K zoned project to not be connected to public water. However, that section makes no mention of water whatsoever. While the proposed project may not be "required" to be connected to public water, that does not mean that it should not be connected. Special Commercial (C-S) zoning - not C-K zoning - expressly provides for development in areas with no access to public water or sewer service.

As the Proposed MND acknowledges:

On December 7, 2023, GCSD provided an advisory response for the project. The letter identifies three areas of concern as follows:

- The project site is approximately 4,000 feet from a connection to the District's public water system and encourages connection to their system.
- The comment letter included ground water failure map generated by Tuolumne County GIS identifying **four wells within an approximate 2,000 feet that failed.** Proposed MND, page 79.

Our Center recommends that annexation by the GCSD should be required as part of this proposed project. As the GCSD noted in its advisory response, the Site is only approximately 4,000 feet from the District's connection and there have been at least 4 documented well failures near the Site.

Further, the Proposed MND relies heavily on Condor Earth's analysis which was presumably paid for by the project proponents. Unsurprisingly, Condor Earth's report concludes that there is sufficient water in the water table to sustain the anticipated water use of the project as proposed. However, the report contains at least two significant errors. Condor Earth used a recharge rate of 15% of total rainfall during a normal water year (approximately 36 inches of rain) to calculate the amount of water it estimates will recharge the groundwater. Condor Earth then uses the exact same recharge rate for drought years - despite the differences in ground runoff, evaporation, and transpiration (uptake) by vegetation. There will also likely be an increased demand for groundwater by not only the users of the Site's well but also by other nearby wells during drought years, further drawing down the water table.

The second significant error in Condor Earth's report is that it based its calculations on the domestic well's capacity from a well test completed in 1987 - 37 years ago. It did not test the domestic well's current capacity and apparently ignored or was not presented with the proposal from Precision Pump Service, Inc that the pump it would provide would produce only 7 gallons per minute. This is more than a 40% reduction and renders Condor Earth's projections meaningless.

Moreover, while Condor Earth acknowledges other nearby well failures in the past, its speculation that those wells "likely" just weren't drilled deep enough or too close together is just mere speculation and begs the question of how much demand the groundwater table in this area can handle. Also of note, Condor Earth does not address the impact to the water table by the nearby Firefall Ranch project or its proposed expansion.

The Proposed MND lists two General Plan Implementation Program criteria that it asserts are met by this proposed project. However, the Proposed MND ignores the three General Plan Goals and at least one Implementation Program that the proposed project not only doesn't meet but, is directly contrary to:

Policy 3.A.1: Encourage the siting of new urban development either within or adjacent identified communities to maximize the use of existing infrastructure and encourage the logical extension of public water services infrastructure. When new urban development is proposed to be located

outside but adjacent to identified communities, it should be located in proximity to existing water supply infrastructure.

Policy 3.A.2: Require new commercial development to be served by public water systems, except for development in areas designated as Special Commercial on the General Plan land use diagrams.

Policy 3.A.5: Protect the geologic landscape for water quality and quantity and the functionality of the geology for water recharge from new development.

Implementation Program 3.C.b - Assist and support actions by larger water purveyors and special districts to incorporate and maintain existing smaller systems and isolated privately or mutually-owned water supply systems.

The proposed project provides for the installation of three new septic tanks in addition to the existing septic system. According to the Project Site Plan provided with the Proposed MND, there is at least one septic tank which is in close proximity to the domestic well. The risk of failure by the septic tank - particularly if it is the original one and not one of the newly installed tanks - and its proximity to the only water source for the Site cannot honestly be deemed to be a less-than-significant risk.

At a bare minimum, the following Mitigation Measures should be added:

1. Annual testing of the well should be required to be completed and reported to the County Environmental Health Department for each of the first 5 years (after construction is complete and commercial operations begin).
2. Prior to any occupancy of the newly constructed tiny homes, it should be required that the County certifies that the newly constructed septic system is sufficiently large enough and adequately designed and engineered so as to assure there will be no contamination of groundwater or pooling of septic effluent during the 6-month wet season when soils are often fully saturated and when snow may cover the surface of the ground.

