

# County of Mariposa

## California Environmental Quality Act Initial Study

### **A. PROJECT INFORMATION:**

Project Title: Land Division Application No. 2020-138

Lead Agency: Mariposa County

Date: April 21, 2021

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Mariposa, CA 95338  
(209) 966-3926

Location: The property is located at 2906 Ranchito Drive, La Grange, CA 95329 within the general Lake Don Pedro development area. This area is located in the northwest portion of Mariposa County. The Assessor's Parcel Number for the property is 020-280-013. The property is situated in a portion of the SW ¼ of Section 27, T.3 S., R. 15E., MDBM. It is located on the Penon Blanco 7.5 Minute USGS Quadrangle. (37°38'34" N; 120°18'39" W).

Project Description: Subdivision of a 17.84± acre parcel into two parcels: Parcel A is proposed to be 5.97± acres in size; Parcel B is proposed to be 11.87± acres in size. The project is a division of Lot 16 of Map No. 2093, Mariposa County Records, recorded on June 17, 1981. The lot is part of the Kassebaum Estates major subdivision.

There is an existing house and appurtenant structures on proposed Parcel A. The parcel contains a septic treatment system, pump and well. There is a paddock on proposed Parcel A. Proposed Parcel B is vacant except for a small chicken coop structure.

The property is bounded by Ranchito Drive on the north, Merced Falls Road on the east and Torre Drive on the south. These roads are all paved and county maintained. Parcel A currently has existing driveways off of Ranchito Drive

and Merced Falls Road. Proposed Parcel B currently has no improved access from either Merced Falls Road or Torre Drive.

Domestic water is available to the property through the Lake Don Pedro Community Services District system. The existing residence on proposed Parcel A is served by an individual well. Proposed Parcel B will be required to meet Mariposa County General Plan and Mariposa County Health Department requirements regarding supply of domestic water to the parcel. Septic disposal is provided by individual septic systems.

General Plan/Zoning

The project site is located within the Lake Don Pedro Planning Study Area. The area is identified in the General Plan as a Town Planning Area. A Town Plan will eventually be developed for the area. Until then, interim land use regulations apply to the area. The project site is located within the Residential Land Use Classification (LUC) as described in the Mariposa County General Plan. The project site is zoned Rural Residential. The proposed land division meets the standards of this LUC and zone. The Rural Residential zone allows for parcels to be divided to a minimum of 2.5 acres, however no parcel or lot shall be divided below five (5) acres without establishment of a community sewer system. The project does not propose parcels of less than five acres in size. The proposed project meets the General Plan and zoning standards governing the site.

A note on the map for the Kassebaum Estates Major Subdivision restricted further subdivision of parcels within the development due to shallow soils and foliated bedrock material precluding the ability of the land to support on-site sewage disposal. At the time (1981), sufficient technology for engineered or alternative septic systems was not available. Today, that is not the case. Therefore, lots within Kassebaum Estates can be considered for further division. This determination was made during the processing of Land Division No. 2010-008 in 2010, which divided a 15.6-acre parcel in Kassebaum Estates subdivision into three parcels of approximately five acres each.

Surrounding Land  
Uses:

North	17.28 acres	Vacant
Northeast	23.48 acres	Mini Storage
East	26.58 acres	Residential
Southeast	12.786 acres	Vacant
Southwest	5.768 acres	Vacant

Site Development  
Characteristics:

The characteristics of the project site are typical for this area of Mariposa County. Vegetation on the site consists of a mixture of native and introduced plants and grasses. There are very few trees on the site. Four mature blue oaks are located on the property. Extensive grazing has occurred on the site. The cultural resources survey of the site stated the property is an open agricultural field that has been deep-ripped to four feet and left fallow. A seasonal drainage runs through the property. Average elevation on the project site is 1,100 feet above sea level.

Project Studies:

The following studies have been completed for this project and are available for review (except the Cultural Resources Survey) at the Mariposa County

Planning Department. Recommendations and conclusions of these studies are discussed in this study and are part of the proposed project.

- a. Preliminary Biological Survey, Michael Elsohn Ross, October 15, 2020.
- b. Cultural Resource Survey Report – Culturescape, October 12, 2020.

*Reference Documents:* All of the documents cited and relied upon in the preparation of this Initial Study are available at the County of Mariposa Planning Department, with the exception of the Cultural Resources Survey for this property, which is confidential, and are hereby incorporated into the record for this Initial Study.

**B. SUMMARY OF PROJECT IMPACT TO ENVIRONMENTAL FACTORS:**

(blank): no impact

**L:** Less than Significant Impact

**M:** Less than Significant Impact with Mitigation

**PS:** Potentially Significant

<u>L</u> Aesthetics	<u>_____</u> Agriculture/Forest Res.	<u>L</u> Air Quality
<u>M</u> Biological Resources	<u>_____</u> Cultural Resources	<u>L</u> Energy
<u>L</u> Geology/Soils	<u>L</u> Greenhouse Gas Emissions	<u>L</u> Hazards and Hazardous Mat.
<u>_____</u> Hydrology/Water Quality	<u>_____</u> Land Use/Planning	<u>_____</u> Mineral Resources
<u>L</u> Noise	<u>_____</u> Population/Housing	<u>L</u> Public Services
<u>L</u> Recreation	<u>L</u> Transportation	<u>_____</u> Tribal Cultural Res.
<u>_____</u> Utilities/Service Systems	<u>L</u> Wildfire	<u>M</u> Mandatory Findings of Significance

This study found that the project has the potential to impact a blue line drainage on the project site. Mitigation is proposed to reduce this potentially significant impact to a less than significant level.

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**Section A**  
**CEQA DETERMINATION OF IMPACT**

On the basis of this initial evaluation:

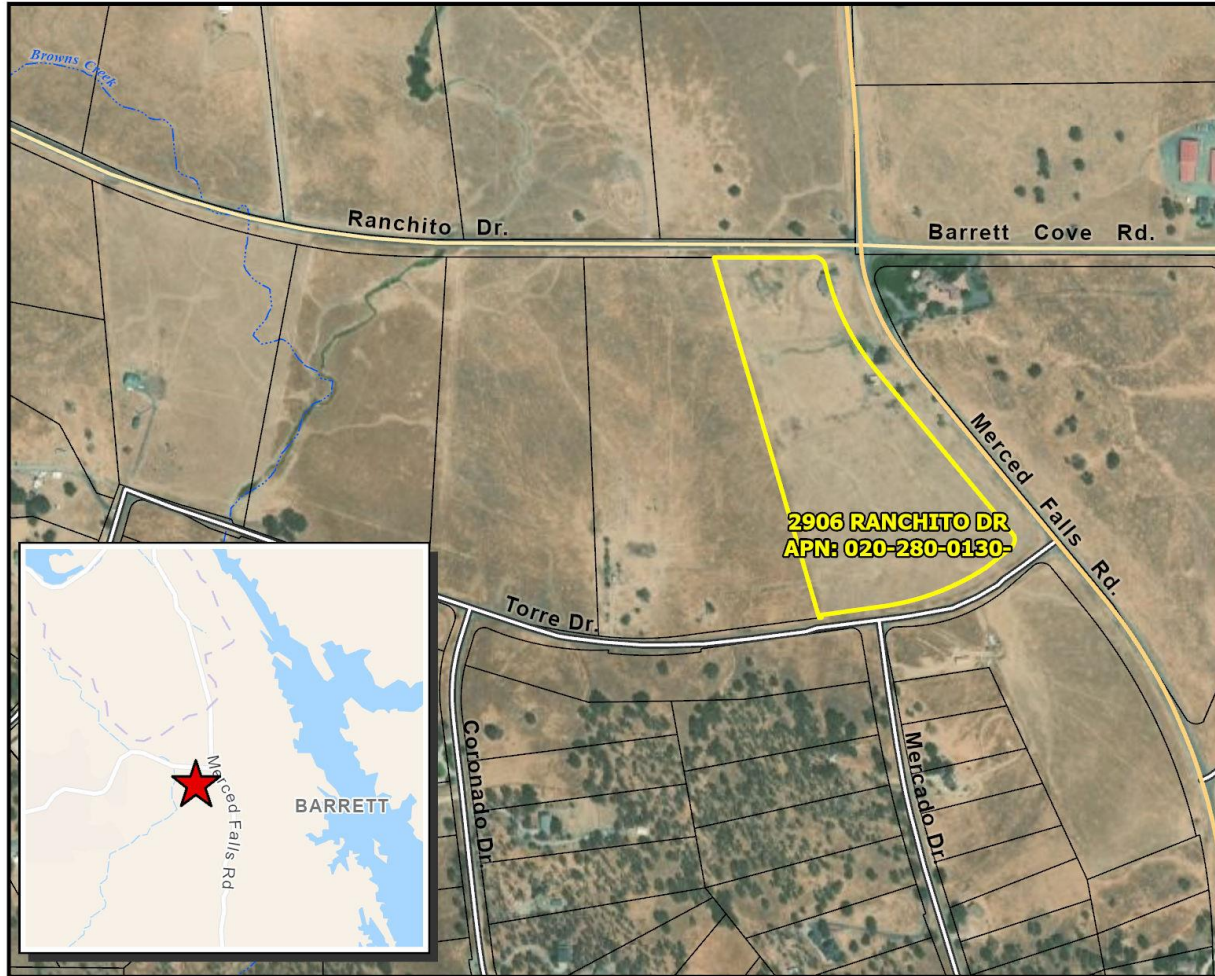
- 1) I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- 2) I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- 3) I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- 4) I find the proposed project MAY have a “potentially significant impact” or “Less Than Significant With Mitigation” impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- 5) 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.

