# MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY

FOR

## UP-24;4-1 Verizon Wireless 90 Monopine Telecommunications Tower

May 2024



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#### **Project Description:**

Project Title:	Use Permit 24;4-1 Verizon Wireless
Lead Agency Name and	Amador County Planning Commission
Address:	810 Court Street, Jackson, Ca 95642
Contact Person/Phone	Ruslan Bratan, Planner II
Number:	209-233-6380
Droingt Logation.	19585 Shake Ridge Road
Project Location:	Volcano, CA 95689
	Pinnacles Cellular Inc. d/b/a Verizon Wireless.
Project Sponsor's Name	(Steve Proo, Complete Wireless Consulting, Inc Representative)
and Address:	2009 V Street
	Sacramento, CA 95818
General Plan Designation(s):	Agricultural Transition (AT)
Zoning:	Single Family Residential and Agricultural (R1A)

#### **Background and Description of Project:**

This Initial Study was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines to review the Telecommunication Facility (the Project) submitted by Complete Wireless Consulting, Inc. on behalf of Pinnacles Cellular Inc. d/b/a Verizon Wireless. The Project includes construction of a 90-foot, unmanned, monopine design, wireless telecommunication tower with nine (9) antennas on three (3) sectors, mounted at two centerlines of 68'& 78'. The proposed design will also include three (3) outdoor equipment cabinets, and one (1) emergency 30KW standby generator within a 30' x 30' enclosed lease area. This environmental review document provides an assessment of the potential impacts caused by the physical changes resulting from development of the Project.

#### **Project Components**

#### Description of project:

# 1. Wireless Telecommunication Tower with Associated Tower and Ground Equipment

In accordance with Section 19.48.150 of the Zoning Ordinance, this special use permit request would allow the construction of a wireless telecommunications facility. The proposed design will include nine (9) antennas on three (3) sectors, mounted at two centerlines of 68' & 78'. The proposed design will also include three (3) outdoor equipment cabinets, and one (1) emergency 30KW standby generator. The 30' x 30' lease area will be enclosed by an 8' tall wooden fence

#### 2. Access

Access to the wireless communications facility will be through a proposed 20-foot wide non-exclusive access and utility easement.

#### 3. Utilities

Electricity is anticipated to be provided to the Project site by Pacific Gas & Electric (PG&E).

#### **Regional and local Setting**

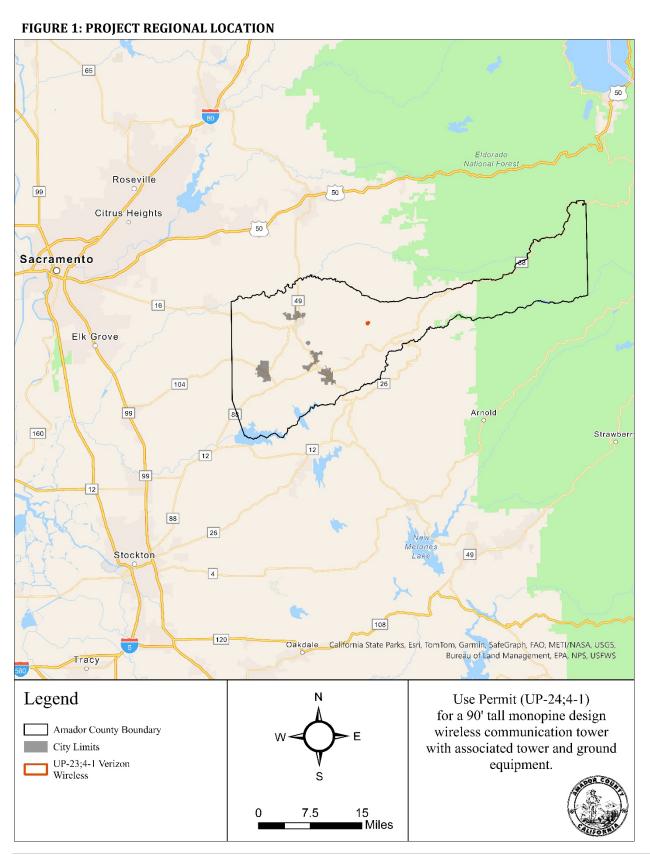
Surrounding land uses and setting:

The Project Site is located at 19585 Shake Ridge Road Volcano, CA 95689 Amador County, California approximately 10 miles northeast of the City of Sutter Creek, and 7 miles north of the town of Pine Grove. The parcel is located on a 45.95 acre lot (2590 sq ft) and the telecommunications tower will site will be located to the NE of the parcel, situated at the intersection of Shake Ridge (west of) and Hale Road (south of) in the community of Volcano.

#### **Existing Site Character**

The Subject Property consists of an approximately 45.95 acre parcel that is developed with a single famlily dwelling, paved driveway, and accessory structures in the southwestern portion of the property. The tower is proposed to be built in the northwestern portion of the property.

Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)



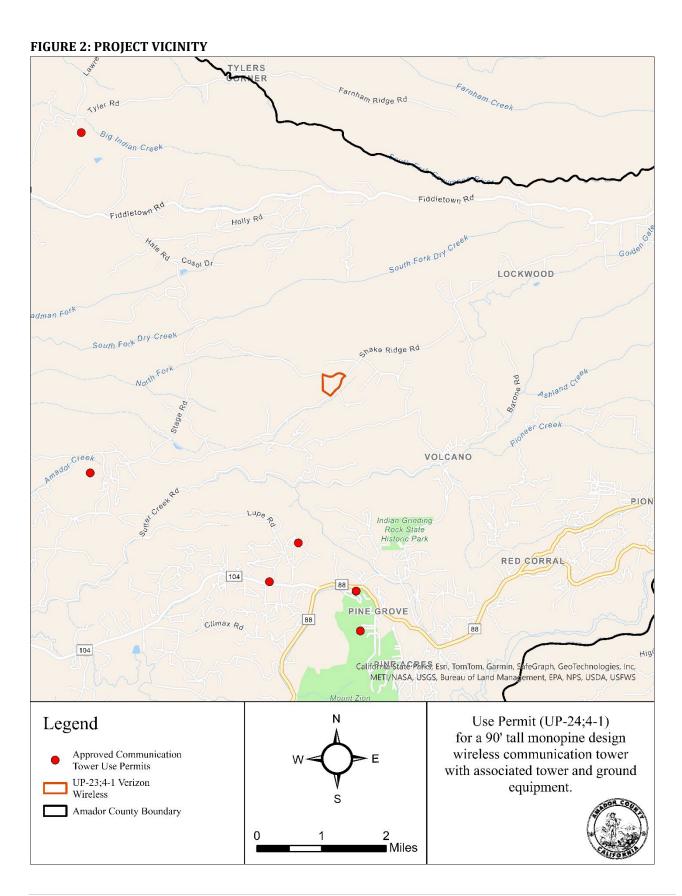
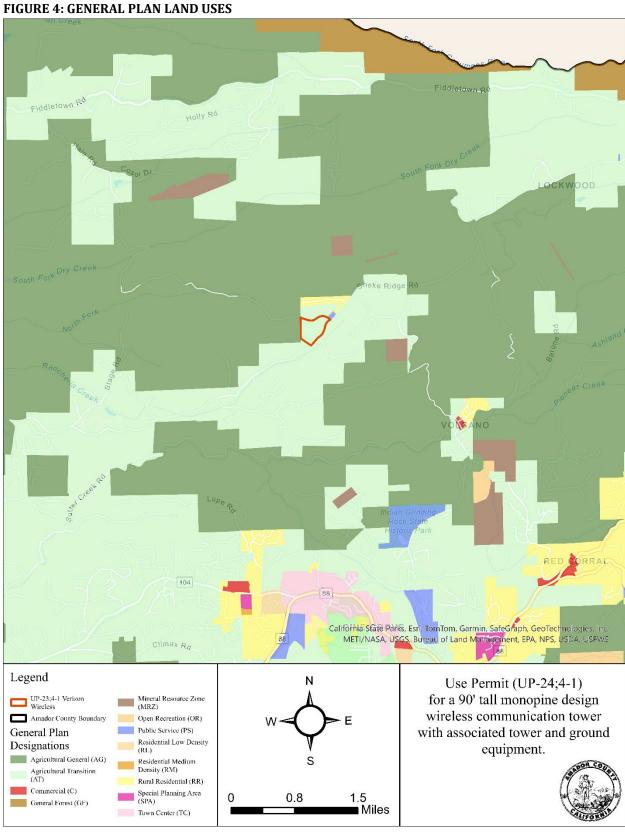




