

**STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION  
FOR MEETING OF: January 10, 2023**

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**ITEM 4 Request for a Use Permit (UP-22; 5-1) to allow for a contractor’s storage yard to store, repair, and maintain various tree servicing equipment and to allow for up to 6 cargo containers. APN’s 005-200-010 & 005-200-011.**

**Applicants:** Douglas Legros Petersen & April Dawn Petersen  
**Supervisory District:** 2  
**Location:** 4531 & 4545 State Highway 88 Ione, CA 95640

- A. General Plan Designation:** C, Commercial
- B. Present Zoning:** C2-X, Heavy Commercial with a Special Use combining district
- C. Acreage Involved:** 2.08 combined total acreage.
- D. Description:** The applicants are requesting a Use Permit UP-22; 5-1 to utilize their two properties off of Highway 88 in Ione as a contractor’s storage yard for the business, Doug Petersen Tree Service. There is currently an existing legal nonconforming residence on the property. The applicants wish to use the properties to store various tree servicing equipment such as mobile milling equipment and to store salvaged logs and processed wood, as well as to maintain and repair work vehicles in addition to the current residential use. The request also includes the use of 6 cargo containers for personal storage. The types of items proposed to be stored are furniture, household goods, metal parts, glassware, and other miscellaneous items. The residence and yard are located on two adjacent parcels under the same ownership and are both zoned C2-X with C, General Plan Designation. Combined size of the two parcels is 2.08 acres.  
  
Applicants shall maintain and operate the commercial vehicles which shall also be stored on the property. Some contents of the yard are screened from the road by two of the cargo containers. Pursuant to County Code Section 19.24.030 (X district regulations), an approved conditional use permit is required for the existing and proposed uses applied for, and the project shall abide by building site and yards required per code.
- E. TAC Review and Recommendation:** The Amador County Technical Advisory Committee (TAC) reviewed this application at their June 9, 2022 meeting and found the application complete. A TAC meeting was held on October 20, 2022 at which time TAC completed the CEQA Initial Study and draft Conditions of Approval for the project, and prepared a recommendation to the Planning Commission. TAC has no technical objections to the Planning Commission approving this Use Permit subject to the Mitigation Measures, Conditions of Approval, and Findings included in the staff report.
- G. Planning Commission Action:** The first action before the Planning Commission should be to determine if the proposed Negative Declaration adequately identifies and mitigates any potentially significant impacts to a less than significant level. If the Commission approves the Negative Declaration, the Use Permit may be approved or denied.

## **H. Recommended Findings**

1. The project, as proposed and conditioned, is consistent with the Amador County General Plan and the “C2-X” zoning district at this location;
2. The approval of the Use Permit is sanctioned by County Code Section 19.48.040 (District regulations- Generally (C1) and 19.24.030 X District Regulations, and is consistent with County Code Section 19.56 (Use Permits) in that the establishment, maintenance or operation of proposed use will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the County.
3. A review of this proposal was conducted by the Technical Advisory Committee, who, through their own research and the CEQA Initial Study, found this project will not have a significant effect on the environment due to the mitigation measures and conditions incorporated and a Negative Declaration will be adopted and filed with the County Recorder.
4. On the basis of the administrative record presented, the Planning Commission finds that there is no substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration included in the Staff Report reflects the Commission’s independent judgment and analysis.

**DRAFT  
CONDITIONS  
OF APPROVAL**

# **CONDITIONS OF APPROVAL**

## **FOR USE PERMIT: UP-22;5-1 Petersen - Contractors Storage Yard with Cargo Containers**

**APPLICANT:** Douglas Legros Petersen & April Dawn Petersen

**PHONE:** (916) 454-5486

**ADDRESS:** PO Box 14 Ione, CA 95640

**PROJECT LOCATION:** 4545 State Highway 88 Ione, CA 95640 (APN: 005-200-010 & 005-200-011)

**PROJECT DESCRIPTION:** Request for a Use Permit (UP-22; 5-1) to allow for a contractors storage yard to store, repair, and maintain various tree servicing equipment and to allow for up to 6 cargo containers.

**ENVIRONMENTAL DOCUMENT:** Negative Declaration

**PLANNING COMMISSION APPROVAL DATE:**

**NOTICE OF DETERMINATION DATE:**

NOTE A: It is suggested the project applicant contact the Environmental Health, Public Works, and Planning Departments and any other agencies involved prior to commencing these requirements. Improvement work shall not begin prior to the review and submission of the plans and the issuance of any applicable permits by the responsible County Department(s). The Inspector must have a minimum of 48 hours' notice prior to the start of any construction.

NOTE B: Information concerning this project can be obtained through the Amador County Planning Department, 810 Court Street, Jackson, CA 95642 (209) 223-6380.

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## **CONDITIONS OF APPROVAL**

1. ***FISH AND GAME FEES: No permits shall be issued, fees paid, or activity commence, as they relate to this project, until such time as the Permittee has provided the Planning Department with the Department of Fish and Game Filing Fee for a Notice of Determination or a Certificate of Fee Exemption from Fish and Game. THE PLANNING DEPARTMENT SHALL MONITOR THIS REQUIREMENT.***
2. Applicant shall submit signed conditions to the Planning Department. THE PLANNING DEPARTMENT SHALL MONITOR THIS REQUIREMENT.
3. This Use Permit is granted subject for the use(s) described (see attached application) on the condition that the project shall not, in the establishment, maintenance, or operation of the proposed use(s), be detrimental to the health, safety, peace, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use(s) or be detrimental or injurious to property and improvements in the neighborhood or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the County. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
4. The issuance of this Use Permit is expressly conditioned upon the permittee's compliance with all the provisions contained herein and if any of the provisions contained herein are violated, this Use Permit may be subject to revocation proceedings as set forth in Amador County Code. THE PLANNING DEPARTMENT SHALL MONITOR THIS REQUIREMENT.
5. All containers shall provide for, at a minimum, thirty-foot setback for buildings and accessory buildings from all property lines and/or the center of a road. THE PLANNING DEPARTMENT AND BUILDING DEPARTMENT SHALL MONITOR THIS REQUIREMENT.
6. Containers shall be painted a solid neutral color, or a color(s) that match the adjacent structures. Acceptable neutral colors include, but are not limited to, beige, taupe, and browns. Colors shall be maintained for the life of the container. THE PLANNING DEPARTMENT SHALL MONITOR THIS REQUIREMENT.
7. To mitigate the impact on fire protection services, in accordance with Amador County Ordinance No. 1640 (County Code 17.14.020)4, the developer shall participate in the annexation to the County's Community Facilities District No. 2006-1 (Fire Protection Services), including execution of a "waiver and consent" to the expedited election procedure, the successful completion of a landowner-vote election authorizing an annual special tax for fire protection services, to be levied on the subject property by means of the County's secured property tax roll, and payment of the County's cost

in conducting the procedure. THE AMADOR FIRE PROTECTION DISTRICT SHALL MONITOR THIS CONDITION