By: Steve Engfer Date: May 7, 2021

Title: Senior Planner Representing: County of Mariposa

Signature: 

# Mariposa County Planning Department Project Vicinity Map



0 800 1,600 Feet

1:6,825

**PROJECT TYPE: LDA-Minor 2020-138**

**APPLICANT: Jorge & Silvia M. Garcia**

**APN: 020-280-0130-**

**SITE ADDRESS: 2906 Ranchito Dr. La Grange**

Coordinate System: NAD 1983 State Plane California III FIPS 0403 Feet

Date: Monday, September 28, 2020

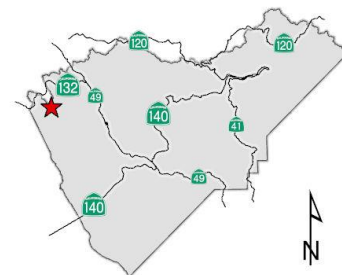
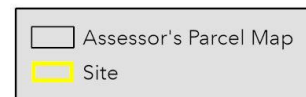
Data Source: Mariposa County Planning Department GIS;

Assessor's Parcel Map Update: 07/2020

Author: J.W.



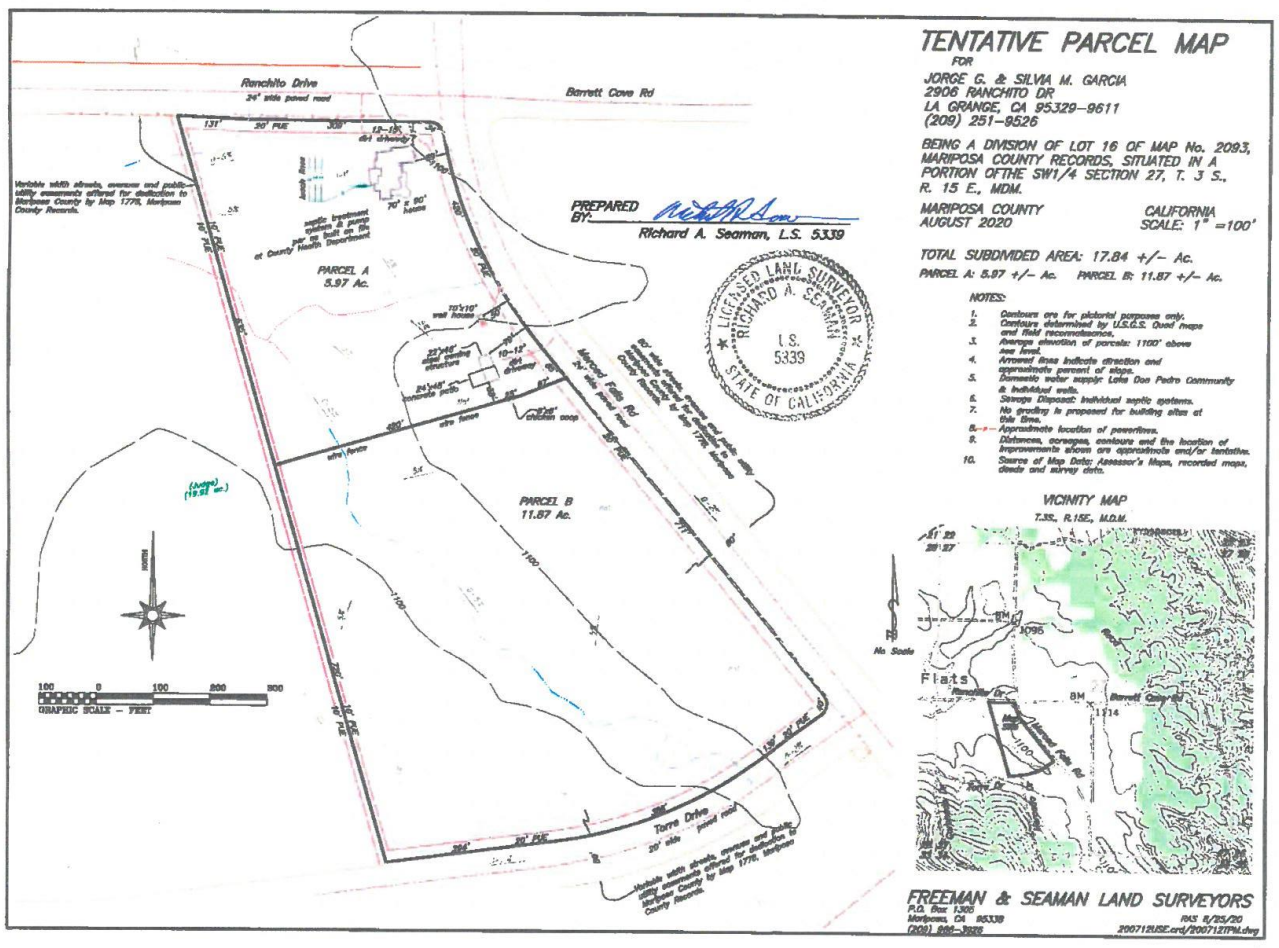
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Mariposa County makes no warranty regarding the accuracy of the GIS or the analysis and conclusions resulting from using our GIS data. Location in Mariposa County



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## Section B

### CEQA ENVIRONMENTAL CHECKLIST

#### EVALUATION OF ENVIRONMENTAL IMPACTS

### 1. AESTHETICS

1. AESTHETICS Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
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 nonurbanized areas, substantially degrade the existing visual character or quality of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is 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?			√	

**1. a and c**

The proposed project is located in a general area that has been developed with medium to large lot single-family residential and commercial uses, including a mini-storage facility. One of the proposed parcels is already developed with residential and appurtenant uses. The project will add an additional residential parcel.

There are two elements involved in determining the level of significance of potential impacts to visual quality; the effect of the project on:

- 1) The rural character of the area, as that character is defined by the General Plan; and
- 2) Viewsheds in relation to the values expressed in the Mariposa County General Plan regarding noted types of sensitive landscape elements.