FIRE AND EMERGENCY SERVICES

There is no dispute that the Site is located in the Very High Fire Hazard Severity Zone. Fire and emergency response for the proposed project is first the responsibility of the County. County services are already stretched too thin. Unlike other areas being developed along the Highway 120 corridor (Terra Vi Lodge and Under Canvas), the area surrounding the Site has not burned recently. Given the miles of distance from the nearest engine station and the high flammability of the fuels on the Site, there is the double-sided risk of a wildfire trapping guests and staff on Site and the risk of a fire ignited at the Site rapidly spreading out into the wildland interface area around the Site.

The three proposed propane fire pits should not be allowed. They create a significant and unnecessary fire risk. Guests or staff could accidentally misuse the fire pits or a fire pit could malfunction resulting in personal injury or fire - both of which add an unnecessary strain to County emergency services.

The Proposed MND states and then cursorily concludes:

“As a part of the Terra Vi development project, emergency response was evaluated in a BAE Urban Economics report titled “Fire Impact Analysis for Terra Vi Lodge” (SCH# 2019110286). The BAE report found that based on an analysis of emergency calls to other resorts in the Groveland area, there are approximately 0.079 calls per accommodation unit. This analysis did not include other types of calls that resort visitors may trigger, such as car accidents or medical calls in other area locations, as that identifying information was not available from the data sources.

Applying this rate to this project, the estimated annual call for fire or emergency medical service to the project site would be approximately one. This does not represent a significant increase in demand on services provided by the GCSD, TCFD, USFS, or CAL FIRE.” Page 78.

The Proposed MND fails to consider other types of emergency calls or the cumulative impacts when considering the already approved, but not completed large scale development projects in the area and the additional proposed development projects also in the area that are still in the planning phase, such as the Boyer - Expansion of Firefall Ranch and the proposed Long Gulch development - all outside of the GCSD. It also fails to consider the other types of emergency calls guests are likely to make.

Of note, the proposed 10,000 gallon water tank is not sufficiently large enough to provide any meaningful fire protection, and no hoses or other associated fire preparedness items are being proposed.

The direct and cumulative impact of the proposed project on Fire and Emergency Services is potentially significant. CSERC recommends that a one-time Fire Service Mitigation Fee be required to be paid to the County and/or GCSD in the amount of \$200,000 to mitigate the impact on Fire and Emergency Services. This Mitigation Fee is supported by General Plan Policy 6.B.1: “Support a schedule of reasonable and justified mitigation fees for new development to pay its proportional share of the cost of expanding services and infrastructure.”

BIOLOGICAL RESOURCES

The Proposed MND acknowledges that “the Tuolumne County Geotechnical Interpretive System (GIS) Maps indicate that the special animal species the great gray owl (*Strix nebulosa*) and California spotted owl (*Strix occidentalis occidentalis*) have been known to occur within the

vicinity of the project site on nearby USFS parcels.” Proposed MND page 29. The Proposed MND does provide a Mitigation Measure regarding the nesting season for raptors and migratory birds. However, the Proposed MND also states “Mitigation has been included that requires preconstruction surveys to identify the presence of these species, avoid or remove them from the construction area (if they are present), and establish disturbance buffers to ensure they are not disturbed during construction.” Proposed MND, page 91. To be clear, this language should be corrected by deleting the language regarding removing birds from the area.

GEOLOGY AND SOILS

The Proposed MND provides contradictory information regarding both the slope of the Site and of the area proposed to be developed:

“The average slope of the parcel is 20%. The slopes in the area of development are averaging approximately 13%.” Proposed MND, page 3. But later: “The guest cabins, swimming pool, yoga dome, and associated infrastructure would be developed within the area of the site that is relatively flat, so minor grading associated with the project would occur. The project documents indicate that grading would be approximately 1-2 feet below grade for the guest cabins, swimming pool and yoga dome.” Proposed MND, page 47. And “The average slope of the project site is 11%, with the area of development slopes averaging approximately 5-9%.” Proposed MND, page 47-8.

