

**MARIPOSA COUNTY**  
**(Draft) MITIGATED NEGATIVE DECLARATION**

**(Pursuant to California Administrative Code, Section 15070)**

**APPLICANT/APPLICATION:**     *Major Subdivision No. 2009-052*  
JCS Capital Resources, LLC; applicant

**PROJECT DESCRIPTION:**       Subdivision creating 27 lots ranging in size from 2.61 acres gross (2.50 acres net) to 16.87 acres. The total acreage of the project site is 114.84 acres. The proposed lots are located within a residential land use classification and will be available for residential uses.

Access to the project is from an extension of Hornitos Road (south of Highway 140) into the project site. Hornitos Road at State Highway 140 is improved with a left turn lane. The extension of Hornitos Road on-site is via a 60-foot-wide non-exclusive easement offered for dedication. This easement connects to Guenthart Way at the northeast corner of the project site, which also connects to State Highway 140 at an existing CalTrans encroachment, recently improved through the encroachment permit process for another land division. The applicant proposes a “gate to Cal Fire specifications” at the intersection of the project site access road and Guenthart Way, and this access to State Highway 140 is shown as an access to be used for “emergency access purposes”. Four additional on-site 50-foot-wide non-exclusive cul-de-sac easements created for use and benefit of the subject lots are proposed for access within the project site. There is an existing ranch road on-site, which is the proposed main access road alignment for only a small portion of the route. There is an existing highway access encroachment (off proposed Lot 12), which is not proposed for access to the project site.

The project site is located at 2748 Highway 140, Catheys Valley and is known as APN 016-110-049. It is in Sections 3 and 10, in Township 6 South, Range 17 East, MDBM. It is in the USGS 7.5-minute Catheys Valley topographic quadrangle.

No significant effect is based on the following findings:

1.       The project has the potential to significantly impact biological resources, potential jurisdictional Waters of the U.S. and wetlands in the form of Owens Creek, the seasonal wetland corridor associated with the culvert directed runoff from Highway 140 and ephemeral drainages and wetland features associated with the open water pond and drainages. The project also has the potential to impact nesting raptors and special-status species. Mitigation measures are proposed to reduce these potentially significant impacts to less than significant levels. The project has the potential to impact cultural resources. These resources are bedrock milling stations and historic rock walls. Mitigation measures are proposed to reduce these potentially significant impacts to less than significant levels.
2.       The project will result in increased air emissions, groundwater use, noise, traffic and demand for public services. However, these impacts are not considered to be significant, are individually limited, and not cumulatively considerable. The project’s potential impacts on on-site biological resources can be reduced to less than significant levels with the implementation of proposed mitigation measures. Off-site resources are also protected through these measures. Therefore, the potential cumulative impact on biological resources from project implementation is considered to be less than significant. The project has the potential to impact State drainage facilities associated with Highway 140. Mitigation is proposed to reduce this potentially significant impact to a less than significant level.
3.       There is the potential for the failure of an earthen dam on the site to fail and impact persons and property downstream. Mitigation is proposed to reduce this potentially significant impact to a less than significant level.

Based upon the environmental review conducted within this Initial Study, and the anticipated level of impact as a result of the project, a mitigated negative declaration will be adopted for the project.

No significant effect is based on review procedures of the following County Departments or Divisions:

Building Division       County Health Department  
 Planning Commission       Public Works Department

Other: Mariposa County Unified School District, CAL FIRE, Sierra Telephone, Mariposa County Fire Department, Mariposa County Assessor, California Department of Fish and Wildlife, Southern Sierra Miwok Nation, Mariposa County Agricultural Commissioner, Mariposa County Resource Conservation District, Sheriff's Department, John C. Fremont Hospital, and Pacific Gas & Electric.

No significant effect is based on additional conditions as follows:

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Initial Study was prepared by Alvaro Arias, Deputy Director, and is on file at Mariposa County Planning Department, 5100 Bullion Street, Mariposa, California 95338

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Sarah Williams, Director  
Mariposa Planning

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Date

## CONDITIONS & MITIGATION MEASURES

1. *Insert as approved by the Planning Commission*