The General Plan EIR points of significance (Table 4.12-1, pg. 4-69) indicate potentially significant impacts will occur with development of *non-single family residential development* that does not adhere to related General Plan policies of Chapters 5, 7, 10, 11 and 14. The project proposes the division of a 17.84-acre parcel into two parcels,



one of which is currently development with a residence and appurtenant uses. *Thus the proposed project will have a less than significant impact on viewsheds.*

**1.b State Scenic Highway**

The project is not adjacent to, or visible from, a designated State Scenic Highway, *thus the project will have no impact.*

**1.d. Create Light or Glare**

A significant impact would be one that creates a new source of substantial light or glare that would adversely affect day or nighttime views in the area. While future residential development on the new parcel will result in an increase of light and glare, the amount generated is typically low in quantity (number of lights) and intensity (wattage). The lighting impacts created by future residential development of the parcel will be consistent with other similarly developed parcels in the general vicinity of the site. *Therefore, the project will have a less than significant impact.*

**2. AGRICULTURE and FOREST RESOURCES**

<b>2. AGRICULTURE RESOURCES</b> Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
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)) or timberland (as defined in Public Resources Code section 4526) or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				√
d) Result in 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 or conversion of forest land to non-forest use?				√

**2.a, b, c, d -e Farmland, Williamson Act, Forest Resources, Agricultural Zoning**

A significant impact would be one that converts farmland designated as “prime,” “unique” or “farmland of statewide importance” to nonagricultural uses; conflicts with Williamson Act land; or results in loss or conversion of forest land to non-forest uses. The project is not located in an important farmland area. The area is identified as “grazing” land on the Mariposa County Important Farmland Map, 2016, prepared by the state Department of Conservation under the Farmland Mapping and Monitoring Program. *Therefore, it will have no impact* on any important farmland category. The project site contains no forest land as defined in Public Resources Code (PRC) Section 12220(g) nor timberland as defined in PRC Section 4526.

The proposed project site is not in a Williamson Act Contract and will not conflict with forest land zoning or convert land from agricultural uses. The project site is currently used for residential purposes and grazing. However, the land is not located in an agricultural zone. The site is located within the Lake Don Pedro Planning Study Area. The project is consistent with the Mariposa County General Plan and Title 17, Mariposa County Zoning Code.

*Thus, the project will have no impact on Agriculture and Forest Resources.*

**B.3 AIR QUALITY**

3. AIR QUALITY – [Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.] Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
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?			√	
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?			√	

**B.3.a Air Quality Plan and Violation of Air Quality Standards**

A significant impact would be one that conflicts with or obstructs implementation of the applicable air quality plan.

Under the California Clean Air Act of 1988, districts designated as non-attainment for state Clean Ambient Air Quality Standards (CAAQS) must submit a plan for attaining or maintaining state standards for these pollutants. Mariposa County is located within the Mountain Counties Air Basin (MCAB) and is under the jurisdiction of the Mariposa County Air Pollution Control District (MCAPCD). Mariposa County is classified as either attainment or

unclassified status for all federal air quality standards, except ozone; therefore, the California Air Resources Board is not requiring such a plan be prepared. The MCAPCD has adopted regulation XI and amended rule 513 that address New Source Review for projects that will emit more than 100 tons of Ozone Precursors.

This project is a division of a 17.84 acre parcel into two parcels, one of which is currently developed with residential and appurtenant uses. Due to the low density of the proposed development and allowed uses, there would be no significant increase of air pollutants that would exceed 100 tons of Ozone Precursors.

*Thus, the project will have no impact on implementation of an Air Quality Plan.*

### **B.3.b Cumulative Impacts**

A significant impact would be one that results 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.

Grading activities during the construction of a driveway(s) and building pad on the one new parcel may temporarily increase the level of dust in the air that may have a localized temporary effect on ambient air quality. However, grading for residential development is required to comply with 2019 California Code of Regulations Title 24, Parts 1-12 requirements for grading. Compaction requirements for grading must be met. For grading work during the winter months, no additional soil moisture is needed to meet the compaction requirements and dust emissions are not typical. For grading work during the summer months, addition of soil moisture is typically necessary in order to meet compaction requirements. Consequently, dust emissions are minimized. Enforcement of the 2019 California Code of Regulations Title 24, Parts 1-12 requirements for grading will ensure that construction activities for this project will not create substantial amounts of dust or other airborne pollutants.

*Based on this, the project will have a less than significant cumulative impact on criteria pollutants.*

### **B.3.c Sensitive Receptors to Pollutants**

A significant impact would be one that exposes sensitive receptors to pollutant concentration. Sensitive receptors are defined as members of a population who are most sensitive to the adverse health effects of air pollution and the land uses where these populations groups would reside for long periods. These groups include children, elderly, the acutely ill and the chronically ill, and typical land uses include schools, residential care facilities, and hospitals. The project is not located near any sensitive receptor. *Thus, the project will have no impact on sensitive receptors.*

### **B.3.d Other Emissions Affecting Substantial Number of People**

A significant impact would be one that results in other emissions (such as those leading to odors) adversely affecting a substantial number of people. The proposed project will result in the creation of one new parcel. The type of development associated with the development of that parcel will not create objectionable odors or other emissions that may affect a substantial number of people. The project is consistent with development and land uses within the immediate and general vicinity.

*The project will have a less than significant impact on other emissions and odors.*

**B.4 BIOLOGICAL RESOURCES**

4. BIOLOGICAL RESOURCES Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				√
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?		√		
c) Have a substantial adverse effect on state or federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				√
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				√
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				√
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				√

A preliminary biological survey to determine the likelihood of a rare plant or animal being present on the property was conducted on October 14, 2020 by Michael Elsohn Ross. The results of the survey, dated October 15, 2020, are on file at the Mariposa County Planning Department.

The following summary reflects the information contained in the survey.

**B.4.a, c, d, f Candidate, Sensitive or Special Status Species**

A significant impact would be one that has a substantial adverse effect on any candidate, sensitive or special status species. The survey states that the area around the existing residence and the paddock in the area to be subdivided are severely overgrazed and the lack of a year round creek makes it unlikely to host Madera leptosiphon, the valley elderberry longhorn beetle (VELB), the foothill yellow legged frog and western pond turtle. The plants that were found are typical of a seriously disturbed site. There are no shrubs on the property and thus no blue elderberry, which is host plant for the VELB. The seasonal drainage running across the paddock and into the property around the residence was dry and too shallow to support vertebrate aquatic species such as the yellow legged frog and western pond turtle, even if there was year round water.

*The project will have no impact on the described issues in a, c, d. and f. above.*

**B.4.b Riparian Habitat/Sensitive Natural Community**

A significant impact would be one that has a substantial adverse effect on a riparian habitat. Proposed Parcel A is already developed with a residence and appurtenant uses. Proposed Parcel B is undeveloped. There is adequate space on the proposed parcels to develop residential uses without impacting the blue line drainage that runs through the site. However, there is the potential for a future parcel owner to propose crossing the drainage during site development. This is a potentially significant impact requiring mitigation. *The following measure is proposed to reduce this potentially significant impact to a less than significant level:*

**Mitigation Measure 4.b.1**

An open space setback of twenty-five (25) feet from the centerline of the blue line drainage on the site shall be shown on the parcel map. A statement shall be recorded in Official Records concurrently with the parcel map and referenced on the parcel map or shall be included on an additional map sheet which indicates its relationship to the parcel map. The statement shall be as follows:

*“This notice is not intended to affect record title interest. There are open space setbacks on Parcels A and B as shown on the Parcel Map filed in the Book of Maps \_\_\_\_ at Page \_\_\_\_, Mariposa County Records. The setback is twenty-five (25) feet from the edge of the drainage. No structure or improvement shall be constructed within the open space setback except as provided below. A well or wells, water pipes, underground and above ground power lines, fencing and other similar structures or improvements may be constructed within the open space setback subject to approval by the Planning Director. Consultation with a qualified biological consultant, whose services shall be paid for by the property owner, may be required by the Planning Director in order to make a determination. No removal of vegetation (except noxious weeds identified by the United States Department of Agriculture, the California Department of Food and Agriculture, and/or the Mariposa County Agricultural Commissioner) shall be allowed within the open space setback, except as determined necessary by CAL FIRE, and except as needed to implement the uses described in this and the following paragraph. No grading shall be allowed within the setback, except as needed to implement the uses described in this and the following paragraph.*