Correction for consistency and clarity regarding both the Site’s slope and the slope of the area proposed to be developed is needed in order for a proper analysis of the potential environmental impacts.

TYPOGRAPHICAL ERROR

In the Aesthetics section, analysis (d) refers to AES-2 twice when only one mitigation measure is being proposed. This appears to be a typographical error.

CONCLUSION

In conclusion, our Center has concerns regarding conflicting data contained in the Proposed MND and its flawed analysis. CSERC asks that its concerns be reviewed and that a revised analysis with corrected data be completed. Further, at a minimum, CSERC’s suggested revisions to the proposed project and our proposed additional mitigation measures should be incorporated into the MND:

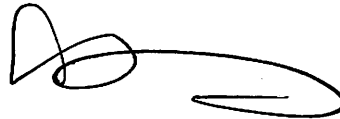
The project revisions include:

1. Annexation by the GCSD should be required as part of this proposed project; and
2. The three proposed propane fire pits should not be allowed.

The additional mitigation measures include:

1. Annual testing of the well should be required to be completed and reported to the County Environmental Health Department for each of the first 5 years (after construction is complete and commercial operations begin);
2. Prior to any occupancy of the newly constructed tiny homes, it should be required that the County certifies that the newly constructed septic system is sufficiently large enough and adequately designed and engineered so as to assure there will be no contamination of groundwater or pooling of septic effluent during the 6-month wet season when soils are often fully saturated and when snow may cover the surface of the ground; and
3. A one-time Fire Service Mitigation Fee be required to be paid to the County and/or GCSD in the amount of \$200,000 to mitigate the impact on Fire and Emergency Services.

Thank you for your consideration. Please contact me should you have any questions or need any further information.



Chelsea Lewandowski
Conservation Coordinator

RECEIVED
FEB 21 11
Community Development
Department



Department of Public Works

Kim MacFarlane, P.E.
Director
Blossom Scott-Heim, P.E.
Assistant Director

48 Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
209.533.5601
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MEMORANDUM

ADMINISTRATION
Assistant to the
Department Head
Emma Hawks
209.694.2718

AIRPORTS
Airport Manager
Tonya Scheftner, P.G.
209.533.5685

BUSINESS
Business Manager
Janelle Kostlivy
209.533.5972

ENGINEERING
Assistant Director
Blossom Scott-Heim, P.E.
209.533.5904

FLEET SERVICES
Fleet Services Manager
Orlando Magdaleno
209.536.1622

**GEOGRAPHIC
INFORMATION
SYSTEMS**
GIS Coordinator
Madeline Amlin
209.533.6592

ROAD OPERATIONS
Superintendent of
Roads and Fleet
Mike Cognetti
209.533.5609

SOLID WASTE
Solid Waste Director
Deborah Reagan
209.533.5588

SURVEYING
County Surveyor
Warren Smith, L.S.
209.533.5626

Date: March 4, 2024

To: Clark Sintek, Planner II

From: Blossom Scott-Heim, P.E., Assistant Director *BSH*
Dave Ruby, AICP, Engineer II *DR*

Re: Initial Study/Mitigated Negative Declaration, SDP22-006
Tiny House Village
23003 and 23015 Sprague Road East, Groveland, California
APN 066-260-039

The Engineering Division of the Public Works Department has reviewed the draft Initial Study/Mitigated Negative Declaration dated January 16, 2024, for the Tiny House Village Site Development Permit SDP22-006 project, and has the following comments:

Transportation Section

Analysis item a):

- We suggest correcting the first paragraph reference to road standards being found in the County's Title 11 and 15; Tuolumne County's road standards are only covered in Title 11. Title 15 more succinctly covers fire-related infrastructure that is site-specific, such as minimum on-site driveway standards, signage, and gates.
- Please edit the second sentence to state, "Although grading and building permits would be issued through HCD, the Engineering Division of the Department of Public Works would review and approve plans for conformity to the adopted County Road improvement standards, and pursuant to Chapter 3.54 of the TCOC, would require the payment of applicable Traffic Impact Mitigation Fees (TIMF)."