FIGURE 3: PROJECT LOCATION - AERIAL





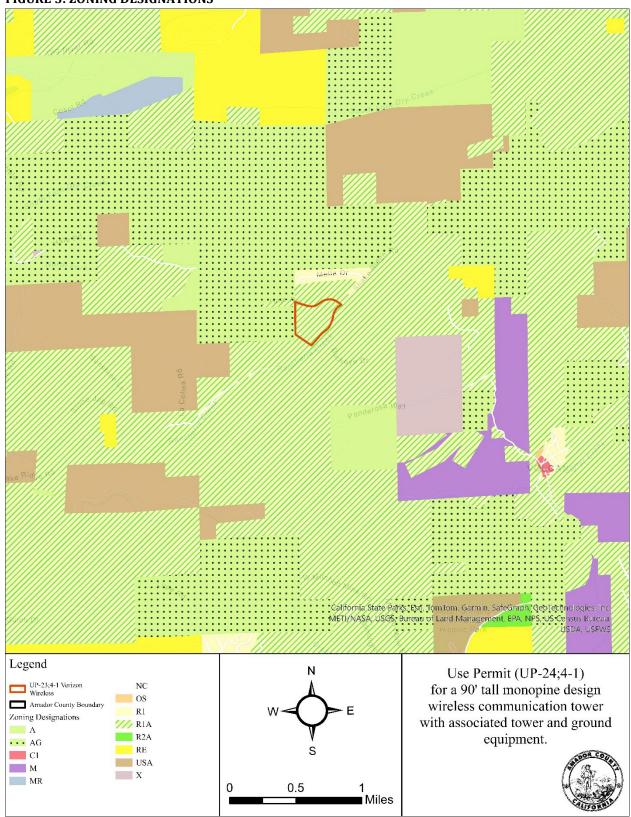


FIGURE 6: Project Parcel Detail

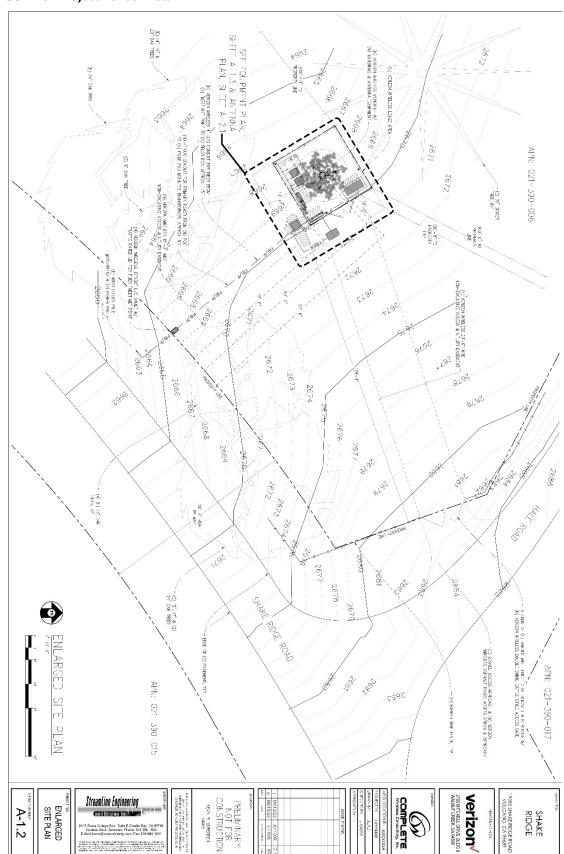
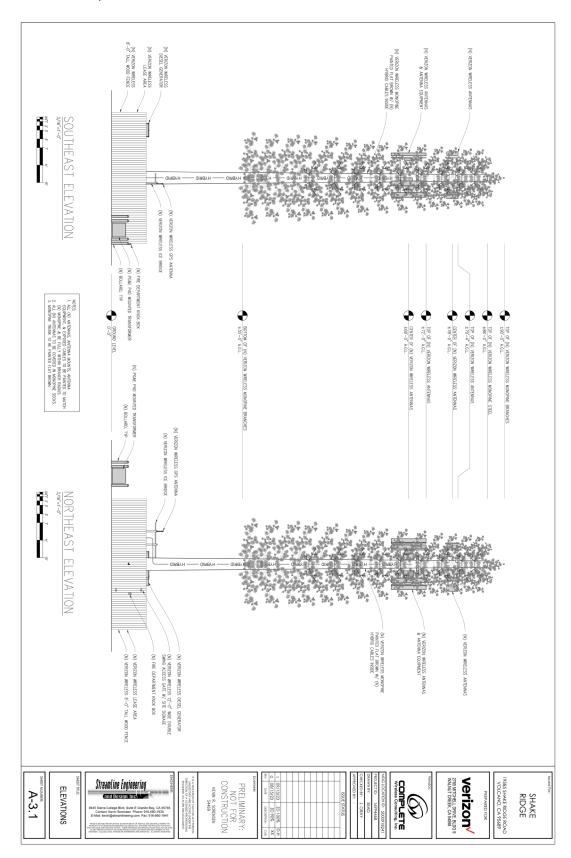


FIGURE 7: Project Detail



### **Environmental Checklist - Initial Study**

ENVI	ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:  The environmental factors checked below would be						
poten	tially affected by this project,	as inc	licated by the checklist and correspond				
	Aesthetics		Agriculture and Forestry Resources		Air Quality		
	Biological Resources		Cultural Resources		Geology / Soils		
	Greenhouse Gas Emissions		Hazards & Hazardous Materials		Hydrology / Water Quality		
	Land Use / Planning		Mineral Resources		Noise		
	Population / Housing		Public Services		Recreation		
	Transportation / Traffic		Utilities / Service Systems		Mandatory Findings of Significance		
	RMINATION: (To be complet	-	the Lead Agency)				
	I find that the proposed pr	oject	COULD NOT have a significant effect of	n the e	environment, and a NEGATIVE DECLARATION		
					ne environment, there will not be a significant		
	NEGATIVE DECLARATIO	<b>N</b> will	be prepared.		eed to by the project proponent. A MITIGATED		
	REPORT is required.	-	_		ment, and an ENVIRONMENTAL IMPACT		
	impact on the environment applicable legal standards	it, but , and	at least one effect 1) has been adequat 2) has been addressed by mitigation m	tely an	or "potentially significant unless mitigated" halyzed in an earlier document pursuant to es based on the earlier analysis as described on a must analyze only the effects that remain to be		
	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.						
		Name			Date		

#### **EVALUATION OF ENVIRONMENTAL IMPACTS:**

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

Ch	apter 1. AESTHETICS — Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista?			$\boxtimes$	
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				$\boxtimes$
c)	In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				

- A. Vistas: For the purposes of determining significance under CEQA, a scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. Scenic vistas are often designated by a public agency. A substantial adverse impact to a scenic vista would be one that degrades the view from such a designated location. No governmentally designated scenic vista has been identified within the project area. Therefore, there is **no significant impact**.
- B. Scenic Highways: The project is not located along a scenic highway. Therefore, there is **no impact**.
- C. While there are no officially designated scenic vistas in the project area, certain short-range views would change for nearby property owners and the traveling public. Additionally, County code section 19.48.150 section K states that at the time any permittee obtains a permit for a wireless service facility, they shall provide a performance bond in the amount of one hundred percent of the county's estimated cost for removal of the facility. This ensures a mechanism for removal of tower should it become abandoned. Photo simulations of the proposed tower (prepared by AdvanceSim) were provided from four vantage points, the first from the intersection of Shake Ridge Road & Hale Road near the north-eastern corner of the property looking west, the second from Shake Ridge Road looking southwest at the site, the third from Hale Road looking southeast, and the fourth from Shake Ridge Road looking north. The purpose of the monopine design is to reduce the visual impact of the cell tower on the landscape and to make it less obtrusive to passersby. These towers often use materials and designs that mimic the appearance of trees or other natural elements such as branches, leaves, and bark, making them less noticeable to passersby. The goal is to maintain the functionality of the cell tower while minimizing its visual impact. Due to the topography, existing tree canopy, large size of the property, proposed location not in a designated scenic vista, and because the changes would be mitigated by the monopine design, impacts are considered **less than significant with mitigation AES-1 incorporated.**
- D. Existing sources of light and glare in the project vicinity include vehicle headlights from the members of the public traveling along Shake Ridge Road. The proposed project would not include any lighting. The lack of frequent travelers into the project site, height of the tower location, and distance away from any members of the public will result in a **less than significant impact** to new sources of substantial light or glare.