*Prior to any grading or construction activities occurring within this setback area, the owner of said lots shall contact the California Department of Fish and Game to determine if a State Fish and Game Code Section 1602 Streambed Alteration Notification is required. If required, the owner shall submit the*

*notification and comply with all applicable requirements of Section 1600 et seq. of the State Fish and Game Code.*

*Depending upon the location and nature of the construction, grading, or disturbance within the setback area, the parcel owner may be required to obtain approval from the Army Corps of Engineers for permitting under Section 404 of the Clean Water Act. This agency shall be contacted prior to initiation of any disturbance to the setback area. If a Section 404 permit is required, a Section 401 Water Quality Certification from the State Regional Water Quality Control Board shall also be required”.*

**Monitoring for Mitigation Measure 4.b.1:** This mitigation measure will be monitored by the Mariposa County Surveyor and the Mariposa County Planning Department through the parcel map filing process.

**B.4.e Ordinances and Policies Protecting Biological Resources**

A significant impact would be one that conflicts with local ordinances and policies protecting local biological resources. The survey states that in accordance with the Oak Conservation Act, oaks on property proposed for subdivision need protection from development such as roads and building construction. There are four mature blue oaks on the property. The two in the southeast corner of the land around the house have a dbh (diameter at breast height) of 30 inches and the two (both 34 inch dbh) in the fenced corner at the southeast corner of the paddock do not appear to be in danger from any driveway constructed to access the subdivided parcel. The survey concludes with the statement that any development on the subdivided parcel should be 25 feet from the dripline of the oaks.

It is unlikely that further development on proposed Parcel A and new development on proposed Parcel B will impact the blue oak trees on the property. The sparseness of vegetation on the project site will encourage parcel owners to preserve as many trees as possible. There is sufficient space on the proposed parcels to develop residential uses and sufficient frontage along maintained county roads to develop driveway encroachments, without impacting the oak trees. The biological survey prepared for the project did not identify the site as an Oak Woodland, nor does the site meet the definition of an Oak Woodland and is therefore not subject to the provisions of the State Oak Woodlands Conservation Act. Given these factors, development on the proposed parcels will minimize the removal of native trees in accordance with Implementation Measure 11-4a(2) of the Mariposa County General Plan. *Thus, the project will have no impact on blue oak trees.*

**B.5 CULTURAL RESOURCES**

<b>5. CULTURAL RESOURCES</b> Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?				√
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?				√
c) Disturb any human remains, including those interred outside of dedicated cemeteries?				√

A Cultural Resource Survey of the project site was conducted in early October 6, 2020 and the survey results are dated October 12, 2020.

**B.5.a, b, c Historic/Archaeological Resources/Human Remains**

A significant impact would be one that would cause a substantial adverse change in the significance of an historic, archaeological, unique paleontological resource; unique geologic feature; or that would disturb human remains. The survey report concluded that no prehistoric cultural artifacts were observed during the survey. The report stated that the project site is an open agricultural field that has been deep-ripped to four feet and left fallow. The area offered 100% visibility. The parcels are accessed directly from paved, county maintained roads and the project does not propose the construction of new subdivision roads that may disturb human remains. *The project will have no impact on cultural resources, including human remains.*

**B.6 ENERGY**

6. ENERGY Would the 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?			√	

**B.6. a, b Energy**

The proposed project consists of the division of a 17.84-acre parcel into two parcels of almost six acres and 12 acres. Proposed Parcel A (5.97 acres) is already developed with a residence and appurtenant uses. The project is in compliance with the zoning and land use designation applied to the property. The construction and operation of this proposed project would not require the creation of a new source of energy.

During further construction on proposed Parcel A and new development on proposed Parcel B there would be a temporary consumption of energy resources required for the movement of equipment and materials; however, the duration of construction is limited. There are no unusual project characteristics or processes involved in this project that would require the use of equipment that would be more energy intensive than is used for comparable activities, or the use of equipment that would not conform to current emissions standards and related fuel efficiencies. Compliance with local, State, and federal regulations would reduce short-term energy demand during construction to the extent feasible, and project construction would not result in a wasteful or inefficient use of energy.

State and local agencies regulate the use and consumption of energy through various methods and programs. As a result of the passage of Assembly Bill 32 (AB 32) which seeks to reduce the effects of Greenhouse Gas (GHG) Emissions, a majority of the state regulations are intended to reduce energy use and GHG emissions. These include, among others, California Code of Regulations Title 24, Part 6–Energy Efficiency Standards, and the California Code of Regulations Title 24, Part 11– California Green Building Standards (CALGreen). In Mariposa County, the County’s Building Department enforces the applicable requirements of the Energy Efficiency Standards and Green Building Standards in Title 24. Accordingly, the proposed project would not conflict with or obstruct State or local plans for renewable energy or energy efficiency.

*The project will have a less than significant impact.*



**B.7 GEOLOGY AND SOILS**

7. GEOLOGY AND SOILS -- Would the project: a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
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 geologic feature?				√

**B.7.a**            **Faults, Ground Shaking, Ground Failure and Landslides**

A significant impact would be one that exposes people or structures to loss, injury or death.

Earthquake Faults: Alquist-Priolo Earthquake Fault Zone maps indicate that Mariposa County does not contain a Special Study Zone and a map has not been created for Mariposa. The project site is located in the Lake Don Pedro area, west of the identified fault zones of the county (Earthquake Fault Map, Technical Background Report – 2006 Mariposa County General Plan, Volume 3). There are fault zones near Bear Valley, and north east of Briceberg. The majority of the County falls within the lowest earthquake hazard zone of 10-20% probability.

All construction in California is required to comply with California Building Code standards with respect to the seismic design category as determined by specific area. Additionally, California Building Code standards regulate the construction of foundations or footings by verifying soil conditions, compaction, and drainage requirements are met. Compliance with California Code of Regulations Title 24, Parts 1-12 standards will be required prior to any development outside of routine maintenance of existing structures and access easements.

*Thus, the project will have a less than significant impact.*

Ground Shaking: All construction in California is required to comply with all California Building Code standards with respect to the seismic design category applicable to a specific area.

*Thus, the project will have a less than significant impact.*

Ground Failure: Liquefaction hazard areas have not been identified in Mariposa County. The State’s Seismic Hazard Mapping Program has not yet mapped the County of Mariposa to determine the probability of various types of ground failure likely to occur as a result of earthquake activity. Uniformly applied California Building Code standards require the preparation of a “soils investigation” report for all new building construction. These reports are required to provide complete evaluations of the foundation conditions of the site including design criteria related to the nature and extent of foundations materials, groundwater conditions, liquefaction potential, settlement potential and slope stability. The soils report must be prepared by a California-registered engineer. The building permit process will ensure that this report is properly prepared and reviewed.

*Thus, the project will have a less than significant impact.*

Landslides: The State’s Seismic Hazard Mapping Program has not yet mapped Mariposa County to determine the probability of landslide occurrence as a result of earthquake activity. The Five County Seismic Safety Study performed a generalized landslide risk appraisal and found that there was minimal risk of landslides caused by earthquakes in areas of low relief and moderate to high risk found in the remaining mountainous areas of the County.

Landslides generally occur on slopes of 15 percent or greater. The project site’s topography is flat to up to 5% grades.

*Thus, the project will have no impact.*

**B.7.b**            **Soil Erosion**

A significant impact would be one that results in substantial soil erosion or loss of topsoil. The project site is flat to up to 5% grades and any further development on proposed Parcel A and new development on proposed Parcel B is unlikely to result in loss of topsoil.