Analysis item b):

- First sentence of this section makes reference to a VMT threshold of 41.7. Please specify the unit of measurement this pertains to: is it trips per day? Vehicle miles travelled per guest or employee?

Utilities and Service Systems Section

Analysis item a):

- The "propane connections" referred to for three proposed propane-fueled fire pits on the site would almost certainly be small, refillable individual tanks located at each self-contained fire pit feature or fixture, not a piped connection to a larger, common tank or other public or pseudo-public (district) distribution system

Analysis item c):

- Please state how far the site is located from the nearest public sewer system (GCSD) to complete the determination of TCOC definition of "availability" of public sewer service relative to and relevant to the site.

Appendix A, CalEEMod Summary Report:

- Section 1.2, "Other Project Characteristics," characterizes the project setting as "urban;" is this correct?
- Section 3.0, "Construction Detail," identifies 75 acres of grading applicable to the project and its calculations. The Initial Study elsewhere identifies that the project site is 14.1 acres in size, and it is evident that there is little grading necessary to install the project features. This would suggest that at least a portion of the CalEEMod calculations for the project's construction (grading operation, specifically) are incorrect in scale, as an inaccurate project scope was used for the project's calculations.



COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

UNAPPROVED

MINUTES OF THE TUOLUMNE COUNTY PLANNING COMMISSION

September 18, 2024, 6:00 PM

Board of Supervisors Chambers County Administration Center

4th Floor 2 S. Green St. Sonora, CA 95370

48 Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
(209) 533-5633
(209) 533-5616 (Fax)
(209) 533-5909 (Fax – EHD)
www.tuolumnecounty.ca.gov

PRESENT: Chair Catherine Santa Maria; Vice-Chair Jim Jordan; Commissioners Jerry Morrow, Wesley Brinegar, Jim Cherry

ABSENT: None

STAFF: Quincy Yaley, Community Development Director; Natalie Rizzi, Supervising Senior Planner

CALL TO ORDER/WELCOME:

Chair Catherine Santa Maria called the meeting of September 18, 2024, to order at 6:00 p.m. and led the Pledge of Allegiance.

PLANNING COMMISSION BUSINESS:

1. Reports from Commissioners and Staff

None

2. Report from the Agricultural Advisory Committee Representative

Commissioner Morrow noted that there would be an Agricultural Advisory Committee meeting the following week.

3. Meeting Minutes of July 17, 2024

MOTION: Approval of the meeting minutes of July 17, 2024.

RESULT: Approved

Moved: Commissioner Morrow

SECONDED: Vice-Chair Jordan

AYES: Chair Santa Maria; Vice-Chair Jordan; Commissioners Cherry, Brinegar and Morrow

NOES: None

PUBLIC COMMENT:

Chair Santa Maria opened the 15-minute public comment period, during which anyone wishing to could come forward and address the Commission on any item not on the printed Agenda. She indicated that there would be a three-minute time limit for public comment.

PUBLIC HEARING:

1. LONG GULCH RANCH,

- Zone Change RZ20-002** to rezone the 82.2-acre site from Exclusive Agricultural, Thirty-

Seven Acre Minimum:Airport Combining (AE-37:AIR) to Residential Estate, Five-Acre Minimum:Airport Combining and Open Space (RE-5:AIR and O) under Title 17 of the Tuolumne county ordinance Code (TCOC).