- 8. Storage of hazardous materials shall be subject to applicable regulations established in the Health and Safety Code Section 25503.5. THE PLANNING DEPARTMENT SHALL MONITOR THIS REQUIREMENT.
- 9. Prior to activation of the use permit, the applicant shall provide documentation to the Amador County Environmental Health Department that the site is in full compliance with the requirements of the Unified Program regarding hazardous materials business plan requirements, hazardous waste generation, treatment or storage, aboveground petroleum storage, and underground tanks. If a hazardous materials business plan is required, the emergency response portion shall include a plan for the evacuation of visitors in the event of a hazardous materials incident. The applicant shall substantially comply with all requirements of the Unified Program throughout the life of the Use Permit. THE ENVIRONMENTAL HEALTH DEPARTMENT SHALL MONITOR THIS CONDITION
- 10. All above ground structures or utility facilities within the State Highway right of way, including but not limited to utility poles, cabinets conduits, enclosures, temporary signs, temporary/permanent fences, and etc... shall be placed outside the clear recovery zone (CRZ), e.g. 20' from edge of travelled way or 2' from face of curb. Any accident caused or aggravated by any of these facilities if within the CRZ shall be the responsibility of the permittee. Permittee shall indemnify and hold harmless the State, its officers, and employees from any and all claims suits of actions brought forth, or on account of injuries from the accident. THE PLANNING DEPARTMENT SHALL MONITOR THIS REQUIREMENT.
- 11. If any future project activities encroach into Caltrans Right of Way, the project proponent must submit an application for an Encroachment Permit application, application and Quality Management Assurance Process (Qmap) checklists to the Caltrans District 10 Encroachment Permit Office and obtain all permits prior to commencement of said activities. Appropriate environmental studies must be submitted with this application. These studies will analyze potential impacts on any cultural sites, biological resources, hazardous waste locations, and/or other resources within Caltrans ROW at the project site(s) THE TRANSPORTATION AND PUBLIC WORKS DEPARTMENT SHALL MONITOR THIS CONDITION.
- 12. A cross culvert is located on SR 88 at Post Mile (PM) 5.11. The property owner needs to ensure any future developments will not cause damage to the existing culvert. THE PLANNING DEPARTMENT SHALL MONITOR THIS REQUIREMENT.
- 13. If at any time during the duration of this use permit historical, archaeological, or paleontological resources are discovered at the project site, the operator/permittee shall immediately cease all such activities within 100 feet of the find and notify the Amador County Technical Advisory Committee. 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 activities permitted by the use permit. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.

\_\_\_\_\_  
 Chairperson  
 Amador County Planning Commission

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Applicant

\_\_\_\_\_  
 Date

- (1) Applicant
- (2) Amador Air District
- (3) Building Department
- (4) Environmental Health Department
- (5) Transportation and Public Works Department
- (6) Waste Management Department
- (7) Amador Fire Protection District
- (8) CA Department of Fish and Wildlife
- (9) Planning Department

**NOTICE  
OF  
INTENT**

ENDORSED  
FILED

NOV 10 2022

KIMBERLY L. GRADY, County Clerk  
AMADOR COUNTY

By A. HANNA Deputy

**NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION  
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**PROJECT TITLE:** UP-22;5-1 Petersen Contractors Storage Yard with Cargo Containers

**LEAD AGENCY:** Amador County Planning Commission

**PROJECT LOCATION:** 4531 & 4545 State Highway 88 Ione, CA 95640

**PROJECT DESCRIPTION:** Request for a Use Permit (UP-22; 5-1) to allow for a contractors storage yard to store, repair, and maintain various tree servicing equipment and to allow for up to 6 cargo containers. APN's 005-200-010 & 005-200-011.

**NEGATIVE DECLARATION:** A copy of the Negative Declaration, proposed rule, and supporting documents are available for review on the current projects page on the Planning departments web site at <https://www.amadorgov.org/departments/planning/current-projects> and at the Planning department at 810 Court Street, Jackson CA, 95642. The required environmental review and comment period for this project will commence from November 10, 2022 until 5:00 pm on December 13, 2022. Comments may also be sent by fax to (209)257-6254 or by email to [planning@amadorgov.org](mailto:planning@amadorgov.org).

**PUBLIC HEARING:** The Amador County Planning Commission will conduct a public hearing on the matter on December 13, 2022 at 7:00 p.m. in the Board Chambers of the County Administration Center, 810 Court Street, Jackson, CA, 95642. Anyone having comments on the project may attend and be heard. Information on file with the Amador County Planning Department, 810 Court Street, Jackson, CA 95642; (209)223-6380; File No. UP-22; 5-1 Petersen

  
\_\_\_\_\_  
Ruslan Bratan, Planner

11-10-22  
Date: \_\_\_\_\_

File No. \_\_\_\_\_

Posted On 11/10/2022

Posting Removed \_\_\_\_\_

**INITIAL STUDY  
MITIGATED  
NEGATIVE  
DECLARATION**



NEGATIVE DECLARATION  
AND INITIAL STUDY

FOR

UP-22;5-1 Petersen - Contractors Storage Yard with Cargo  
Containers

October 2022

*Prepared by:*  
Ruslan Bratan  
Amador County  
Planning Department  
810 Court Street  
Jackson, CA 95642  
(209) 223-6380

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**Project Description:**

Project Title:	<b>UP-22;5-1 Petersen - Contractors Storage Yard with Cargo Containers</b>
Lead Agency Name and Address:	<b>Amador County Planning Commission 810 Court Street, Jackson, Ca 95642</b>
Contact Person/Phone Number:	<b>Ruslan Bratan, Planner II 209-233-6380</b>
Project Location:	<b>4545 State Highway 88 Ione, CA 95640</b>
Project Sponsor's Name and Address:	<b>Douglas Legros Petersen &amp; April Dawn Petersen 4545 State Highway 88 Ione, CA 95640</b>
General Plan Designation(s):	<b>Commercial (C)</b>
Zoning:	<b>Heavy Commercial and Special Use (C2X)</b>

**Background and Description of Project:**

This Initial Study was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines to review the request for a Use Permit to utilize the subject property as a contractors Storage Yard with Cargo Containers used as for storage. The project site is zoned C2X, Heavy Commercial with a Special Using zoning overlay. The type of use that is proposed is appropriate for the area, and the applicant is requesting a Use Permit as a result of the requirement in the C2X district which requires a conditional Use Permit be obtained for these uses. This environmental review document provides an assessment of the potential impacts caused by the potential additional uses.