#### **Mitigation Measures**

**AES-1 Monopine Design.** The proposed wireless tower shall be constructed as a monopine tower to match the surrounding character of the area.

Source: Amador County Planning Department, Amador County General Plan and Final Environmental Impact Report (FEIR).

	Chapter 2. AGRICULTURE AND FOREST RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Significant Impact with Signific		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 nonagricultural use?				$\boxtimes$
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?				$\boxtimes$
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				
d)	Result in the loss of forest land or conversion of forest land to non-forest use?				
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				$\boxtimes$

- A. Farmland Conversion: The project will not result in the conversion of Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance. The project site is located in an area designated as "Other Land" on the Amador County Important Farmland map (2020), published by the California Department of Conservation, Division of Land Resource Protection. There is **no impact** to farmland.
- B. The parcel is not included in a Williamson Act contract, therefore there is **no impact**.
- C. The area is not considered forest land, or zoned as forest land or timberland, therefore **no impacts will occur**.
- D. The area is not considered forest land, or zoned as forest land or timberland, therefore **no impacts will occur**.
- E. The project area is within an area designated as "Other Land". This project does not introduce any additional use or impact that would introduce significant changes to nearby property uses. There is a **no impact** to farmland or forest land through this project.

**Source**: Amador County Important Farmland Map, 2020; Amador County General Plan; Planning Department; CA Public Resources Code; California Department of Conservation.

:	Chapter 3. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan?			$\boxtimes$	
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?			$\boxtimes$	
d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			$\boxtimes$	

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

Operation of the proposed project would not result in a population increase and would not generate new vehicle trips beyond a monthly maintenance check. No other emissions would be associated with the operation of the proposed project. Construction-related ground disturbance would last approximately 8-12 weeks between the hours of 8am and 5pm, Monday thru Friday. Therefore, the proposed impacts would be **less than significant**.

- B. Operational emissions generated would be limited to one to two vehicle trip per month for project site maintenance. Therefore, the proposed project would not generate substantial operational or long-term emissions. Construction of the proposed project would generate temporary emissions associated with construction equipment. As discussed above, both operational and construction emissions generated by the proposed project would be minimal. Therefore, the proposed project would not violate any air quality standards or cumulatively contribute to the net increase of PM10 or ozone in the region. Impacts would be **less than significant**.
- C. Sensitive receptors are uses that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling units. The nearest sensitive receptors includes several scattered dwellings approximately 510 feet north of the proposed tower, as well as the La Mel Estates subdivision 1,100 feet north of the proposed tower. While construction would take place within the vicinity of sensitive receptors, construction emissions would be limited. In addition, the proposed construction period would be brief, lasting eight to twelve weeks, with minimal ground-disturbing activities lasting only three to five days. Therefore, the small amount of emissions generated and the short duration of the construction period would not expose sensitive receptors to substantial pollutant concentrations. Operational emissions would be limited to infrequent maintenance vehicle trips and emergency operation of a back-up generator, both of which would produce negligible emissions. Impacts to sensitive receptors would be less than significant.
- D. The proposed project includes the installation of a cellular tower on a 189 acre parcel. Although the project includes a 30KW diesel generator, it would only be used as a back-up power supply, and would therefore produce negligible emissions. The proposed generator power is below the threshold for a permit from the Amador Air District resulting in a less than significant impact.

Source: Amador Air District, Amador Planning Department, Amador County General Plan EIR.

	Chapter 4. BIOLOGICAL RESOURCES – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	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 U.S. Fish and Wildlife Service?				
c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				

A Per General Plan Mitigation Measure 4.4-1b: Special-Status Species Protection, when considering discretionary development proposals, the County, through CEQA reviews, will require assessments of potential habitat for special-status species on proposed projects sites, and avoidance or substantial reduction of impacts to that habitat through feasible alternatives or mitigation measures, including compensatory mitigation where unavoidable losses of occupied habitat would occur.

Mitigation measures will be developed consistent with applicable state and federal requirements. For those species for which published mitigation guidance exists (such as valley elderberry longhorn beetle, burrowing owl, and Swainson's hawk), developed mitigation measures will follow the guidance provided in these publications or provide a similar level of protection. If previous published guidance does not exist, mitigation will be developed in consultation with the appropriate agencies (USFWS for federally listed plant, wildlife and fish species; NMFS for listed anadromous fish species; CCDFW for state listed species, species of special concern and CRPR-ranked species). The County will require project applicants to obtain any required take permits prior to project implementation.

The US Fish & Wildlife Office's Information for Planning and Conservation (IPaC) database and the California Natural Diversity Database (CNDDB QuickView) were employed to determine if any special status animal species or habitats occur on the project site or in the project area. The IPaC Resource Report identified habitat potential for the following endangered species within the project area:

California Spotted Owl (*Strix occidentalis occidentalis*); Northwestern Pond Turtle (*Actinemys marmorata*); California Red-legged Frog (*Rana draytonii*), Foothill Yellow-legged Frog (*Rana boylii*), Western Spadefoot (*Spea hammondii*), and Monarch Butterfly (*Danaus plexippus*).

The pre-existing conditions shall not be introduced to substantial change by the small lease area (30x30), therefore there is a **less than significant impact** to the above listed species

- B Natural communities of concern (i.e. riparian, wetlands, and oak woodlands) are considered sensitive under CEQA and may be regulated by the CDFW pursuant to Section 1602 of the California Fish and Game Code. Riparian communities and wetlands may also be regulated by the United States Army Corps of Engineers and/or Regional Water Quality Control Board if the community is determined to be waters of the United States, or waters of the State. Though the National Wetlands Inventory indicates the surrounding project area has scattered freshwater emergent wetlands, and Riverine areas, there are no noted species from the National Wetland Inventory located in the project site and no natural communities of concern occur within the project site. Therefore **impacts are less than significant.**
- C General Plan Mitigation Measure 4.4-5 requires project applicants to conduct wetland delineations according to USACE standards and submit the delineations to the USACE for verification. Based on the verified delineation, project applicants will quantify impacts to wetlands and other waters of the United States resulting from their proposed projects. A permit from the USACE will be required for any activity resulting in impacts of "fill" of wetlands and other waters of the United States. If projects require activities that result in impacts to wetlands and other waters of the United States, the County during discretionary project review will require project applicants to obtain all necessary permits under Section 404 of the CWA, and implement compensatory mitigation consistent with USACE and EPA's April 10, 2008 Final Rule for Compensatory Mitigation for Losses of Aquatic Resources (33 CFR Parts 325 and 332 and 40 CFR Part 230), including preparation of a wetland mitigation plan if required. The wetland mitigation plan will include ecological performance standards, based on the best available science that can be assessed in a practicable manner. Performance standards must be based on attributes that are objective and verifiable. The County will require project applicants to commit to replace, restore, or enhance on a "no-net-loss" basis (in accordance with USACE Section 404 no-net-loss requirements) the acreage of all wetlands and other waters of the United States that would be removed, lost, and/or degraded by discretionary projects. The County will require similar mitigation for loss of non-jurisdictional wetlands and waters that are waters of the state and have value as biological resources. For Section 404 mitigation, in accordance with the Final Rule, mitigation banks (e.g., Cosumnes Floodplain Mitigation Bank) will be given preference over other types of mitigation because much of the risk and uncertainty regarding mitigation success is alleviated by the fact that mitigation bank wetlands must be established and demonstrating functionality before credits can be sold. The Final Rule also establishes a preference for compensating losses of aquatic resources within the same watershed as the impact site. A combination of mitigation bank credits and permittee-responsible on and off-site mitigation may be used as needed to fully offset project impacts on wetlands and other waters of the United States and waters of the state. Project applicants that obtain a Section 404 permit will also be required to obtain certification from the Regional Water Quality Control Board (RWQCB) pursuant to Section 401 of the CWA. If the project involves work on the bed or bank of a river, stream or lake, a Streambed Alteration Agreement from CDFW pursuant to Section 1602 of the Fish and Game Code will also be needed, which will include mitigation measures required by CDFW. The County will require project applicants to obtain all needed permits prior to project implementation, and to abide by the conditions of the permits, including all mitigation requirements.