2. **Tentative Subdivision Map T20-002** to divide the 82.2-acre parcel into 13 residential lots, ranging in size from 5.0 acre to 10.07 acres.
3. **Approval of the Mitigative Negative Declaration** for Zone change RZ20-002 and Tentative Subdivision Map T20-002.

Quincy Yaley gave a PowerPoint presentation on the proposed project location and description.

Chair Santa Maria asked if the Commission had any questions for staff.

The Commission asked clarifying questions regarding the emergency response time and the 10-acre ALUC requirements. They asked if there were any restrictions to drilling additional wells if needed.

Chair Santa Maria opened public comment period and asked if there was anyone who wished to speak on the proposed project.

Ron Kopf, project proponent, discussed the difficulties of connecting to public water and sewer. He also discussed the requirements of utilizing wells and septic systems to ensure their ability to serve the project.

Pete Kampa, Groveland Community Services District Manager, expressed frustration with the proposed project and the design to avoid connection to public water and sewer. He raised concerns with the possible lack of fire response to the project site. He indicated that GCSD is willing to work with applicant to provide services to the project site.

Chair Santa Maria closed the public comment period and referred them item back to the Commission.

The Commission asked questions of the applicant about connecting the public water and sewer.

Mr. Kopf replied that he is willing to working with GCSD but does not want the project to be conditioned to require public water and sewer.

MOTION: Recommend approval of RZ20-002 based on Findings A through E; Recommend approval of Tentative Subdivision Map T20-002 based on Findings A through D.

RESULT: **Failed**

MOVED: Commissioner Morrow

SECONDED: Vice-Chair Jordan

AYES: Chair Santa Maria; Vice-Chair Jordan; and Commissioner Morrow

NOES: None

ABSTAIN: Commissioner Brinegar and Cherry

Chair Santa Maria adjourned the meeting.

APPROVED:

Quincy Yaley, AICP
Community Development Department Director

QY: tv



COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

UNAPPROVED

MINUTES OF THE TUOLUMNE COUNTY PLANNING COMMISSION

October 16, 2024, 6:00 PM

Board of Supervisors Chambers County Administration Center
4th Floor 2 S. Green St. Sonora, CA 95370

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(209) 533-5633
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(209) 533-5909 (Fax – EHD)
www.tuolumnecounty.ca.gov

PRESENT: Chair Catherine Santa Maria; Vice-Chair Jim Jordan; Commissioners Jerry Morrow, Jim Cherry, Ron Kopf, and John LaTorre

ABSENT: None

STAFF: Natalie Rizzi, Supervising Senior Planner; Josh Wozynski, Planner I

CALL TO ORDER/WELCOME:

Chair Catherine Santa Maria called the meeting of October 16, 2024, to order at 6:00 p.m. and led the Pledge of Allegiance.

PLANNING COMMISSION BUSINESS:

1. Reports from Commissioners and Staff

Natalie Rizzi, Supervising Senior Planner, informed the Commission that there would be a Commission meeting on November 20, 2025.

Commissioner Morrow raised questions about smoke shops not coming before the Commission.

Ms. Rizzi stated that if the business's were going into existing buildings, then the project would not come before the Commission.

Commissioner Morrow reported on the California County Planning Commissioners' Association Conference that took place in San Luis Obispo.

2. Report from the Agricultural Advisory Committee Representative

Commissioner Morrow noted that there was no meeting; Therefore, there was nothing to report.

3. Meeting Minutes of September 18, 2024

MOTION: Approval of the meeting minutes of September 18, 2024

RESULT: **Failed**

MOVED: Vice-Chair Jordan

SECONDED: Chair Santa Maria

AYES: Chair Santa Maria; Vice-Chair Jordan

NOES: None

ABSTAIN: Commissioners Cherry, Morrow, Kopf, and LaTorre

October 16, 2024

Page 1

PUBLIC COMMENT:

Chair Santa Maria opened the 15-minute public comment period, during which anyone wishing to could come forward and address the Commission on any item not on the printed Agenda. She indicated that there would be a three-minute time limit for public comment.