Description of project:

**Project Components**

**1. Cargo Containers**

The project proposes up to 6 cargo containers to be utilized for the storage of various household good, furniture, glassware, metal parts, and other contractors' tools and equipment. No hazardous materials are proposed to be stored.

**2. Contractors Storage Yard**

The project proposes to utilize the property for the storage of tree service equipment, storage of work vehicles, mobile milling equipment, and storage of salvaged logs and processed wood.

**Regional and local Setting**

Surrounding land uses and setting:

The project site is located along CA State Highway 88 approximately 2.25 miles south of the city of Ione and approximately 5 miles east of the County border. The surrounding area is varied in zoning designations. The properties to the south and east are predominately zoned C1 and C2 and the parcels to the north and west are zoned X and AG. The surrounding uses of these properties include several mines to the north, west and east, as well as several agricultural uses to the south. Adjoining parcel sizes range from less than 1 acre to over 100 acres.

**Existing Site Character**

The project site is located along the CA State Highway 88 corridor in the western portion of Amador County. The area is dominated by various commercial and institutional uses.

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



FIGURE 2: PROJECT VICINITY

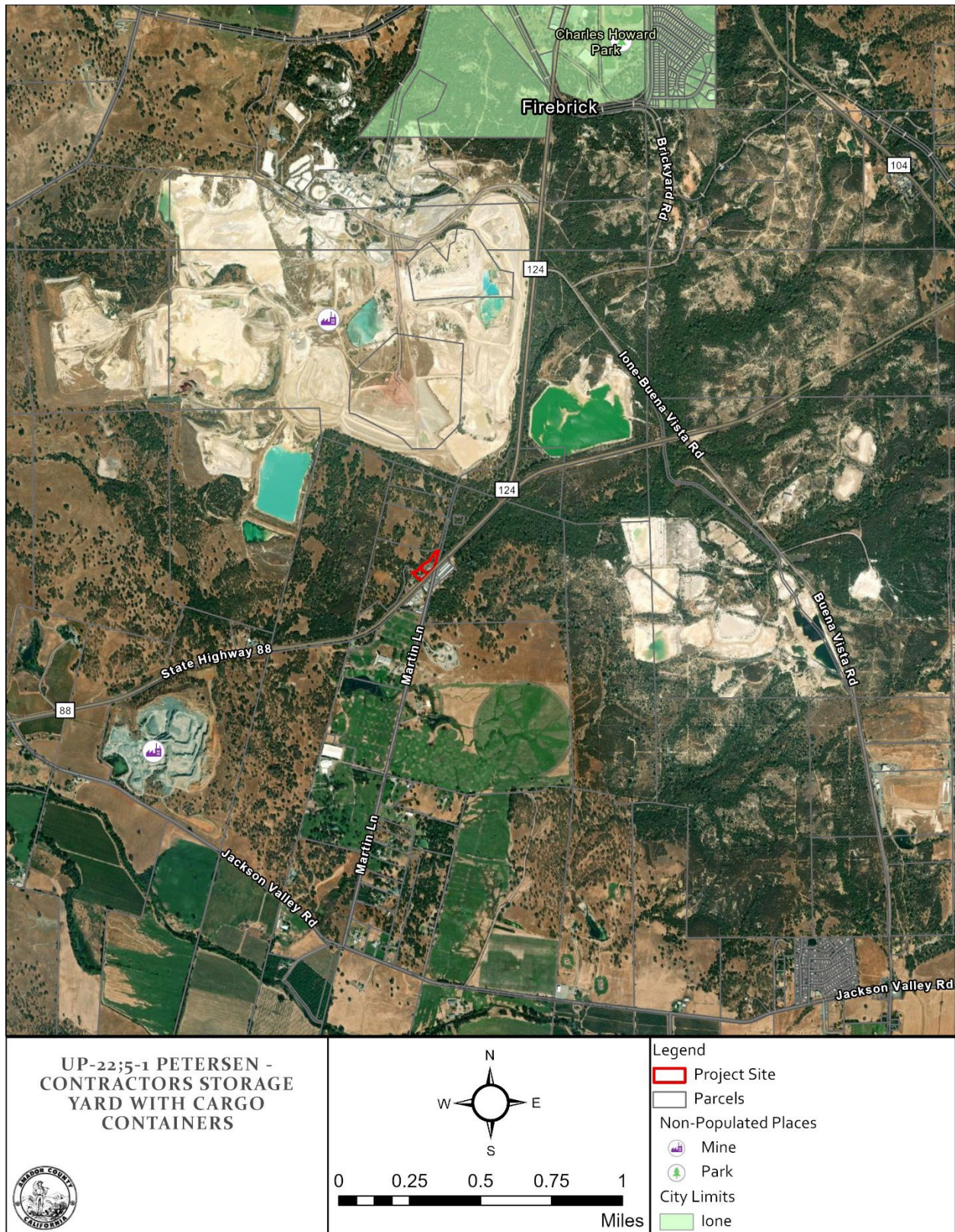
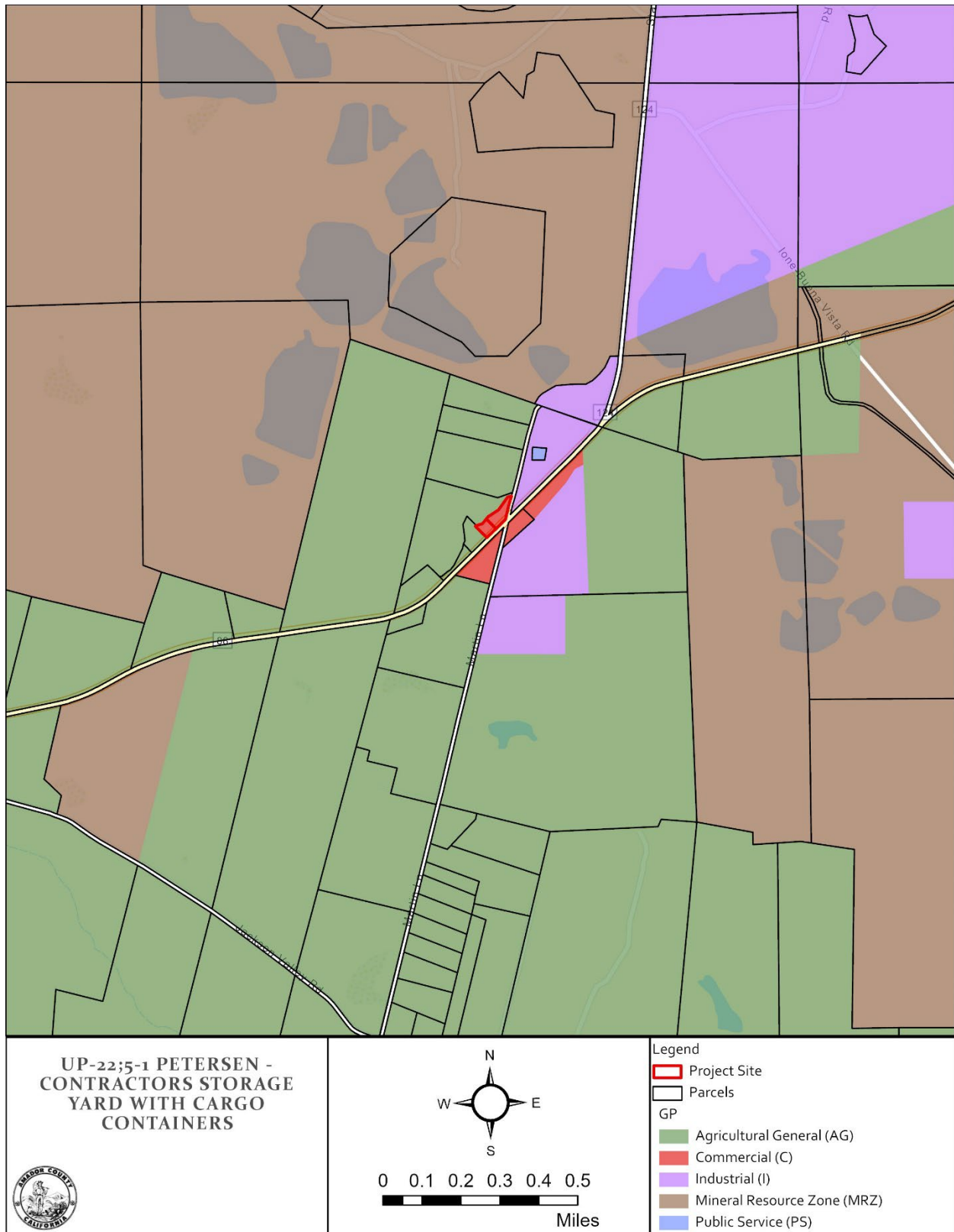