The National Wetlands Inventory, indicates the surrounding project property has scattered freshwater emergent wetlands as shown in Figure 4a, there are several species from the National Wetland Inventory located within the project site. Responsibility falls upon the applicant to take any precautions or recommendations of the enforcing agency (CDFW or USFWS) regarding impacts to the Riverine Community in the case that further ground-disturbing activities or site development occur, referenced in this document as **Mitigation Measure BIO-1**. impacts to wetlands would be **less than significant with mitigation incorporated**.

Movement of Fish and Wildlife: There is no major impact on the migratory thoroughfare of any fish and wildlife. Migratory birds potentially found in the project area include the: American Dipper (*Cinclus mexicanus*); Bald eagle (*Haliaeetus leucoephalus*); Black-throated Gray Warbler (*Dendroica nigrescens*); Calliope Hummingbird (*Selasphorus calliope*); Evening Grosbeak (*Coccothraustes vespertinus*); Hermit Warbler (*Setophaga occidentalis*); Oak Titmouse (*Baeolophus inornatus*); Olive-sided Flycatcher (*Contopus cooperi*); and Wrentit (*Chamaea fasciata*). The California Red-legged Frog (*Rana draytonii*), Foothill Yellow-legged Frog (*Rana boylii*), and Western Spadefootalso (*Spea hammondii*) have a potential suitable habitat area within the 9-quadrangle area surrounding the project, but the site is small enough as to not greatly affect movement of these species.

The construction of new communication tower creates a potentially significant impact on migratory birds, especially some 350 species of night-migrating birds. Communications towers are estimated to kill 4-5 million birds per year, which violates the spirit and the intent of the Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703-712) and related Code of Federal Regulations designed to implement the MBTA. Some of the species affected are also protected under the Endangered Species Act and Bald and Golden Eagle Act. Interim guidelines were developed by Fish and Wildlife Service personnel from research conducted in several eastern, midwestern, and southern states, and have been

refined through Regional review. They are based on the best information available at this time, and are the most prudent and effective measures for avoiding bird strikes at towers. Some of the guidelines are:

- New facilities should be collocated on existing towers or other existing structures.
- Towers should be less than 200 feet above ground level
- Towers should be freestanding (i.e., no guy wires)
- Towers and attendant facilities should be sited, designed and constructed so as to avoid or minimize habitat loss within and adjacent to the tower "footprint".
- New towers should be designed structurally and electrically to accommodate the applicant/licensee's antennas and antennas for at least two additional users (minimum of three users for each tower structure).
- Security lighting for on-ground facilities and equipment should be down-shielded to keep light within the boundaries
  of the site.
- Towers no longer in use or determined to be obsolete should be removed within 12 months of cessation of use.

The project is consistent with the U.S. Fish and Wildlife Service interim guidelines because the proposed 90-foot tower is less than 200 feet in height and no guy wires are necessary. The footprint of the proposed lease area would not encroach onto any environmentally sensitive habitat. Although the proposed project will be in a relatively small area of the project site, there is the potential for impact to the nesting of migratory birds in the project area. Mitigation measure BIO-2 requires a nesting bird preconstruction survey prior to project construction. As there is suitable habitat in the project area for some or all of the above species, Mitigation Measure BIO-2 is needed in order to ensure that project impacts are less than significant with mitigation incorporated.

- E The proposed project would not conflict with local policies adopted for the protection biological resources. A **no impact** would occur.
- F Amador County does not have an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans. **No impact** would result.

#### Figure 4a: Wetlands

FRESHWATER EMERGEN WETLAND PEM1B



Type: Freshwater Emergent Wetland

Size: 2.775 acres

- P System Palustrine: The Palustrine System includes all nontidal wetlands dominated by trees, shrubs, persistent emergents, emergent mosses or lichens, and all such wetlands that occur in tidal areas where salinity due to ocean-derived salts is below 0.5 ppt. It also includes wetlands lacking such vegetation, but with all of the following four characteristics: (1) area less than 8 ha (20 acres); (2) active wave-formed or bedrock shoreline features lacking; (3) water depth in the deepest part of basin less than 2.5 m (8.2 ft) at low water; and (4) salinity due to ocean-derived salts less than 0.5 ppt.
- EM Class Emergent: Characterized by erect, rooted, herbaceous hydrophytes, excluding mosses and lichens. This vegetation is present for most of the growing season in most years. These wetlands are usually dominated by perennial plants.
- Subclass Persistent: Dominated by species that normally remain standing at least until the beginning of the next growing season. This subclass is found only in the Estuarine and Palustrine systems.
- B Class Seasonally Saturated: The substrate is saturated at or near the surface for extended periods during the growing season, but unsaturated conditions prevail by the end of the season in most years. Surface water is typically absent, but may occur for a few days after heavy rain and upland runoff.



#### **Mitigation Measures**

**Bio-1** Compete avoidance of wetlands is conservatively recommended to ensure compliance with wetland laws. Site development shall implement erosion control plans, and best management practices (BMPs) that prevent the discharge of sediment into nearby drainage channels and wetlands. To the extent feasible, any intermittent creeks within the project vicinity shall be preserved, with a 50-foot buffer, limited to construction on either side of the creek. This buffer should be 50 feet in width on each side of the creek as measured from the edge of US Army Corps of

Engineers jurisdiction. This mitigation measure shall not apply where it conflicts with hazardous site remediation required by orders from the Central Valley Regional Water Quality Control Board. If complete avoidance of potential jurisdictional Waters of the U.S. or wetlands is not practicable, a wetland delineation should be prepared and submitted to USACE for verification in order to determine the jurisdictional or non-jurisdictional nature of the seasonal wetlands and man-made drainage ditch. If jurisdictional areas will be impacted, wetland permits/and or certification should be obtained from USACE, CDFW, and the RWQCB prior to placement of any fill (e.g., a culvert, fill slope, rock) within potential Waters of the U.S.

Bio-2 Ground Disturbance Timing for Nesting Birds. To avoid impacts to nesting bird species or birds protected under the Migratory Bird Treaty Act, all ground disturbing activities conducted between February 1 and September 1 must be preceded by a pre-construction survey for active nests, to be conducted by a qualified biologist. This survey should be conducted within two weeks prior to any construction activities. The purpose of this survey is to determine the presence or absence of nests in an area to be potentially disturbed. If nests are found, a buffer depending upon the species and as determined by a qualified biologist, shall be demarcated with bright orange construction fencing. No ground disturbing or other construction activities shall occur within this buffer until the County-approved biologist has confirmed that breeding/nesting is completed and the young have fledged the nest.

Figure 4b: Migratory Birds List (IPAC 2024)

Species Name	Common Name	Birds of Conservation Concern Listed	Other Conservation List
Cinclus mexicanus	American Dipper	BCC-BCR	
Haliaeetus leucocephalus	Bald Eagle	Non-BCC Vulnerable	Bald and Golden Eagle Protection Act
Setophaga nigrescens	Black-throated Gray Warbler	BCC-BCR	
Selasphorus calliope	Calliope Hummingbird	BCC Rangewide (CON)	
Coccothraustes vespertinus	Evening Grosbeak	BCC Rangewide (CON)	
Setophaga occidentalis	Hermit Warbler	BCC-BCR	
Baeolophus inornatus	Oak Titmouse	BCC Rangewide (CON)	
Contopus cooperi	Olive-sided Flycatcher	BCC Rangewide (CON)	
Chamaea fasciata	Wrentit	BCC Rangewide (CON)	