The 2019 California Code of Regulations Title 24, Parts 1-12 standards, also contain drainage plan requirements to ensure that any changes to existing drainages are done in such a way as to ensure that the function and capacity of

any affected drainage course is maintained following construction. Soil compaction standards, provisions for sediment control during construction, and re-vegetation following construction are contained in this ordinance. Onsite inspections by the Building Department are conducted to ensure compliance with these requirements.

No subdivision roads are required to be constructed to implement the project.

These adopted policies and ordinance requirements, the required permits and onsite inspections, will ensure *a less than significant impact* from future grading activities associated with implementation of the development of the parcels.

**B.7.c Unstable Geology/Soil**

A significant impact would be one where soil becomes unstable as a result of the project. The project site has been partially developed and topography is flat to up to 5% grades.

*The project will have a less than significant impact on the issue of unstable geology and soil.*

**B.7.d Expansive Soils**

A significant impact would occur if the project is placed on expansive soils and creates substantial risk to life or property. Construction on the project parcel will require compliance with the 2019 California Code of Regulations Title 24, Parts 1-12 standards for the construction of foundations. The California Building Code standards are implemented through the building permit process. Onsite inspections by building inspectors are conducted to ensure construction is in compliance with these standards. Based upon the existing permit requirements in place, the implementation of 2019 California Code of Regulations Title 24, Parts 1-12, and the onsite inspections, *the project will have a less than significant impact.*

**B.7.e Septic Systems**

A significant impact would occur if septic tanks or systems are utilized for the project and the soil is unable to support their use. The residential lots within this new subdivision will use individual, on-site sewage disposal systems as allowed by section 5.3.02.E(3) of the Mariposa County General Plan.

A note on the map for the Kassebaum Estates Major Subdivision restricted further subdivision of parcels within the development due to shall soils and foliated bedrock material precluding the ability of the land to support on-site sewage disposal. At the time (1981), sufficient technology for engineered or alternative septic systems was not available. Today, that is not the case. Therefore, lots within Kassebaum Estates can be considered for further division. Mariposa County Health Department Policy 03-01 will require that percolation tests and soils analysis tests be performed on Parcel B and a report meeting the requirements of Health Department Rules and Regulations be submitted to the department and be approved by the County Environmental Health Specialist prior to recordation of the parcel map. *The regulatory environment in place regarding the ability of new parcels to meet required septic system requirements will ensure that the project will have a less than significant impact on this issue.*

**B.7.f Paleontological or Unique Geologic Features**

A significant impact would occur if the project would directly or indirectly destroy a unique paleontological resource or site or unique geological feature. There are no known unique geologic features located on the project site. The cultural resources survey prepared for the site did not identify any paleontological resource or site, nor is one known to occur on the project site. *The project will have no impact on this issue.*

**B.8 GREENHOUSE GAS EMISSIONS**

8. GREENHOUSE GAS EMISSIONS Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			√	
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?			√	

**B.8.a,b Greenhouse Gas (GHG) Emissions**

A significant impact would occur if the project generated greenhouse gas emissions that may have a significant impact on the environment or conflict with a plan adopted to reduce the emissions of greenhouse gases.

In summarizing the analysis of potential impacts to greenhouse gas emissions from implementation of the General Plan the EIR certified for the General Plan concluded the following on page 2-99:

Impact AQ-4. *Build-out of the proposed General Plan may result in changes in air movements, moisture, temperature or climate. However, no projects of the magnitude that would cause such impacts are anticipated in the County. Major projects that would produce large amounts of greenhouse gases are likewise not anticipated. In the event that such projects are proposed, the projects would be subject to national and international regulations, and thus would result in impacts that are at a level of less than significant.*

Subsequent to the 2006 certification of the General Plan EIR, the State of California enacted statute AB 32 which established the state’s goals of (a) achieving by 2020 a statewide greenhouse gas emissions (GHG) limit no higher than total 1990 statewide GHG emissions, and (b) continuing after 2020 to achieve even further reductions in GHG emissions.

SB 97 required that the Natural Resources Agency certify and adopt amended CEQA Guidelines for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions by January 1, 2010 pursuant to Public Resources Code section 21083.05.

To assist in evaluating whether a project may generate a quantity of GHG emissions that could have a significant effect on the environment, thresholds of significance have been developed by some State agencies. Some of these thresholds establish a level at which a project would necessitate additional analysis or whether the project is not considered to create a significant impact. Neither the County of Mariposa, the Mountain Counties Air Basin, nor the Mariposa County Air Pollution Control District have adopted thresholds of significance for GHG emissions. As a result, the 2017 Bay Area Air Quality Management District (BAAQMD) CEQA Air Quality Guidelines are used to determine the significance of the project. The BAAQMD guidelines establish three (3) ways to measure whether a project will have a significant impact or not:

- Complying with a qualified GHG reduction strategy

- Annual emissions of less than 1,100 metric tons per year (MT/yr) of CO<sub>2</sub>e
- Service person threshold of 4.6 MT CO<sub>2</sub>e/SP/yr

For the purposes of this project, the use of the 1,100 MT/yr of CO<sub>2</sub>e is appropriate since Mariposa County does not have a qualified GHG Reduction Strategy and the project is not a high-density project where the service person threshold is more appropriate. Any construction emissions would be temporary in nature. BAAQMD does not have a threshold of significance for construction emissions. BAAQMD does provide a screening process to prevent unnecessary evaluation of typical GHG emissions. This project has the potential to have up to 3 additional homes constructed on the project site; one additional on proposed Parcel A and two on proposed Parcel B, which is less than 10% of the screening criteria for single family residential development of 56 dwelling units.

The project will not be a significant contributor to greenhouse gas emissions, but may contribute cumulatively to the generation of greenhouse gas emissions from vehicle emissions in the county and region. *This impact, however, is considered to be less than significant in light of overall greenhouse gas emissions, thus the proposed project will not result in significant air quality impacts, including GHG emissions.*

**B.9 HAZARDS AND HAZARDOUS MATERIALS**

<b>9. HAZARDS AND HAZARDOUS MATERIALS</b> Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
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 a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety				√

hazard for people residing or working in the project area?				
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?			√	

**B.9.a, b Transport of Hazardous Materials/Upset and Accident**

A significant impact would be one that produces a substantial risk to the public from routine transportation, use, or disposal of hazardous material, or from reasonably foreseeable accidental release into the environment of such material through upset or accident. Further development on the site will not result in the handling, transport or use of hazardous materials except for those associated with normal residential development. Residential uses typically do not use or store large amounts of hazardous materials. The project would not involve the use, storage, transportation or disposal of hazardous materials other than what is typically used for cleaning of households, maintenance and landscaping. Construction activity may include temporary storage and use of potentially hazardous material such as fuel and oil. Any spills would be subject to local, state, and federal regulations, which minimize the risk associated with construction activities. Due to these factors, *the project will have a less than significant impact on these issues.*

**B.9.c School Proximity**

A significant impact would be one that emits hazardous emissions or results in the handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. There are no schools located within a quarter-mile of the project site. There are no known plans for a school within a quarter-mile of the project site. *Thus, the project will have no impact.*

**B.9.d Exposure from Existing Contaminated Sites**

A significant impact would be one that is located on a listed contamination site and exposes the public or the environment to the hazard. The project site is not listed on the Mariposa County Environmental Health Unit’s list of hazardous sites. *Thus, there will be no impact.*

**B.9.e Hazards Near Airports and Airstrips**

A significant impact would be one that results in a safety hazard for people residing or working in the vicinity of a public airport or private airstrip. The project site is not within two miles of a public airport, and no private airstrips are known to exist within the area of the project site. *Thus, there will be no impact.*

**B.9.f Emergency Response Plans**

A significant impact would be one that impairs the implementation of or interferes with an emergency response or evacuation plan. The construction of single family residences will not interfere with any emergency response or evacuation plan. The development of the parcels with residences will not generate an amount of traffic that would affect an emergency response plan. *Thus, there will be no impact.*

**B.9.g Risk of Wildland Fires**

A significant impact would be one that exposes people or structures to a significant risk of wildland fires. The State of California adopted the State Fire Safe Regulations for the purpose of establishing minimum wildfire protection standards in conjunction with building, construction and development in the State Responsibility Areas (SRA).