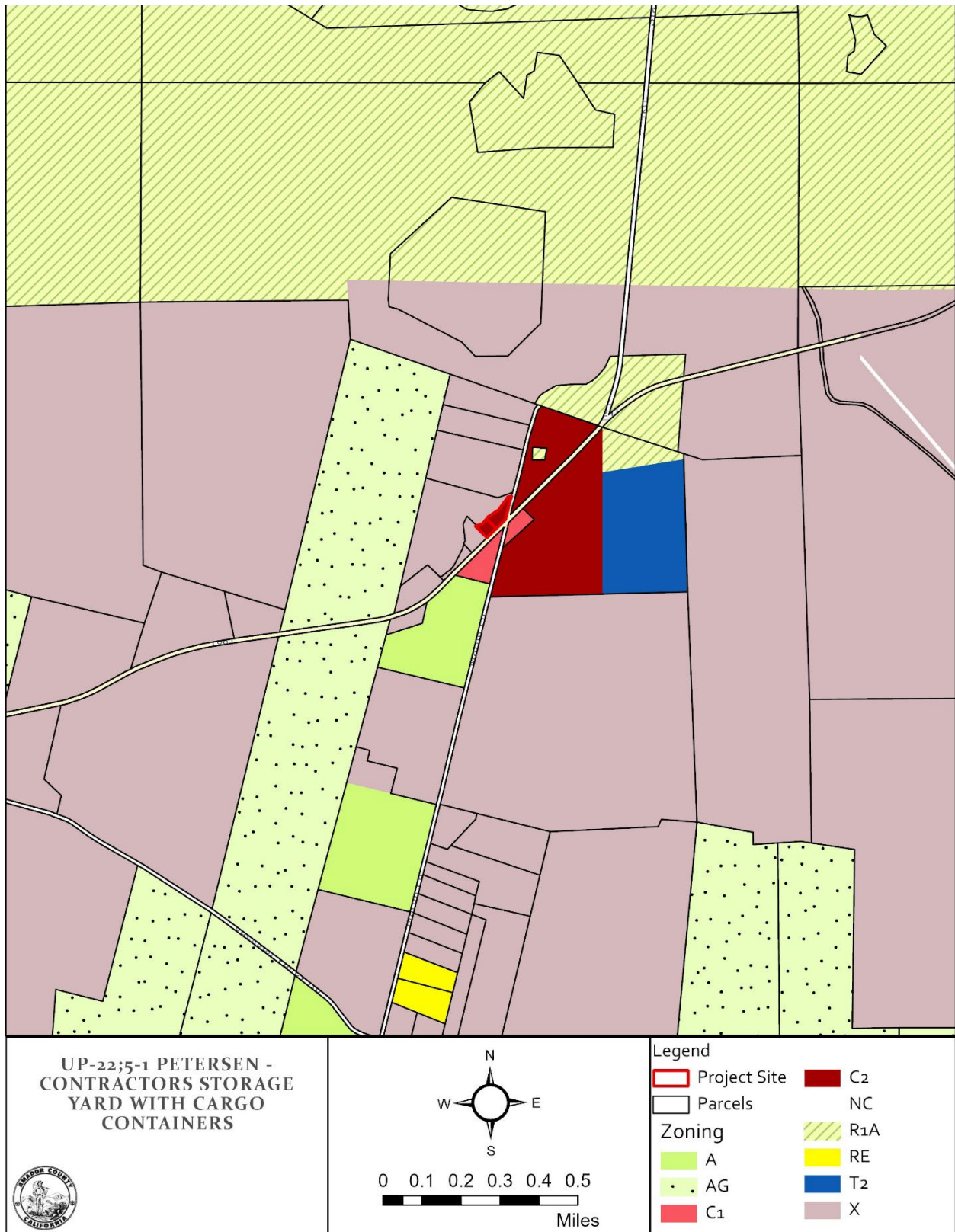
FIGURE 3: PROJECT LOCATION – AERIAL



FIGURE 4: GENERAL PLAN LAND USES

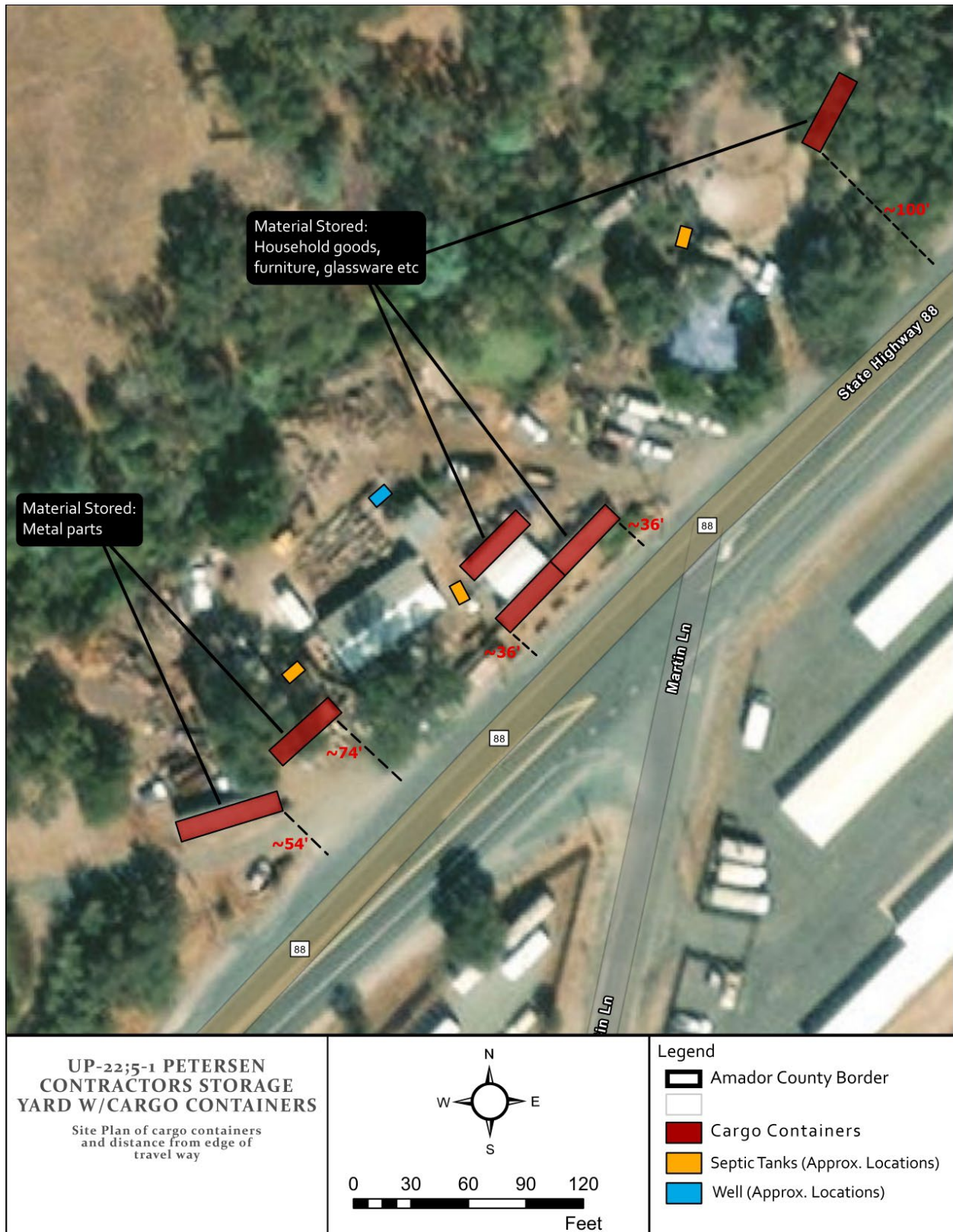


**FIGURE 5: ZONING DESIGNATIONS**





**FIGURE 6: Project Parcel Detail**



**Environmental Checklist – Initial Study**

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and corresponding discussion on the following pages.

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Aesthetics               | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources     | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology / Soils                    |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials      | <input type="checkbox"/> Hydrology / Water Quality          |
| <input type="checkbox"/> Land Use / Planning      | <input type="checkbox"/> Mineral Resources                  | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Population / Housing     | <input type="checkbox"/> Public Services                    | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Transportation / Traffic | <input type="checkbox"/> Utilities / Service Systems        | <input type="checkbox"/> Mandatory Findings of Significance |

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of the initial evaluation:

<input checked="" type="checkbox"/>	I find that the proposed project <b>COULD NOT</b> have a significant effect on the environment, and a <b>NEGATIVE DECLARATION</b> will be prepared.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A <b>MITIGATED NEGATIVE DECLARATION</b> will be prepared.
<input type="checkbox"/>	I find that the proposed project <b>MAY</b> have a significant effect on the environment, and an <b>ENVIRONMENTAL IMPACT REPORT</b> is required.
<input type="checkbox"/>	I find that the proposed project <b>MAY</b> have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An <b>ENVIRONMENTAL IMPACT REPORT</b> is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	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 <b>NEGATIVE DECLARATION</b> pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or <b>NEGATIVE DECLARATION</b> , including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

\_\_\_\_\_  
Signature – 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.

Chapter 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- A. Scenic 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 impact**.
- B. Scenic Highways: The project is not located along a scenic highway. Therefore, there is **no impact**.
- C. There are no officially designated scenic vistas in the project area, and it is unlikely that short-range views would be significantly affected by this project. This project is not foreseen to cause any significant change in the aesthetic quality of the property. The proposed is a similar use to surrounding uses and will not introduce any significant changes or major additions to the landscape, therefore there is **a less than significant impact**.
- D. Existing sources of light come from the nearby residential, commercial, and institutional developments. The proposed project will not result in an increased residential density. There is no proposed development nor the addition of artificial light sources for the project site. There are **no impacts** by the proposed project for new sources of substantial light or glare.