Figure 4c: California Native Plant Society Database Query

▲ SCIENTIFIC NAME	COMMON NAME	FAMILY	LIFEFORM	BLOOMING PERIOD	FED LIST	STATE LIST	GLOBAL RANK	STATE RANK	CA RARE PLANT RANK	CA ENDEMIC	DATE ADDED	РНОТО
Chlorogalum grandiflorum	Red Hills soaproot	Agavaceae	perennial bulbiferous herb	(Apr)May-Jun	None	None	G3	S3	1B.2	Yes	1974-01-01	No Photo Available
Clarkia virgata	Sierra clarkia	Onagraceae	annual herb	May-Aug	None	None	G3	S3	4.3	Yes	1974-01-01	No Photo Available
Claytonia parviflora ssp. grandiflora	streambank spring beauty	Montiaceae	annual herb	Feb-May	None	None	G5T3	\$3	4.2	Yes	2006-09-29	No Photo Available
Eryngium pinnatisectum	Tuolumne button-celery	Apiaceae	annual/perennial herb	May-Aug	None	None	G2	S2	18.2	Yes	1974-01-01	© 2007 Robert E. Preston, Ph.D.
Erythranthe marmorata	Stanislaus monkeyflower	Phrymaceae	annual herb	Mar-May	None	None	G2?	S2?	1B.1	Yes	1974-01-01	No Photo Available
Lillum humboldtii ssp. humboldtii	Humboldt lily	Liliaceae	perennial bulbiferous herb	May-Jul(Aug)	None	None	G4T3	S3	4.2	Yes	1994-01-01	© 2008 Sierra Pacific Industries
Sphenopholis obtusata	prairie wedge grass	Poaceae	perennial herb	Apr-Jul	None	None	G5	S2	2B.2		1974-01-01	No Photo Available

**Source:** California Department of Fish and Wildlife BIOS, U.S. Fish and Wildlife Service IPAC, California Department of Fish and Wildlife Habitat Conservation Planning, Migratory Bird Treaty Act, National Wetland Inventory, Planning Department

Chapter 5. CULTURAL RESOURCES – Would the project:		Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	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?		$\boxtimes$		

A-C A review of Exhibit 4.5-2, Cultural Resource Sensitivity, of the Amador County General Plan Final EIR indicates the site is in an area identified as having moderate cultural resource sensitivity. Per Mitigation Measure 4.5-1b of the EIR, the County will require applicants for discretionary projects that could have significant adverse impacts to prehistoric or historic-era archaeological resources to assess impacts and provide mitigation as part of the CEQA process, and consistent with the requirements of CEQA Guidelines Section 15126.4(b)(3) and Public Resources Code Section 21083.2, or equivalent County regulation. These regulations generally require consultation with appropriate agencies, the Native American Heritage Commission, knowledgeable and Native American groups and individuals, new and updated record searches conducted by the North Central Information Center and federal and incorporated local agencies within and in the vicinity of the project site, repositories of historic archives including local historical societies, and individuals, significance determinations by qualified professionals, and avoidance of resources if feasible. If avoidance is not feasible, recovery, documentation and recordation of resources is required prior to project implementation, and copies of the documentation are forwarded to the NCIC.

A Cultural Resources Study was prepared for this project by Peak and Associates, Inc., (prepared by Melinda A. Peak) which included background research and on-site inspection of the property. Background research included inspection of the files through the California Historic Resources Information System (CHRIS), County archives, planning department documents, and related historical maps, aerials and articles.

The Archeologists recommendations states that there is always a possibility that a site may exist in the project area and be obscured by vegetation, siltation, or historic activities, leaving no surface evidence. If artifacts, exotic rock, shell, or bone are uncovered during the construction, work should stop in that area immediately. A qualified archeologist should be contacted to examine and evaluate the deposit. This does not appear to be likely, given that a new leach field was placed on the property, with no discovery of subsurface historic period or prehistoric period artifacts were found in those excavations.

In the event that a concentration of artifacts or culturally modified soil deposits (including trash pits older than 50 years) should be encountered at any time during ground disturbing activities, all work must stop until a qualified archaeologist views the finds and makes a preliminary evaluation. If warranted, further archaeological work in the discovery area should be performed. Although unlikely, if human remains are encountered, all work must stop in the immediate vicinity of the discovery until the County Coroner and a qualified archaeologist evaluate the remains therefore there is a less than significant impact with mitigation incorporated.

**Source:** Cultural Resources Assessment of the Shake Ridge Project Area – Peak and Associates, Inc.; Planning Department; North Central Information Center, California State University, Stanislaus; Amador County General Plan Environmental Impact Report.

#### **Mitigation Measures**

- CULTR-1 During ground-disturbing activity, if paleontological, historic or pre-historic resources such as chipped or ground stone, fossil-bearing rock, large quantities of shell, historic debris, building foundations, or human bone are inadvertently discovered, the operator/permittee shall immediately cease all such activities within 100 feet of the find and notify the applicable agency. A qualified archaeologist shall be contracted by the operator/permittee to assess the significance of the find and prepare an evaluation, avoidance or mitigation plan, as appropriate, which shall be implemented before resuming ground disturbing activities.
- CULTR-2 Immediately cease any disturbance of the area where such suspected remains are discovered and any nearby areas reasonably suspected to overlie adjacent remains until the Amador County Coroner is Amador County General Plan FEIR AECOM County of Amador 4.5-15 Cultural Resources contacted, per Section 7050.5 of the California Health and Safety Code,. The coroner shall, within two working days:

Determine if an investigation of cause of death is required;

- 1. Determine if the remains are most likely that of Native American origin, and if so suspected, the coroner shall notify the California Native American Heritage Commission (NAHC) within 24 hours of making his or her determination.
- 2. The descendants of the deceased Native Americans shall make a recommendation to the operator/ permittee for the means of handling the remains and any associated grave goods as provided in Public Resources Code (PRC) Section 5097.98.
- 3. The NAHC shall immediately notify those persons it believes to be most likely descended from the deceased Native American.
- 4. The descendants may, with the permission of the landowner or their representative, inspect the site of the discovered Native American remains and may recommend possible treatment or disposition within 24 hours of their notification.
- 5. Whenever the NAHC is unable to identify a descendent, or the descendent identified fails to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendent and the mediation provided for in subdivision (k) of PRC Section 5097.94 fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance.
- CULTR-3 Avoidance of the identified cultural resources would be the preferred mitigation for any project that may threaten the resource(s) or any significant cultural resources. Once the County approves the proposed land division, if a previously unrecorded archaeological resource is discovered during any future ground disturbing activity, all work shall stop in the immediate vicinity of the find and the resource shall be documented, evaluated, and an appropriate means of mitigating any adverse effects shall be recommended by an archaeologist who meets the Secretary of the Interior's professional qualifications standards in prehistoric or historical archaeology, as appropriate. In the unlikely event that human remains are discovered, California law requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition of the remains and any grave goods. If the Coroner determines that no investigation of the cause of death is required and if the Native American heritage commission, which in turn will inform a most likely descendant, the descendant will then recommend to the landowner appropriate disposition of the remains and any grave goods.

	Chapter 6. ENERGY – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	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?				$\boxtimes$

A. The proposed project is for a wireless communication facility consisting of a monopine cell tower and associated ground and tower equipment. The project would be designed and constructed in compliance with the existing land use and zoning designations of the subject property, as found in the County's GP 2016 Update and Zoning Ordinance. Overall, the construction and operation of this proposed project would not require the creation of a new source of energy construction.

During construction there would be a temporary consumption of energy resources required for the movement of equipment and materials; however, the duration is limited due to the type of construction, and the area of construction is minimal. Compliance with local, State, and federal regulations (e.g., limit engine idling times, require the recycling of construction debris, etc.) would reduce short-term energy demand during the project's construction to the extent feasible, and project construction would not result in a wasteful or inefficient use of energy.

During operation of the wireless communication facility, there are no unusual project characteristics or processes 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. The operation of a wireless communication facility with associated ground and tower equipment would be consistent with State and local energy reduction policies and strategies, and would not consume energy resources in a wasteful or inefficient manner. Therefore, there is **less than significant impact.** 

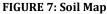
B. Many of the state and federal regulations regarding energy efficiency are focused on increasing building efficiency and renewable energy generation, as well as reducing water consumption and Vehicles Miles Traveled. Future development will need to comply with Title 24 and CalGreen building code standards at the time of construction. Therefore, the proposed project would implement energy reduction design features and comply with the most recent energy building standards if future construction were to take place and would not result in wasteful or inefficient use of nonrenewable energy sources. The only local energy plan is the Energy Action Plan (EAP) which provides incentives for homeowners and business owners to invest in higher-efficiency energy services. The project would not conflict with or obstruct any state or local plan for energy management, therefore there is **no impact**.

Sources: Amador County Planning Department, Amador County Energy Action Plan.