These regulations, known as SRA Firesafe Regulations provide for basic emergency access and perimeter wildfire protection measures, including clearance around structures. Future residential building permits for the project parcels also necessitate review by CAL FIRE and onsite inspection prior to permit completion. Finally, future residential development is subject to continued inspection by CAL FIRE for maintenance of 100' clearance around structures (LE 100). These inspections may be done yearly.

Residential development will be subject to all applicable fire safe regulations.

Due to uniformly applied construction and land management standards in State Responsibility Areas such as the Lake Don Pedro area, *the project will have a less than significant impact on the issue of wildland fires.*

**B.10 HYDROLOGY & WATER QUALITY**

<b>10. HYDROLOGY AND WATER QUALITY</b> Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
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 a substantial erosion on- or off-site;			√	
ii) substantially increase the rate or amount of surface runoff in a manner which would result in 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?			√	

**B.10.a Water Quality Standards/Waste Discharge Requirements/Water Quality**

A significant impact would occur if the project violated a water quality standard or waste discharge requirements or otherwise substantially degraded surface or groundwater quality. A septic system serving the house on proposed Parcel A is already installed. Proposed Parcel B will also utilize an individual septic system. Prior to recordation of the parcel map for the project, percolation tests and soils analysis tests will be required to be performed on proposed Parcel B to determine suitability of the soils on the parcel for septic disposal. The testing and report to be filed will be required to be in accordance with Mariposa County Health Department Policy 03-01.

The 2019 California Code of Regulations Title 24, Parts 1-12 standards, also contain drainage plan requirements to ensure that any changes to existing drainages are done in such a way as to ensure that the function and capacity of the affected drainage course is maintained following construction.

These adopted policies and ordinance requirements, and the required permits and onsite inspections, will ensure *a less than significant impact* from future grading activities associated with development on the parcels. Uniformly applied development standards for the permitting and regulation of individual sewage disposal systems, are designed to address public health and safety concerns, and will ensure that *the project will have a less than significant impact on water quality standards*.

**B.10.b,e Changes in Groundwater Resources**

A significant impact would be one that substantially depletes groundwater quantities; interferes with groundwater recharge, or impacts a water quality control plan or sustainable groundwater management plan. Water is available to the site through the Lake Don Pedro Community Services District and individual wells. Proposed Parcel A is already developed with a well. The creation of a new parcel will have a minimal effect on groundwater resources. The provision of domestic water to proposed Parcel B will be subject the project to proof of water requirements contained in the Mariposa County General Plan. The requirements are required to be met prior to the recordation of the parcel map for the project. The project applicant states that the project site has approved water availability from the Lake Don Pedro Community Services District system. Availability consists of water pipes and meters for both parcels. *Impacts on water quality and groundwater from the proposed development are less than significant.*

**B.10.c Drainage Patterns/Impervious Surfaces; Substantial Erosion; Flooding; Stormwater System Capacity; Polluted Runoff**

A significant impact would be one that substantially alters drainage and surface flows through alteration of the course of a stream or river or through the addition of impervious surfaces in a manner that results in substantial erosion or siltation on- or off-site; substantially impacts drainage patterns causing flooding on- or off-site; contributes runoff causing the capacity of drainage systems to be exceeded or provides substantial polluted runoff; or redirects flood flows. The project will not alter the course of a stream or river; result in substantial erosion on- or off-site; substantially increase the rate of surface runoff, so as to result in flooding; contribute substantial runoff result in exceedance of stormwater drainage system capacity; provide substantial additional sources of polluted runoff; or redirect flood flows. *Although there is a seasonal drainage on the property, the level of development that could occur as a result of the project will have a less than significant impact.*

**B.10.d Release of Pollutants in Flood Hazard, Tsunami or Seiche Zones from Project Inundation:**

The project site is not in a flood hazard zone. It is located in Zone X (area determined to be outside the 0.2% annual chance floodplain) according to Flood Insurance Rate Map 06043CIND0A. The project is not located in a dam inundation zone and is not subject to seiche. Mariposa County is not subject to tsunamis. *The project would have no impact on these issues.*

**B.11 LAND USE & PLANNING**

11. LAND USE AND PLANNING Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Physically divide an established community?				√
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				√

**B.11.a Physically Divide an Existing Community**

A significant impact would occur if the project physically divided an established community. The project site is in an area that has been developed with and proposed for large-lot residential uses. Commercial uses are located in the area. The project site is located within an existing, approved major subdivision and has no potential to physically divide an established community. *Thus, there are no impacts.*

**B.11.b Conformance with General Plan Designation, Zoning and Other Environmental Policies**

A significant impact would occur if the project conflicted with a land use plan, policy or regulation adopted to avoid or mitigate an environmental effect. The project site is located within the Lake Don Pedro Planning Study Area. The area is identified in the General Plan as a Town Planning Area. A Town Plan will eventually be developed for the area. Until then, interim land use regulations apply to the area. The project site is located within the Residential Land Use Classification (LUC) as described in the Mariposa County General Plan. The project site is zoned Rural Residential. The proposed land division meets the standards of this LUC and zone. The Rural Residential zone allows for parcels to be divided to a minimum of 2.5 acres, however no parcel or lot shall not be divided below five (5) acres without establishment of a community sewer system. The project does not propose parcels of less than five acres in size. The proposed project meets the General Plan and zoning standards governing the site. *The project will have no impact on this issue.*

## B.12 MINERAL RESOURCES

12. MINERAL RESOURCES Would the 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?				√

### B.12.a, b Mineral Resources

A significant impact would occur if the project resulted in the loss of availability of a mineral resource of value to the region and state, or result in the loss of a locally important mineral resource shown on land use planning maps. The Mariposa County General Plan does not identify the project area as an important mineral recovery site. The project will not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state. The General Plan does not identify this area as an important mineral resource recovery site. *Thus, the project will have no impact.*

## B.13 NOISE

13. NOISE Would the project result in:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
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 within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two				√

miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				
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**B.13.a,b Generation of Substantial Noise That Exceeds Established Standards/Groundborne Vibration or Noise**

A significant impact would occur if the project resulted in the generation of 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; or generate excessive ground-borne vibration or ground-borne noise levels. The Mariposa County General Plan states that the rural lifestyle found in Mariposa County results in a noise environment that is well below 55 dba CNEL standard. The Mariposa County Noise-Land Use Compatibility Chart, shown as Figure 12-1 in Volume III, Technical Background Reports of the Mariposa County General Plan, shows that Ldn or CNEL decibel levels of up to 60 are normally acceptable community noise exposure levels for low density single family, duplex, and mobile home residential development. Decibel levels of up to 65 are normally acceptable for multi-family residential uses. Up to 70 decibels is conditionally acceptable in both categories. Noise during construction may exceed these levels but construction is expected to be of limited duration and during normal working hours. Mariposa County does not have an adopted noise ordinance. The project will not generate excessive groundborne vibration or groundborne noise. In consideration of the nature of the proposed project and the surrounding land uses it can be determined that the project is compatible with the area from a noise and vibration perspective. The subdivision project will not create significant noise impacts. *The project will have a less than significant impact*

**13.c Exposure to Airport or Airstrip Noise**

A significant impact would occur if there is exposure of people residing or working in the project area to excessive noise from public airports or private airstrips. The project site is not located near an airport or airstrip. *Due to these factors, the project will have no impact.*