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

<p><b>Chapter 2. AGRICULTURE AND FOREST RESOURCES</b> – 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:</p>	<p><b>Potentially Significant Impact</b></p>	<p><b>Less Than Significant Impact with Mitigation Incorporated</b></p>	<p><b>Less Than Significant Impact</b></p>	<p><b>No Impact</b></p>
<p>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?</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>
<p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>
<p>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))?</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>
<p>d) Result in the loss of forest land or conversion of forest land to non-forest use?</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>
<p>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?</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>

**Discussion:**

- 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 “Grazing Land” on the Amador County Important Farmland 2016 map, 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 there are **no impacts**.
- D. The area is not considered forest land, or zoned as forest land or timberland, therefore there are **no impacts**.
- E. The project area is within an area designated as “Grazing Land”. This project does not introduce any additional use or impact that would introduce significant changes to nearby property uses. There is **no impact** to farmland or forest land through this project.

**Source:** Amador County Important Farmland Map, 2016; Amador County General Plan; Planning Department; CA Public Resources Code; California Department of Conservation.

<b>Chapter 3. AIR QUALITY</b> – 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:	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

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.

There would be no construction or a significant increase in emissions as part of this project therefore there would be no introduction of pollution in excess of existing standards established through the County's air quality guidelines. As there is no proposed land use change in use through this Use Permit, there is **no impact** to implementation of any applicable air quality plans.

B. The proposed project would not generate a significant increase in operational or long-term emissions. The existing development climate of the area is a combination of commercial, agricultural, and residential uses. The project will not introduce any additional uses or uses beyond what is allowed by the C2 zoning, or incompatible with the C, Commercial, General Plan designation. Future development of the property would be required to comply with the General Plan regarding construction emissions and related project-level emissions. There is **no impact** relative to air quality standards at this time.

C. Sensitive receptors are children, elderly, asthmatics and others who are at a heightened risk of negative health outcomes due to exposure to air pollution. The locations where these sensitive receptors congregate are considered sensitive receptor locations. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling units. These are areas where the occupants are more susceptible to the adverse effects of exposure to toxic chemicals, pesticides, and other pollutants. The nearest sensitive receptors include the only neighbors southeast of the project parcel. Though there are sensitive receptors a short distance from the project site, the project itself does not introduce any significant increases of air pollution or environmental contaminants which would affect the surrounding populations. For these reasons, there would be no substantial increase the exposure of sensitive receptors to substantial pollutant concentrations and there is **no impact**.

D. The proposed outdoor storage and cargo container usage would not generate any significantly objectionable odors beyond that which is permitted under the existing uses. There are **no impacts**.

**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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

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 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:

Bald eagle (*Haliaeetus leucocephalus*); Belding's Savannah Sparrow (*Passerculus sandwichensis beldingi*); Black Swift (*Cypseloides niger*); Bullock's Oriole (*Icterus bullockii*); Common Yellowthroat (*Geothlypis trichas sinuosa*); Golden Eagle (*Aquila chrysaetos*); Lawrence's Goldfinch (*Carduelis lawrencei*); Nuttall's Woodpecker (*Picoides nuttallii*); Oak Titmouse (*Baeolophus inornatus*); Tricolored Blackbird (*Agelaius tricolor*); Western Grebe (*aechmophorus occidentalis*); Wrentit (*Chamaea fasciata*); Yellow-billed Magpie (*Pica nuttalli*); California Tiger Salamander (*Ambystoma californiense*); Delta Smelt (*Hypomesus transpacificus*); Monarch Butterfly (*Danaus plexippus*); Valley Elderberry Longhorn Beetle (*Desmocerus californicus dimorphus*); Vernal Pool Fairy Shrimp (*Branchinecta lynchi*); Ione Buckwheat (*Eriogonum apricum*); and Ione Manzanita (*Arctostaphylos myrtifolia*).

Though the project area contains candidate, sensitive, or special status species, there is no impact to Candidate, Sensitive, and Special Status Species because the site has been significantly developed and no potentially remaining habitat will be altered or effected by this project. At this time, there are **no impacts**.

- 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. No natural communities of concern occur within the project site; therefore, there is no impact. Therefore, there are **no impacts**.
- 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.
- Though the National Wetlands Inventory indicates the surrounding project area has Riverine, there is no development proposed and therefore at this time, **there are no impacts**.
- D The proposed project would not conflict with local policies adopted for the protection biological resources. As the site is not wooded and has no Oak Woodlands identified on the project site, there is **no impact** to Oak Woodlands.
- E The proposed project would not conflict with local policies adopted for the protection biological resources. **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 plan. **No impact** would result.

**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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- A The project site is located in an area identified as having high cultural resource sensitivity. Therefore, the project has the potential to disturb or damage any as-yet-unknown historical resource if development is proposed. At this time, due to the small site size and there being no ground disturbing activities proposed, **impacts are less than significant.**
- B Per General Plan Mitigation Measure 4.6-9, when reviewing discretionary development proposals where a CEQA document is required, the County will require project applicants to conduct a paleontological resources impact assessment for projects proposed within the Modesto, Riverbank, Mehrten, and Ione Formations. Exhibit 4.6-3, Geologic Map, of the EIR verifies that the project site is not located in these formations, so it is anticipated that the project would have **no impact** to these paleontological or geological resources.
- C This site is not a known burial site or formal cemetery. However, as noted above, the project site is located in an area identified as having high cultural resource sensitivity. Therefore, the project has the potential to disturb or damage any as-yet-unknown archaeological resources or human remains if development is proposed. At this time, there are no ground disturbing activities proposed nor is there any development proposed. **There are no impacts.**

**Source:** Planning Department; North Central Information Center, California State University, Stanislaus; Amador County General Plan Environmental Impact Report.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- A. There is no long-term project construction or long-term operational changes resulting in substantial change in energy use, therefore there is **no 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 and no construction is proposed, 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