A member of the public spoke on the upcoming tobacco retail license ordinance going before the Board of Supervisors.

PUBLIC HEARING:

1. DAMBACHER,

2. Resolution for a General Plan Amendment to amend the land use designation of a 5.17± acre parcel (085-280-007) from Rural Residential (RR) to Agricultural (AG) and 5.17± acres of a 61.2± acre parcel (085-050-025) from Agricultural (AG) to Rural Residential (RR) under Title 17 of the Tuolumne County Ordinance Code (TCOC).
3. Ordinance for Zone Change LUNR-23-7 to rezone a 5.17± acre parcel from Residential Estate, Five Acre minimum (RE-5) to Exclusive Agricultural, 37 acre minimum (AE-37) and 5.17± acres of a 61.2± acre parcel from Exclusive Agricultural, 37 acre minimum (AE-37) to Residential Estate, Five acre minimum (RE-5) under Title 17 of the TCOC.

The project site is located at 22394 Lyons Bald Mountain Road near the end of the roadway at the turnoff to Dambacher Mountain Memorial(cemetery) at the intersection of Lyons Bald Mt. Road and Vilas Road past Diestel Turkey. The project site is located within a portion of Sections 16 and 17, Township 2 North, Range 15 East, Mount Diablo Baseline and Meridian and within Supervisorial District. Assessor's Parcel Numbers 085-280-007 and 085-050-025.

Josh Wozynski, Planner I, gave a PowerPoint Presentation on the proposed project location and description.

The Commission asked questions of staff regarding the approval of an easement for parcel B.

Staff indicated that the dedication of an easement would be handled through the survey department when reviewing the lot line adjustment.

Chair Santa Maria opened the public comment period and asked if there was anyone who wished to speak on the proposed project. Seeing no one, she closed the public comment period and referred the item back to the Commission.

MOTION: Recommend approval of Resolution for a General Plan Amendment based on Findings A through E; recommend approval of Ordinance for Zone Change LUNR-23-7 based on Findings A through E.

RESULT: Approved

MOVED: Commissioner Morrow

SECONDED: Commissioner Cherry

AYES: Chair Santa Maria, Vice-Chair Jordan; Commissioners Cherry, Morrow, Kopf and LaTorre

NOES: None

4. REICH,

1. Resolution for a General Plan Amendment (GPA) to amend portions of the General Plan land use designations (GP) of three parcels as follows:

APN:	Area (sq.ft) of Amended GP	Existing GP	Proposed GP
089-040-014	3,397.68 sq. ft	LI	BP
038-260-010	217.8 sq.ft.	BP	LI
038-260-010	914.76 sq. ft	BP	GC
038-260-013	1,089 sq.ft.	GC	BP

LI = Light Industrial
BP = Business Park
GC = General Commercial

2. Ordinance for a Zone Change to rezone the project site under Title 17 of the Tuolumne County Ordinance Code (TCOC) as follows:

APN:	Area (sq.ft) of Amended Zoning	Current Zoning	Proposed Zoning
089-040-014	3,397.68 sq. ft	M-1	BP
038-260-010	217.8 sq.ft.	BP	M-1
038-260-010	914.76 sq. ft	BP	C-1
038-260-013	1,089 sq. ft	C-1	BP

M-1 = Light Industrial
BP = Business Park
C-1 = General Commercial

The project site consists of three parcels located along Longeway Road, approximately 200± feet east of the four-way intersection where North Sunshine Road, Crestview Drive, Longeway Road and Soulsbyville Road intersect. Within a portion of Section 25, Township 2 North, Range 15 East Mount Diablo Baseline and Meridian. The project site is located within Supervisorial District 2. Assessor's Parcel Numbers: 089-040-014, 038-260-010, and 038-260-013.

Josh Wozynski, Planner I, gave a PowerPoint Presentation on the proposed project location and description.