**B.14 POPULATION & HOUSING**

<b>14. POPULATION AND HOUSING</b> Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				√
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				√

**B.14.a Population Growth Inducement**

A significant impact would result if the project induces substantial population growth in an area. The addition of one new parcel will not induce substantial population growth in this area. The proposed project is consistent with the planned uses and density of development for the area. *Thus, the project will have no impact on this issue.*

**B.14.b Displacement of Housing/People**

A significant impact would result if the project displaced substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. The project creates one additional parcel for the development of housing. This project will not displace any people. *Thus, the project will have no impact.*

**B.15 PUBLIC SERVICES**

15. PUBLIC SERVICES	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
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:				
a) Fire protection?			√	
b) Police protection?			√	
c) Schools?			√	
d) Parks?			√	
e) Other public facilities?			√	

**B.15.a. and b. Emergency Services Improvement Impacts**

The land division will create two parcels out of an existing parcel, in accordance with planned land uses for this area. Proposed Parcel A is already developed with a residence. Existing emergency response facilities will provide adequate service to the project. Goal 9-9 of the General Plan states as its goal, *“Maintain quality emergency service delivery.”* Policy 9-9a calls for defining acceptable service standards and creating a comprehensive plan to attain and maintain service delivery, and Implementation Measures 9-9a(1) and 9-9a(2) call for the preparation and implementation of an emergency services plan to implement the goal. The project will not have a negative impact on this goal, policy or these implementation measures. Although new development adds cumulatively to the demand for police and fire protection, impact from this project, due to its size, *is considered to be less than significant.*

**B.15.c School Improvement Impacts**

This subdivision project will not result in a substantial number of new students. New residential construction on the project site will be required to pay school impact fees through the building permit process, which are established to address development project impacts on schools. *Thus, the project will have a less than significant impact.*

**B.15.d Park Improvement Impacts**

The creation of one new parcel will not cause a substantial new demand on parks. Existing facilities will provide adequate service to the project; no new facilities are needed. *Thus, the project's impact on parks facilities is less than significant.*

**B.15.e Other Public Facility Impacts / including Road Improvement Impacts**

**Water and Sewer Public Facilities**

The proposed project would have a significant environmental impact if public water and sewer facilities would need to be constructed in order to maintain adequate service levels for the proposed project. Water is available to the site through the Lake Don Pedro Community Services District and individual wells. Proposed Parcel A is already developed with a well. The provision of domestic water to proposed Parcel B will be subject the project to proof of water requirements contained in the Mariposa County General Plan. The requirements are required to be met prior to the recordation of the parcel map for the project. The project applicant states that the project site has approved water availability from the Lake Don Pedro Community Services District system. Availability consists of water pipes and meters for both parcels. Individual septic systems will serve the two parcels.

General Plan Section 5.3.02.E(4) requires that new subdivision lots are to be served by an approved potable water supply. Prior to recordation of a parcel map, the subdivider is required to prove to the satisfaction of the Mariposa County Environmental Health Unit that each new parcel has a supply of potable water meeting requirements for quantity and quality. The General Plan requires a demonstration that there can be a source of water capable of producing a sustained potable water supply with storage of at least 1,000 gallons per twelve (12) hour day per dwelling unit or other satisfactory proof, which may consist of a hydrogeological study of the area by a qualified professional and wells drilled and tested prior to sale to demonstrate the quantities described.

The General Plan requires a typical statement recorded concurrently with and referenced on the final or parcel map stating the following:

*Water supplies for residential lands are derived from private wells on these parcels. Mariposa County groundwater supplies are found in fractures in the bedrock. The costs associated with drilling and developing a private well is highly variable because it is unknown how much or if any additional water can be found or sustained on any parcel shown on this map.*

**Roads:**

No subdivision roads will be required to be constructed to implement the project.

*The project will have a less than significant impact on other public facilities.*

**B.16 RECREATION**

<b>16. RECREATION</b>	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			√	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				√

**B.16.a Use of Existing Recreational Facilities**

A significant impact would result if the project substantially increased the use of existing recreational facilities to the extent that substantial physical deterioration to such facilities would occur or be accelerated. The creation of one new parcel will not result in a significant impact on existing recreation facilities. *The project will have a less than significant impact.*

**B.16.b Construction or Expansion of New Recreational Facilities**

A significant impact would result if the project included recreational facilities that might adversely affect the physical environment due to construction or expansion. The project does not include recreational facilities and none would be required to be constructed due to this project. *Thus, the project will have no impact.*

**B.17 TRANSPORTATION**

<b>17.TRANSPORTATION</b> Would the 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 § 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			√	



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access?				
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**B.17.a Circulation System**

A significant impact would result if the project conflicted with a program, plan ordinance or policy addressing the circulation system. The Mariposa County Road Improvement and Circulation Policy establishes an average daily traffic (ADT) estimate for residential parcels of 8 ADT. Consequently, this project has the potential to increase traffic in the area by 8 trips per day (the site currently produces 8 ADT). A total of 16 trips per day would be generated from the project site when proposed Parcel B is developed with residential uses. This is not a significant contribution to traffic volumes for roadways in the area.

The project will not result in the capacity of the existing circulation system to be exceeded. General Plan Goal 9-1, which requires that all development have safe and adequate access, is satisfied by this project. The project is consistent with this goal's supporting policies and implementation measures as described on pages 9-7 through 9-9 of the General Plan, including Implementation Measure 9-1d(1) which states that no subdivision or discretionary project shall be approved if the traffic generated by the proposed project will exceed the capacity of the road systems which provide access from the nearest County major collector or State highway unless mitigation is required. The parcels take direct access from paved, county maintained roads. The capacity of the road system in the area will not be exceeded by this project.

*The project will have a less than significant impact on the county's circulation system.*

**B.17.b Conflict With CEQA Guidelines §15064.3, Subdivision (b)**

A significant impact would result if the project conflicted with this CEQA Guideline section. This section provides criteria for analyzing transportation impacts of projects. Section 15064.3 of the CEQA Guidelines provides specific considerations for evaluating a project's transportation impacts. Per Section 15064.3, analysis of vehicle miles traveled (VMT) attributable to a project is the most appropriate measure of transportation impacts. Except as provided in Section 15064.3 (b)(2) regarding roadway capacity, a project's effect on automobile delay does not constitute a significant environmental impact under CEQA. A Technical Advisory on Evaluating Transportation Impacts in CEQA published by the Governor's Office of Planning and Research and dated December 2018 states that projects that generate or attract fewer than 110 vehicle trips per day generally may be assumed to cause a less than significant transportation impact. Existing residential development on the project site generates 8 trips per day. With the one new residential parcel, the project site will generate 16 trips per day. Increase in vehicle miles traveled as a result of this project are insignificant. *The project will have a less than significant impact.*

**B.17.c Increase Hazards due to Geometric Design Features**

A significant impact would result if the project resulted in sharp curves or dangerous intersections or incompatible uses. Both of the parcels within this project will take direct access from paved, county maintained roads. *The project will have no impact on this issue.*

**B.17.d Emergency Access**

A significant impact would result if the project resulted in inadequate emergency access. Residential driveways will be required to meet all emergency access requirements as required by CAL FIRE. *Due to these factors, the project will have a less than significant impact.*

**B.18 TRIBAL CULTURAL RESOURCES**

18. TRIBAL CULTURAL RESOURCES	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
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				√
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				√

**B.18.a and b Tribal Cultural Resources**

A significant impact would occur if the project had a significant impact on tribal cultural resources, which are defined in the table above.

The cultural resources survey report prepared for the project concluded that no prehistoric cultural artifacts were observed during the survey. The report stated that the project site is an open agricultural field that has been deep-ripped to four feet and left fallow. The area offered 100% visibility.