	Chapter 7. GEOLOGY AND SOILS – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				
	ii) Strong seismic ground shaking?			$\boxtimes$	
	iii) Seismic-related ground failure, including liquefaction?			$\boxtimes$	
	iv) Landslides?			$\boxtimes$	
b)	Result in substantial soil erosion or the loss of topsoil?			$\boxtimes$	
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 waste water disposal systems where sewers are not available for the disposal of waste water?				$\boxtimes$
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				

- A1. The project site is not located within an Alquist-Priolo Earthquake Fault Zone and no active faults are located on or adjacent to the property, as identified by the U.S. Geologic Survey mapping system. Therefore, **no impact** would occur.
- A2-4 Property in Amador County located below the 6,000' elevation is designated as an Earthquake Intensity Damage Zone I, Minor to Moderate, which does not require special considerations in accordance with the Uniform Building Code or the Amador County General Plan, Safety, Seismic Safety Element Pursuant to Section 622 of the Public Resources Code (Chapter 7.5 Earthquake Fault Zoning). The State Geologist has determined there are no sufficiently active or well-defined faults or areas subject to strong ground shaking, liquefaction, landslides, or other ground failure in Amador County as to constitute a potential hazard to structures from surface faulting or fault creep. Standard grading and erosion control techniques during grading activities would minimize the potential for erosion resulting in a **less than significant** impact.
- B. The potential construction activities could result in a land disturbance of less than one acre and therefore are not expected to require a Stormwater Pollution Prevention Permit (SWPPP) from State Water Resources Control Board prior to construction. Grading Permits are reviewed and approved by the County in accordance with Ordinance 1619

- (County Code 15.40), and they include requirements for erosion and sediment control, including retention of topsoil, resulting a **less than significant** impact.
- C. The issuance of a grading permit, along with implementation of Erosion Control requirements during construction and the stabilized landscaped impervious areas, will minimize potential erosion. At this time, **there are no impacts.**
- D. According to the Natural Resources Conservation Service (NRCS, 2017, the project site is primarily located in an area with: Rock Land (Ro), with 30 to 70 percent slopes. See Figure 7 below. The project area is well drained with a very high runoff class, but standard grading and erosion control techniques during grading activities would minimize the potential for erosion resulting in a **less than significant impact**.





# Map Unit Legend (Use Permit 24;4-1 Verizon Wireless )

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI			
Ro	Rock land	47.1	98.9%			
SrE	Sites very rocky loam, 16 to 51 percent slopes	0.5	1.1%			
Totals for Area of Interest		47.7	100.0%			



- E. The project would not require the use of a sewer system, nor the use of septic tanks. **No impact would result**.
- F. The project is not near a unique geologic feature that could be significantly impacted as a result of this project. The proposed project would not destroy or greatly impact any known unique geological site or feature. The project site does not propose additional uses or development inconsistent with current uses of the property. **No impact would result**.

**Sources:** Soil Survey-Amador County; Planning Department; Environmental Health Department; National Cooperative Soil Survey; Amador County General Plan EIR, California Geologic Survey: Alquist-Priolo Earthquake Fault Zones Maps.



	Chapter 8. GREENHOUSE GAS EMISSIONS – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			$\boxtimes$	
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				

A-B. This project involves the installation of a cellular antenna tower on an existing site and would not generate substantial operational emissions. The project would generate a negligible amount of greenhouse gas emissions during construction and as a result of infrequent maintenance vehicle trips. A generator was proposed as part of this project, however it would only be used as a back-up power supply, and may require a permit from the Amador Air District. Post-construction, the wireless communications facility would be unmanned and require only infrequent maintenance visits which are not expected to generate significant GHG emissions. Therefore, the project is not expected to generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, nor would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Impacts would be **less than significant**.

**Sources:** Amador County General Plan, Amador Air District, Amador County Municipal Codes, Assembly Bill 32 Scoping Plan-California Air Resources Board (CARB), Amador County General Plan EIR.

	Chapter 9. HAZARDS AND HAZARDOUS MATERIALS – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	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?			$\boxtimes$	
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 § 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 or excessive noise for people residing or working in the project area?				
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			$\boxtimes$	

A-B. Construction activities associated with the development of the proposed project would involve the use of potentially hazardous materials, including vehicle fuels, oils, and transmission fluids. However, all potentially hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. In the event of an accidental release, construction personal who are experienced in containing accidental releases of hazardous materials will likely be present to contain and treat affected areas in the event a spill occurs. If a larger spill were to occur, construction personal would generally be on hand to contact the appropriate agencies. Hazardous materials used during construction would ultimately disposed of by a licensed hazardous waste transporter at an authorized and licensed disposal facility or recycling facility.

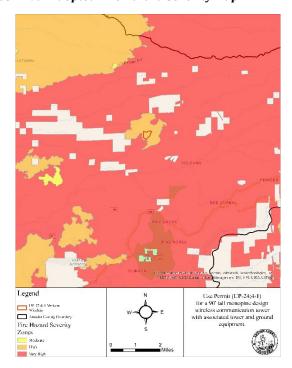
The proposed project would install a cellular tower, which would emit radiofrequency (RF) energy, a type of electromagnetic energy. RF radiation can be harmful if radiation levels are high enough to heat biological tissue and raise body temperatures. Effects from high levels of RF radiation could cause health problems, such as cataracts or temporary sterility in men (Federal Communications Commission [FCC], 1999). The evaluation concludes that the proposed project would comply with FCC standards for limiting public exposure to RF frequencies (EBI Consulting, 2024). There were no modeled areas on any accessible ground-level walking/working surface related to the proposed antennas that exceed the FCC's occupational or general public exposure limits at this site. Impacts due to RF exposure would be **less than significant**.

- C, No schools are located within ¼ mile of the site. Therefore, schools would not be exposed to hazardous materials, substances, or waste due to the project, and there would be **no impact**.
- D. The project site does not appear on any hazardous material site lists compiled pursuant to Government Code Section 65962.5. In May 2024, Amador County staff searched the following databases for known hazardous materials contamination at the project site:
  - Superfund Enterprise Management System (SEMS) database
  - Department of Toxic Substances Control's Envirostor database for cleanup sites and hazardous waste permitted facilities
  - Geotracker search for leaking underground fuel tanks

The project site does not appear on any of the above lists, nor are there any hazardous material contamination sites anywhere near around the site. As such there would be **no impacts**.

- E. No public or private use airports have been identified to be located within the vicinity of the project site. The proposed project is located outside the compatibility zones for the area airports. The FCC's rules, particularly those found in Part 17 of Title 47 of the Code of Federal Regulations (47 CFR Part 17), govern the construction, marking, and lighting requirements for antenna structures, including cell towers, to reduce the risk of hazards to air navigation. These regulations include specifications for tower height, lighting, and painting, among other requirements. The FCC regulations regarding tower lighting and marking primarily apply to towers that meet the height threshold of 200 feet (approximately 61 meters) above ground level. Since the tower in question is only 90 feet tall, it would likely not meet the height criteria for mandatory lighting and marking requirements and therefore, would have a **less than significant impact**.
- F. The proposed project is an unmanned facility, so no evacuation and/or emergency response plans are necessary. The proposed project does not include any actions that physically interfere with any emergency response or emergency evacuation plans. The project site is located approximate 400 southwest of the Lockwood Fire Station 152 with the project site being approximately 50 feet lower in elevation. Due to the surrounding topography and relatively low height of the tower, there would be **less than significant impact** to emergency responses.
- G. The project site is located in a non-urbanized area and is within a high fire hazard zone, according to CAL FIRE's Fire Hazard Severity Zone map for Amador County (2024). The proposed project is an unmanned facility and development of the proposed project would add a small amount of trips onto the area roadways; however, area roadways and intersections would continue to operate at an acceptable level of service. There is less than significant impact related to risk of wildland fires.

#### FIGURE 9a: Adopted Fire Hazard Severity Map



	pter 10. HYDROLOGY AND WATER QUALITY buld the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	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:			$\boxtimes$	
	<ul> <li>result in a substantial erosion or siltation on- or off-site;</li> </ul>				
	ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;				
	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	A [		_	
	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?				