Chair Santa Maria opened the public comment period and asked if there was anyone who wished to speak on the proposed project. Seeing no one, she closed the public comment period and referred the item back to the Commission.

MOTION: Recommend approval of Resolution for a General Plan Amendment based on Findings A through E; recommend approval of Ordinance for Zone Change LUNR-24-3 based on Findings A through E.

RESULT: Approved

MOVED: Commissioner Morrow

SECONDED: Chair Santa Maria

AYES: Chair Santa Maria, Vice-Chair Jordan; Commissioners Cherry, Morrow, Kopf and LaTorre

NOES: None

APPROVED:

Quincy Yaley, AICP
Community Development Department Director

QY: tv

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COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

UNAPPROVED

MINUTES OF THE TUOLUMNE COUNTY PLANNING COMMISSION

November 20, 2024, 6:00 PM

Board of Supervisors Chambers County Administration Center

4th Floor 2 S. Green St. Sonora, CA 95370

48 Yaney Avenue, Sonora
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Sonora, CA 95370
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www.tuolumnecounty.ca.gov

PRESENT: Chair Catherine Santa Maria; Commissioners Jerry Morrow, Jim Cherry, Ron Kopf, and John LaTorre

ABSENT: Vice-Chair Jim Jordan

STAFF: Natalie Rizzi, Supervising Senior Planner; Tamera Blankenship, Housing Development Specialist

CALL TO ORDER/WELCOME:

Chair Catherine Santa Maria called the meeting of November 20, 2024, to order at 6:00 p.m. and led the Pledge of Allegiance.

PLANNING COMMISSION BUSINESS:

1. Reports from Commissioners and Staff

Natalie Rizzi, Senior Planner, indicated that there would be no Commission meetings in December. She noted that the Tiny Village project that was legally noticed had been pulled from tonight's meeting and would come back to the Commission at another meeting.

2. Report from the Agricultural Advisory Committee Representative

Commissioner Morrow indicated that there would be an Agricultural Advisory Committee meeting tomorrow, November 21, 2024.

3. Update on Housing Projects

Tamera Blankenship, Housing Development Specialist, gave a PowerPoint Presentation on OpenGov, REAP 2.0 Grant, Title 17 Update, Development Process Workgroup, Housing Element Certification and Objective Design Standards.

PUBLIC COMMENT:

Chair Santa Maria opened the 15-minute public comment period, during which anyone wishing to could come forward and address the Commission on any item not on the printed Agenda. She indicated that there would be a three-minute time limit for public comment. Seeing no one who wished to speak, she closed the public comment period.

PUBLIC HEARING:

- 1. TITLE 17,** Recommendation on an ordinance to update Tuolumne County Ordinance Code, Title 17, Zoning.

Natalie Rizzi, Supervising Senior Planner, gave a PowerPoint Presentation on the Title 17 Update. She reported that the changes being proposed are minor areas that needed further clarification and changes from the 2024 Housing Element update. She noted that there are no policy changes in this update.

The Commission asked clarifying questions regarding ADU's and Junior ADU's and suggested proving the public with a user's guide on when and where ADU's are allowed within the county.

Chair Santa Maria opened the public comment period and asked if there was anyone who wished to speak on the item.

A member of the public spoke on the residential care facilities and asked for clarification on verification on required licensing.

Chair Santa Maria asked if there was anyone else who wished to speak. Seeing no one, she closed the public comment period and referred the item back to the Commission.

MOTION: Recommend approval Ordinance to update Tuolumne County Ordinance Code, Title 17, Zoning based on Findings A and D
RESULT: Approved
MOVED: Commissioner Morrow
SECONDED: Chair Santa Maria
AYES: Chair Santa Maria Commissioners Cherry, Morrow, Kopf and LaTorre
NOES: None

APPROVED:

Quincy Yaley, AICP
Community Development Department Director

QY: tv

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