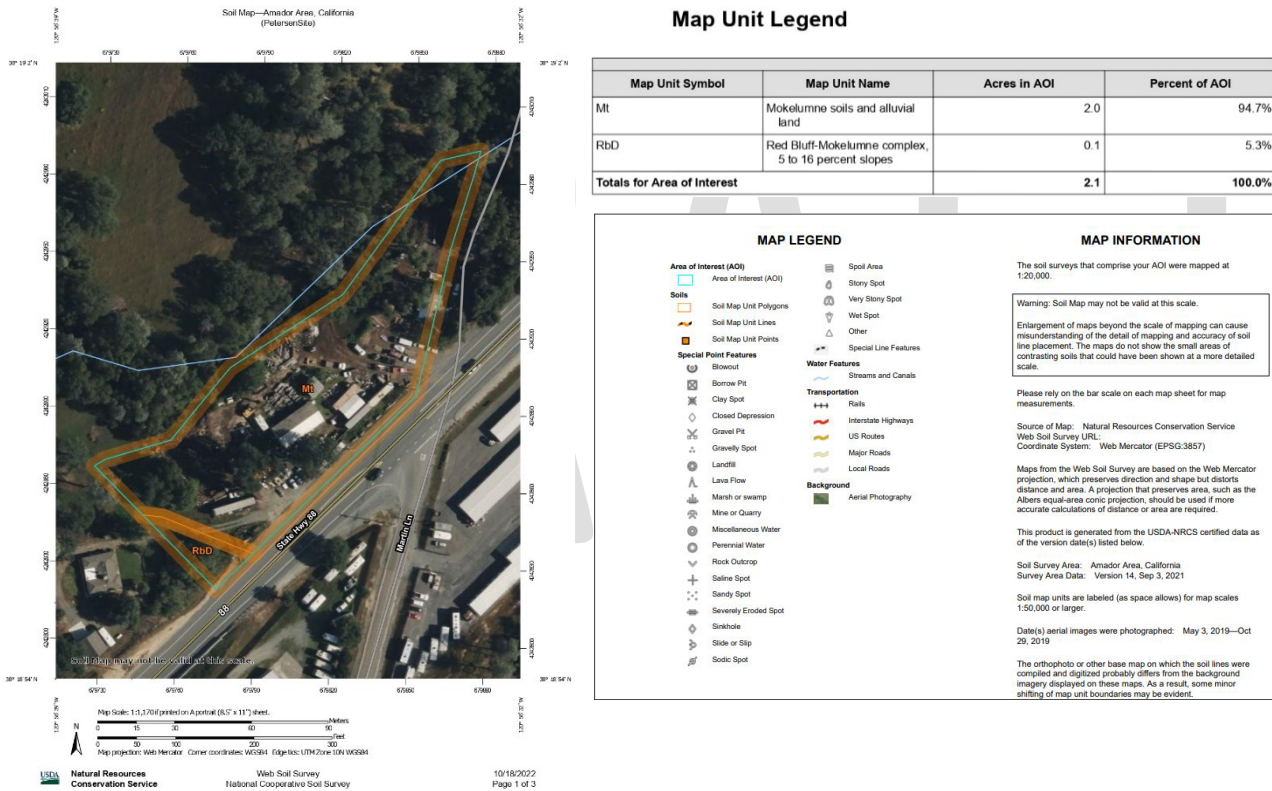
**Discussion:**

- 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. At this time, **there are no impacts**.
- B. Surface soil erosion and loss of topsoil has the potential to occur in any area of the county from disturbances associated with the construction-related activities. Construction activities could also result in soil compaction and wind erosion effects that could adversely affect soils and reduce the revegetation potential at the construction site and staging areas. During construction-related activities, specific erosion control and surface water protection methods for each construction activity would be implemented on the project site. The type and number of

measures implemented would be based upon location-specific attributes (i.e., slope, soil type, weather conditions). These control and protection measures, or BMPs, are standard in the construction industry and are commonly used to minimize soil erosion and water quality degradation. Grading Permits are reviewed and approved by the County in accordance with Ordinance 1619 (County Code 15.40), and conditions/requirements are applied to minimize potential erosion. There is no construction or ground disturbing activities proposed with this project therefore **there are no impacts**.

- C. The project is not located on a geological unit or soil that is unstable, nor is there proposed grading or development. At this time, **there are no impacts**.
- D. According to the Natural Resources Conservation Service (NRCS, 2017), the project site is located in an area with: gravelly sandy rocky loam with 0 to 5 percent slopes. See Figure 7 below. The project area is well drained with a very high runoff class. At this time, **there are no impacts**.

**FIGURE 7: Soil Map**



- E. The project is currently served by an on-site sewage disposal system. Soil conditions within the project site have been determined to be suitable for an on-site sewage system and the proposed use would not require the use of an on-site sewage system. There is a **no impact**.
- 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 is suited for commercial and storage use, and this project does not propose additional uses or development inconsistent with current uses of the property. **No impact would result**.

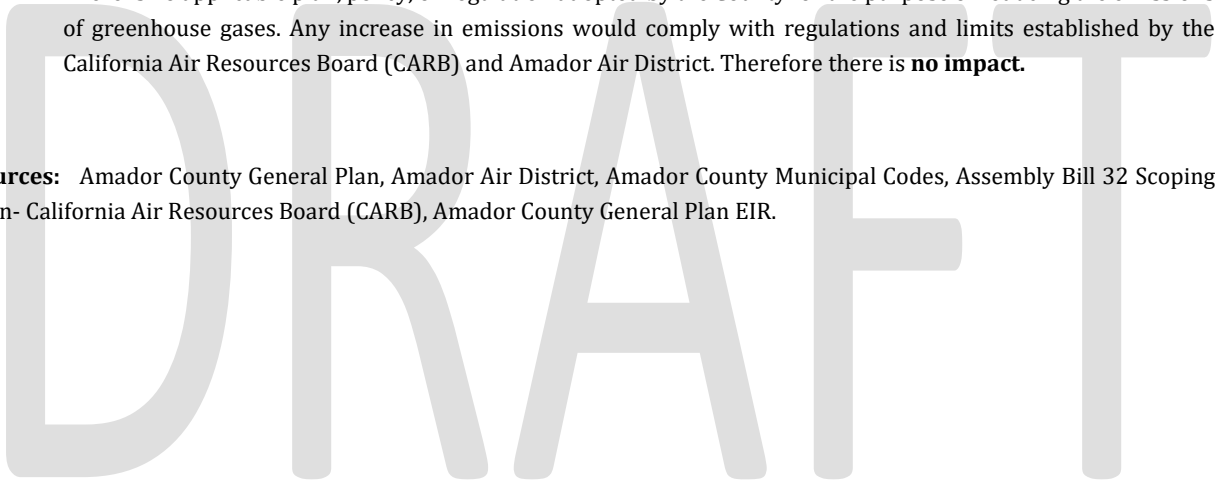
**Sources:** Soil Survey-Amador County; Planning Department; Environmental Health Department; National Cooperative Soil Survey; Amador County General Plan EIR, California Geologic Survey: Alquist-Priolo Earthquake Fault Zones Maps.

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

**Discussion:**

- A. The proposed Project, involving only the storage of tools and usage of cargo containers, would result in **no impacts** related to greenhouse gas emissions.
- B. There is no applicable plan, policy, or regulation adopted by the County for the purpose of reducing the emissions of greenhouse gases. Any increase in emissions would comply with regulations and limits established by the California Air Resources Board (CARB) and Amador Air District. Therefore there is **no impact**.