- A. The proposed project would install a cellular antenna tower on a vacant portion of an existing residential property. Construction of the proposed project would include an approximate 30'x30' lease area with 8'-0" high fenced compound which would increase the impermeable surfaces on-site, resulting in a slight increase in urban storm water runoff. The graded pad would be a minor increase in ground coverage and would not produce contamination or sediment conveyance that would violate water quality standards. The wireless communications facility would be unmanned and no additional water demand is proposed with this project. Through adherence to construction standards, including erosion and sediment control measures, water quality and waste discharge standards will not be violated. Therefore, impacts to water quality or waste discharge would be **less than significant**
- B. The project is unlikely to significantly impact groundwater supplies via extraction or the creation of extensive hard surfaces as the proposed project would not require the use of, or otherwise interfere with, groundwater supplies.

  There are no impacts to groundwater.
- C. An equipment shelter is proposed within the 30'x30' square foot fenced lease area. The 20-foot wide access easement will not create any significant impact to drainage patterns or create significant amount of runoff. The proposed project would require a minimal amount of ground disturbance. The minor amount of site disturbance would not alter absorption rates or drainage patterns. The proposed project would require a minimal amount of ground disturbance,

- totaling 900 square feet. The minor amount of site disturbance would not alter absorption rates or drainage patterns. Therefore, **impacts would be less than significant.**
- D. The project site has an approximate elevation of 2,675 feet above sea level and the additional 90 foot height of the tower indicate that it will not be subject to inundation by seiche, tsunami, or mudflow. The project site falls within Zone X, which is determined to be outside designated floodplains, as mapped by the Federal Emergency Management Agency (2010). The project will not expose significant risk of loss, injury, or death to people or structures, nor is it located near a levee or a dam. **No impact** would result.
- E. Amador County does not have a water quality control plan or sustainable groundwater management plan. **No impact** would result.

Sources: Environmental Health Department; Public Works Agency.



	<b>Chapter 11. LAND USE AND PLANNING</b> – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Physically divide an established community?				$\boxtimes$
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?				

- A The surrounding parcels range in size from 5 acres to over 40 acres in size with various residential and agricultural uses. The project site is located on the eastern side of Williamson Act property and the La Mel Heights subdivision to the north. Currently, the subject parcel is developed with a single family dwelling and accessory structures on the western side of the 45-acre property. The proposed project would include the installation of a cellular antenna tower and would not divide an established community. This project will not result in any physical barriers that will divide the existing community. **No impact** would result
- B The project parcel is designated by the General Plan as AT (Agricultural Transition) and is zoned R1A (Single Family Residential and Agricultural). Section 19.48.150 of the Zoning Ordinance requires new telecommunication facilities to have a minimum building setback from all property lines and public road rights-of-way equal to the height of the facility. The proposed 90-foot tower is located approximately 120'-8" from the northern property line and 90'-2" from the eastern property line. The project is consistent with the AG General Plan land use designation, the R1A zone district of the project site and is consistent with Chapter 19.48.150 of the Amador County Code, "Commercial Wireless Service Facilities," so **no impact** would result.

Sources: Amador County General Plan and General Plan EIR, Amador County Municipal Code 19.48.150, Amador County GIS

	Chapter 12. MINERAL RESOURCES – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Result in the loss of availability of a known mineral resource that would be a 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?				

A & B General Plan Mitigation Measure 4.6-8b, Development Project Evaluation, requires the County to evaluate development proposals for compatibility with nearby mineral extraction activities and mapped resources to reduce or avoid the loss of mineral resource availability.

This project will not encroach onto any of the other properties and therefore not interfere with any present or future access to known mineral resource areas. Mineral resources are separately referenced in the deed to the property, therefore any separate ownership or mineral rights shall remain unaffected by this project. The California Geological Survey (CGS) has classified the project site as not being located in any Mineral Resource Zone. Additionally, the project would not 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. The project site is not identified in the General Plan Minerals Element as containing a locally-important mineral resource nor would the proposed project use or extract any mineral or energy resources and would not restrict access to known mineral resource areas. There are no proposed changes in use, therefore there is **no impact** to any mineral resources.

Sources: Planning Department, Amador County General Plan and General Plan EIR.

	Chapter 13. NOISE – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	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?			$\boxtimes$	
b)	Generation of excessive ground borne vibration or ground borne noise levels?			$\boxtimes$	
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?				

- Uses associated with this project would not create a significant increase in ambient noise levels established in the local general plan, other than temporary construction noise. Operation of the proposed project may generate a small amount of noise associated with the low frequency "hum" of the cell tower. The allowable exterior noise limits for utilities is 75 decibels per the Amador County General Plan Land Use Compatibility for Community Noise Environments table N-3. An Environmental Noise Assessment was prepared by Bollard Acoustical Consultants, Inc. which concluded that project-related equipment noise exposure (equipment cabinet cooling fans, generator hum, etc) is expected to satisfy the applicable Amador County General Plan noise level criteria at the property lines of the nearest off-site noise-sensitive uses (residential). As a result, no further consideration of equipment noise mitigation measures would be warranted for this project. Noise levels generated during normal operation would not exceed applicable noise standards established in the General Plan. Impacts would be less than significant.
- B The proposed project would not include the development of land uses that would generate substantial ground-borne vibration or noise or use construction activities that would have such effects. No structures are proposed that would require heavy footings where the use of heavy pile drivers would be required. **Impacts would be less than significant.**
- C The project is not located within two miles of any active private or public airstrip. **No impact** would result.

Sources: Planning Department, Environmental Noise Assessment - Bollard Acoustical Consultants, Inc. (2024) Amador County General Plan and General Plan EIR.

	Chapter 14. POPULATION AND HOUSING – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				$\boxtimes$

A & B The proposed project would not result in the loss of existing housing, or cause a significant increase in the local population that would displace existing residents, necessitating the construction of additional housing. The proposed project would not take away the potential of housing construction on the project parcel. **There are no impacts.** 



<b>Chapter 15. PUBLIC SERVICES</b> – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
a) Fire protection?			$\boxtimes$	
b) Police protection?				$\boxtimes$
c) Schools?				$\boxtimes$
d) Parks?				$\boxtimes$
e) Other public facilities?				$\boxtimes$

- A. Fire protection services in Amador County are provided by CalFire/Amador Fire Protection District. The project site is currently served by the Lockwood Fire Protection District. The nearest fire station is Station 152 located across the sreet at 19715 Shake Ridge Road, Volcano, CA 95689. The project site is approximately 400 feet (as the crow flies) from the fire station. Proposed improvements would not result in significant additional demand for fire protection services, and due to the elevation difference and surrounding topography would not impact medevac operations. As such, the proposed project would not result in the provision of or need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts. A less than significant impact related to fire protection services would occur.
- B. The project site is currently served by the Amador County Sheriff's Department. The nearest police station is located at 700 Court Street in Jackson. The project site is located approximately 15.4 miles (driving distance) from the sheriff's station. The proposed project would not result in additional demand for sheriff protection services. **No impact** related to police protection services would occur.
- C-E. The proposed cell tower installation project would not increase the number of residents in the County, as the project does not include residential units. Because the demand for schools, parks, and other public facilities is driven by population, the proposed project would not increase demand for those services. As such, the proposed project would result in **no impacts** on these public services.

**Source:** Amador Fire Protection District, Sheriff's Office, Amador County Unified School District, Recreation Agency, Planning Department

	Chapter 16. RECREATION – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	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?				

A&B The proposed cell tower installation project would not generate population that would increase demand for parks or recreational facilities. Thus, the proposed project would not affect use of existing facilities, nor would it require the construction or expansion of existing recreational facilities. Therefore, the proposed project would have **no impact** on recreational facilities.