In accordance with Public Resources Code 21080.3.1, Mariposa Planning contacted Native American contacts on the County’s consultation list regarding the project. This code section requires that prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project, the lead agency shall begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project if: (1) the California Native American tribe requested to the lead agency, in writing, to be informed by the lead agency through formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with the tribe, and (2) the California Native American tribe responds, in

writing, within 30 days of receipt of the formal notification, and requests the consultation. Seven Native American contacts were sent a registered letter dated February 3, 2021 notifying them of the project and their rights to request a consultation. In accordance with state code, these contacts were given 30 days from the date of the letter (until March 4, 2021) to request a consultation. No tribe requested consultation on the project. *Therefore, it can be found that the project will have no impact on tribal cultural resources.*

**B.19 UTILITIES & SERVICE SYSTEMS**

<b>19. UTILITIES AND SERVICE SYSTEMS</b> Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater 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?			√	

**B.19.a Water, Wastewater Treatment; Stormwater Drainage; Electric Power, Natural Gas, Telecommunications Facilities**

A significant impact would result if the project required or resulted in the relocation or construction of these facilities that would cause significant environmental effects. The project will not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. The existing parcel on the project site is served by an individual septic system and the proposed parcel will also be served by an individual septic system. The project applicant states that the project site has approved water

availability from the Lake Don Pedro Community Services District system. Availability consists of water pipes and meters for both parcels. The project will not require the relocation or construction of a utility or service system. *The project would have no impact on this issue.*

**B.19.b,c Water, Wastewater Treatment Capacities**

A significant impact would result if water supplies were insufficient to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years or a wastewater treatment provider does not have the capacity to serve the project in addition to its existing commitments. The tentative map submitted for the project states that domestic water to the site can potentially be supplied by individual wells and the Lake Don Pedro Community Services District. The existing residence is served by an individual well. The provision of domestic water to proposed Parcel B will be subject the project to proof of water requirements contained in the Mariposa County General Plan. The requirements are required to be met prior to the recordation of the parcel map for the project. As noted above, the project applicant states that the project site has approved water availability from the Lake Don Pedro Community Services District system. The Lake Don Pedro Community Services District did not provide comment on the project.

The EIR prepared for the Mariposa County General Plan states that Policy 11-2c of the General Plan and its supporting implementation measures provide for the preservation of existing or potential sources of a sustainable water supply through maintaining low intensities of development in order to protect the capacity of watersheds, and would designate watershed areas of surface water systems where such systems and their proposed watershed areas serve or are capable of serving as a potable water source. The EIR found that there is a less than significant impact on groundwater quantity from implementation of the General Plan due to the low density of residential development in the Residential land use classification of the county, such as proposed with this project.

General Plan Section 5.3.02.E(4) requires that new subdivision lots are to be served by an approved potable water supply. Prior to recordation of a parcel map, the subdivider is required to prove to the satisfaction of the Mariposa County Environmental Health Unit that each new parcel has a supply of potable water meeting requirements for quantity and quality. The General Plan requires a demonstration that there can be a source of water capable of producing a sustained potable water supply with storage of at least 1,000 gallons per twelve (12) hour day per dwelling unit or other satisfactory proof, which may consist of a hydrogeological study of the area by a qualified professional and wells drilled and tested prior to sale to demonstrate the quantities described. This General Plan policy is implemented by Mariposa County Health Department Policy No. 08-02.

As noted above, the existing residence on the project site is served by an individual septic system. The new parcel will also be served by an individual septic system. Any impact from the project on the Lake Don Pedro Community Services System would be insignificant.

*The project will have a less than significant impact on these issues.*

**B.19.d,e Solid Waste**

A significant impact would occur if a project generated solid waste in excess of state or local standards or in excess of local infrastructure or otherwise impair the attainment of solid waste reduction goals or did not comply with reduction statutes related to solid waste. The project will be subject to all applicable regulations and standards relating to solid waste. *Due to these factors, the project will have a less than significant impact.*

**B.20 WILDFIRE**

<b>20. WILDFIRE</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
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?			√	

**B.20.a,b,c,d Emergency Response or Evacuation Plan; Exposure to Pollutant Concentrations; Installation of Infrastructure Exacerbating Fire Risks or Impacts to Environment; Exposure of People or Structures to Risks**

A significant impact would result if a project located in or near State Responsibility Areas or very high fire hazard severity zones would result in substantial impacts on the issues described above. The project is proposed in the High Fire Hazard Severity Zone on the CAL FIRE Fire Hazard Severity Zone Map. The subdivision project creating one new lot will not interfere with any emergency response or evacuation plan.

The State of California adopted the State Fire Safe Regulations for the purpose of establishing minimum wildfire protection standards in conjunction with building, construction and development in the State Responsibility Areas (SRA). These regulations, known as SRA Firesafe Regulations provide for basic emergency access and perimeter wildfire protection measures, including clearance around structures. Future building permits for the project parcels also necessitate review by CAL FIRE and onsite inspection prior to permit completion. Finally, future development is subject to continued inspection by CAL FIRE for maintenance of 100' clearance around structures (LE 100). These inspections may be done yearly.

The project must also meet all the applicable sections of the California Fire Code. Due to uniformly applied construction and land management standards, *the project will have a less than significant impact.*

## Section C

### MANDATORY FINDINGS OF SIGNIFICANCE

<i>Finding:</i>	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Impact Discussion & Conclusions:**

1. The project has the potential to impact the drainages on the project site. Mitigation is proposed to reduce this potentially significant impact to a less than significant level.
2. The creation of one new residential parcel does not have the potential to result in significant impacts on air emissions, groundwater use, noise, traffic and demand for public services. Potential impacts are individually limited, and not cumulatively considerable.
3. The project has no potential to cause substantial adverse effects on human beings, either directly or indirectly.

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.

## Section D MITIGATION MONITORING

Mitigation Measure No.	Mitigation Measure	Mitigation Monitoring
4.b.1	<p>An open space setback of twenty-five (25) feet from the centerline of the blue line drainage on the site shall be shown on the parcel map. A statement shall be recorded in Official Records concurrently with the parcel map and referenced on the parcel map or shall be included on an additional map sheet which indicates its relationship to the parcel map. The statement shall be as follows:</p> <p><i>“This notice is not intended to affect record title interest. There are open space setbacks on Parcels A and B as shown on the Parcel Map filed in the Book of Maps ____ at Page ____, Mariposa County Records. The setback is twenty-five (25) feet from the edge of the drainage. No structure or improvement shall be constructed within the open space setback except as provided below. A well or wells, water pipes, underground and above ground power lines, fencing and other similar structures or improvements may be constructed within the open space setback subject to approval by the Planning Director. Consultation with a qualified biological consultant, whose services shall be paid for by the property owner, may be required by the Planning Director in order to make a determination. No removal of vegetation (except noxious weeds identified by the United States Department of Agriculture, the California Department of Food and Agriculture, and/or the Mariposa County Agricultural Commissioner) shall be allowed within the open space setback, except as determined necessary by CAL FIRE, and except as needed to implement the uses described in this and the following paragraph. No grading shall be allowed within the setback, except as needed to implement the uses described in this and the following paragraph.</i></p> <p><i>Prior to any grading or construction activities occurring within this setback area, the owner of said lots shall contact the California Department of Fish and Game to determine if a State Fish and Game Code Section 1602 Streambed Alteration Notification is required. If required, the owner shall submit the notification and comply with all applicable requirements of Section 1600 et seq. of the State Fish and Game Code.</i></p>	<p>This mitigation measure will be monitored by the Mariposa County Surveyor and the Mariposa County Planning Department through the parcel map filing process.</p>



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	<p><i>Depending upon the location and nature of the construction, grading, or disturbance within the setback area, the parcel owner may be required to obtain approval from the Army Corps of Engineers for permitting under Section 404 of the Clean Water Act. This agency shall be contacted prior to initiation of any disturbance to the setback area. If a Section 404 permit is required, a Section 401 Water Quality Certification from the State Regional Water Quality Control Board shall also be required”.</i></p>	
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