	Chapter 17. TRANSPORTATION / TRAFFIC – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	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)?				$\boxtimes$
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				
d)	Result in inadequate emergency access?			$\boxtimes$	

#### Discussion/Conclusion/Mitigation:

- A. The General Plan Mitigation Measure 4.14.1 requires the County to evaluate discretionary development proposals for their impact on traffic and transportation infrastructure and provision of alternative transportation, and requires applicants/ developments to pay into the traffic mitigation fee program(s) to mitigate impacts to roadways. The County will require future projects to conduct traffic studies (following Amador County Transportation Commission guidance). The purpose of these traffic studies will be to identify and mitigate any cumulative or project impacts (roadways below the County's standard of Level of Service "C", or LOS C, for rural roadways and LOS D for roadways in urban and developing areas) beyond the limits of the mitigation fee program(s). Projects will be required to pay a "fair share" of those improvements that would be required to mitigate impacts outside the established mitigation fee program(s). The objective of this program(s) is to substantially reduce or avoid traffic impacts, including cumulative impacts, of development which would occur to implement the General Plan. Measurement of Circulation System effectiveness: The effectiveness of the County Circulation Element is measured by a project's impact to LOS criteria adopted for roadways within Amador County. The project does not conflict with any plan, ordinance, or policy establishing measure of effectiveness for the performance of the circulation system. Level of Service Standards: The LOS Standard criteria as established in the Circulation Element is the established congestion management program in effect for the County. The proposed project would not cause a substantial increase in traffic, reduce the existing level of service, or create any additional congestion at any intersections. The proposed facility would require periodic maintenance, involving about one to two vehicle trips per month. As such, level of service standards would not be exceeded and the project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. Impacts would be less than significant.
- B. The proposed project would not conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b). **No impact** would result.
- C. The proposed project does not include any design features that would create a hazard, such as sharp turns in the access road and would be required to obtain an encroachment permit onto a County maintained road. Therefore, **no impact** would result.
- D. The project will not increase hazards to existing roads or incompatible uses due to the project site being in an unused corner of a 189 acre parcel. Impacts would be **less than significant.**

	apter 18. TRIBAL CULTURAL RESOURCES – uld the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 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:				
	<ul> <li>i. Listed or eligible for listing in the California         Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or     </li> </ul>				
	ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				

Tribal cultural resources" are defined as (1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

- (A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.
- (B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

These may include non-unique archaeological resources previously subject to limited review under CEQA. Assembly Bill 52, which became effective in July 2015, requires the lead agency (in this case, Amador County) to begin consultation with any California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report 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 (Public Resources Code Section 21080.3.1[b]).

A. As defined by Public Resources Code section 21074 (a) there were no tribal cultural resources identified in the project area therefore the project would not cause a substantial adverse change in any identified tribal cultural resources. Additionally, the Ione Band of Miwok Indians, the Jackson Rancheria Band of Miwuk Indians, the Buena Vista Band of Me-Wuk Indians, the Shingle Springs Band of Miwuk Indians, and the Washoe Tribe of Nevada and California were notified of this project proposal and did not submit any materials referencing tribal cultural resources affected by this project. **Mitigation Measure TRI-1** addresses potential discovery Tribal Cultural Resources on this site, rendering impacts **less than significant with mitigation incorporated.** 

#### **Mitigation Measure**

**TRI-1** If during the AB 52 consultation process information is provided that identifies tribal cultural resources, an additional Cultural Resources Study or EIR may be required.

**Source:** Cultural Resources Assessment of the Shake Ridge Project Area – Peak and Associates, Inc.; Planning Department; North Central Information Center, California State University, Stanislaus; Amador County General Plan Environmental Impact Report.

	Chapter 19. UTILITIES AND SERVICE SYSTEMS – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?				
b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				
c)	Result in a determination by the waste water 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?				

- A-C The proposed project would not require any water or wastewater service. Therefore, the project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board or result in the expansion of water or wastewater treatment facilities. Therefore, **no impact** related to these utilities and service systems would occur.
- D-E The installation of a cellular tower would generate a minimal amount of construction waste. Currently there are no active landfills in the county, however, the Aces Waste Services has a transfer station in Pine Grove which has sufficient capacity to accommodate the additional solid waste. In addition, the proposed project would comply with federal, state, and local regulations regarding solid waste. Impacts would be **less than significant**.

Source: Amador County General Plan and General Plan EIR; Environmental Health Department; Planning Department

	Chapter 20. WILDFIRE – 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 Impact with Mitigation Incorporated	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?				

- A There would be no lane closures involved in the proposed project that would constrict emergency access or interfere with an emergency evacuation plan. There is **no impact**.
- B The project does not exacerbate wildfire risks through change in slope, prevailing winds, or other factors. In 2017, the state of California adopted an Emergency Plan, which outlines how the state would respond in an event of natural or man-made disaster. The project would not interfere with this plan. The project is not anticipated to affect existing emergency access or access to nearby uses. All new development under the plan would be required to comply with County standards for the provision and maintenance of emergency access. Therefore, there is a **less than significant impact.**
- C The project would require the installation and maintenance of associated infrastructure that may exacerbate fire risk. Conforming to all standard Fire Safety Regulations as determined by Amador County Fire Department and California Building Codes will result in a **less than significant impact**.
- D The project will not expose people or structure to any new significant risks regarding flooding, landslides, or wildland fire risk. The project is located in a High Fire Risk Zone and therefore, shall conform to all standard Fire Safety Regulations as determined by Amador County Fire Department and California Building Code. The nearest fire station is Station 152 located at 19715 Shake Ridge Rd, Volcano, CA 95689. The project site is approximately 4000 feet from the fire station, and therefore will not require any increased fire protection due to the project's change in use. There is a **less than significant impact**.

Source: Amador County Planning, Amador County Office of Emergency Services.

Chapter 21. MANDATORY FINDINGS OF SIGNIFICANCE		Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory				
b)	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.)			×	
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				

#### **Discussion/Conclusion/Mitigation:**

A Impacts to Aesthetics, Biological, Cultural, and Tribal Cultural Resources would be significant unless mitigated. Therefore, Mitigation Measures AES-1, BIO-1, BIO-2, CULTR-1, CULTR-2, CULTR-3, and TRI-1 are required of the project.

The implementation of the Mitigation Measures identified above would result in less than significant impacts to the chapters mentioned above. Therefore, the project will not degrade the quality of the environment and no habitat, wildlife populations, and plant and animal communities would not be greatly impacted. All environmental topics are either considered to have "No Impact," "Less Than Significant Impact," or "Less than Significant Impacts with Mitigation Incorporated."

Implementing AES-1 during construction of the proposed project would the faux water tank design will match the rural character of the area

Implementing of the biological mitigation measures during potential construction would reduce impacts to wildlife, plants, and water resources. Potential construction would not result in impacts to fish or wildlife species, or associated habitats. If construction occurs during the nesting season. Mitigation Measure BIO-2 would reduce these impacts to less than significant to nesting birds.

Due to the limited ground disturbance, the proposed project would not be expected to impact any cultural or historic resources with Mitigation Measures CULTR-1 and TRI-1 incorporated.

With implementation of the aforementioned Mitigation Measures, impacts would be **less than significant with mitigation incorporated**.

B No past, current, or probable future projects were identified in the project vicinity that, when added to project-related impacts, would result in cumulatively considerable impacts. No cumulatively considerable impacts would occur with development of the proposed project. As discussed in the analyses provided in this Initial Study, project impacts were found to be less than significant. The incremental effects of the proposed project are not cumulatively significant when viewed in context of the past, current, and I or probable future projects. No cumulative impacts would be occur. The

intent of the project is to improve cellular coverage for existing and future wireless customers. The proposed project is consistent with the Amador County General Plan. **Impacts would be less than significant**.

There have been no impacts discovered through the review of this application demonstrating that there would be substantial adverse effects on human beings either directly or indirectly. However, the proposed project has the potential to cause both temporary and future impacts to the area by project-related impacts relating to Aesthetics, Biological Resources and Cultural and Tribal Resources. With implementation of mitigation measures included in this Initial Study, these impacts would be **less than significant with mitigation incorporated**.

**SOURCE:** Chapters 1 through 20 of this Initial Study.

REFERENCES Amador County General Plan; Amador County General Plan EIR; Planning Department; Amador Air District; Amador County Municipal Codes; Amador County Important Farmland Map, 2024; National Wetland Inventory; Fish & Wildlife's IPAC and BIOS databases; Migratory Bird Treaty Act; California Air Resources Board; California Department of Conservation; California Department of Forestry and Fire Protection; California Geologic Survey: Alquist-Priolo Earthquake Fault Zones; State Department of Mines & Geology; Cultural Resources Assessment of the Shake Ridge Project Area – Peak and Associates, Inc.; North Central Information Center; Amador County GIS; Amador County Zoning Map; Amador County Municipal Codes; Amador County Soil Survey; Amador Fire Protection District; Caltrans District 10 Office of Rural Planning; Commenting Department and Agencies. All sources cited herein are available in the public domain, and are hereby incorporated by reference.

NOTE: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal. Appl. 4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal. App. 4th at 1109; San Franciscans Upholding the Downtown Plan v. city and County of San Francisco (2002) 102 Cal. App. 4th 656.