**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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

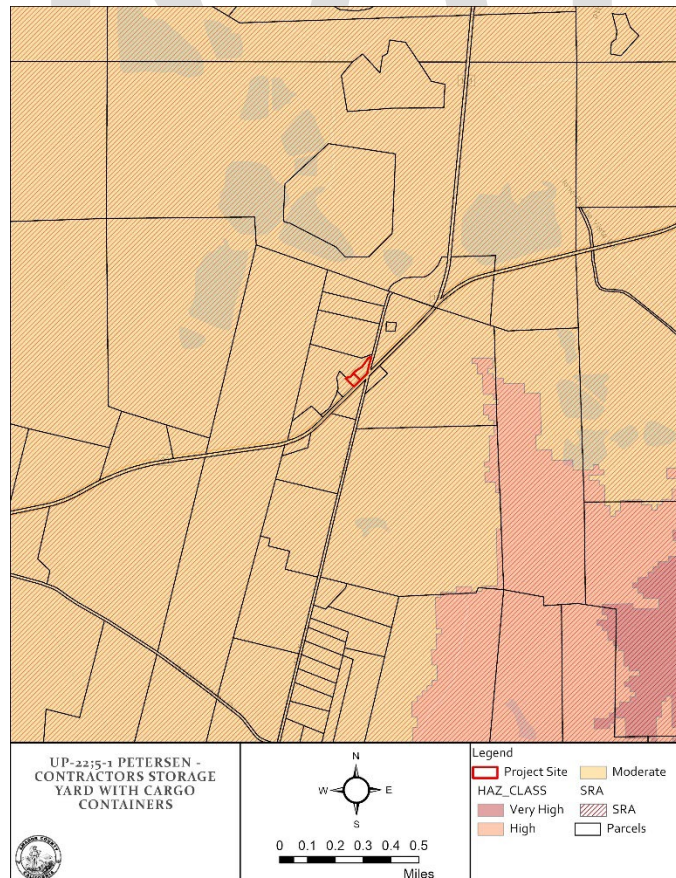
**Discussion:**

- A. Hazardous Materials Transport and Handling: The project does not significantly increase risk to the public or the environment through the routine transport, use, or disposal of hazardous materials. There is **no impact**.
- B. Hazardous Materials Upset and Release: Potential impacts of hazardous material handling, transport, or release through this project is mitigated by oversight of the Amador County Environmental Health department pursuant to state law. There is no increased potential impacts of hazardous materials or associated uses through this project. There is **no impact**.
- 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. Pursuant to Government Code Section 65962.5, the project site was queried for past-to-current records regarding information collected, compiled, and updated by the Department of Toxic Substances Control and Secretary for Environmental Protection (EPA) evaluating sites meeting the “Cortese List” requirements. The project site also was also searched on the California EPA’s Superfund Enterprise Management System (SEMS) database and the US EPA Facility Registry Service (FRS) however there were no specific flags for the project on either site. As the project does not propose any significant changes in use, intensity, or major construction, there is **no impact** regarding hazardous materials on or near the project site.

- E. The nearest public use airport to the project site is the Westover Field Airport located in Martell, located approximately nine miles away. The proposed project is located outside the safety compatibility zones for the area airports, and due to the significant distance from the project site, there is **no impact** to people on the project site.
- F. Per General Plan Mitigation Measure 4.8-2b, Evacuation Planning and Routes, when considering development proposals and discretionary actions, the County will ensure that actions will not prevent the implementation of emergency response plans or viability of evacuation routes established by the Office of Emergency Services. The project does not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No road improvements within a County right-of-way is anticipated. The proposed project does not have the potential to increase traffic and intensity on Highway 88 more than the current residential use that is ongoing. Impacts are **less than significant**.
- G. Per General Plan Mitigation Measure 4.8-7a, Fire-Safe Development, the County will review new development applications in moderate, high, and very high fire hazard severity zones to confirm they meet the standards of the Title 24 Wildland Urban Interface Building Codes and 14 CCR 1270. The County will require new structures and improvements to be built to support effective firefighting. New development applications in very high fire hazard severity zones shall include specific fire protection plans, actions, and/or comply with Wildland Urban Interface codes for fire engineering features. The County will seek fire district input on development applications to allow any proposed projects to incorporate fire-safe planning and building measures. Such measures may include (but are not limited to) buffering properties, creating defensible space around individual units, using fire-resistant building materials, installing sprinkler systems, and providing adequate on-site water supplies for firefighting.

According to the California Department of Forestry and Fire Protection the project is located in the State Responsibility Area for wildland fire protection and is within the Moderate Severity Zones. Any future construction is required to comply with the Wildland-Urban Interface Building Codes (adopted by reference by Amador County in Chapter 15.04 of County Codes) and will be evaluated for compliance with the General Plan mitigation measures and additional CEQA analysis, as necessary. There is no new proposed construction for this project. At this time, **there is less than significant impacts**.

**FIGURE 8: Fire Hazard Severity Map**



Chapter 10. HYDROLOGY AND WATER QUALITY - Would 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) result in a substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- A The proposed project would not further increase the impermeable surfaces on-site, nor result in an increase in urban storm water runoff. There are no impacts.
- B The project is unlikely to significantly impact groundwater supplies via extraction or the creation of extensive hard surfaces as the project only proposed the outdoor storage of equipment. At this time, **there are no impacts** to groundwater.
- C
  - I-II. The proposed project is not projected to significantly contribute to any increase in erosion, siltation, surface runoff, or redirection of flood flows. Future development (if any) would be reviewed by the Amador County Public Works Department to ensure any potential drainage concerns are addressed, and to ensure no net increase in stormwater runoff leaves the project site. At this time, **there are no impacts**.
  - III. The project would not contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems. At this time, **there are no impacts**.
  - IV. The project is located in Flood Zone X, meaning that the site is outside of the Standard Flood Height Elevation and of minimal flood hazard (Zone X). The proposed project does not involve



construction on the property. There are **no impacts** with respect to construction within a 100 year flood hazard area for this project.

- D The project site is not located in an area that would be impacted by a seiche, tsunami, or mudflows, 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.

DRAFT

Chapter 11. LAND USE AND PLANNING – 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- A This project will not result in any physical barriers that will divide the existing community. There is **no impact**.
- B The project does not conflict with any applicable land use plan policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The project site is zoned C2X, Heavy Commercial with a Special Using zoning overlay. The type of use that is proposed is appropriate for the area, and a Use Permit is being required due to the X, Special Use zoning. There is **no impact**.

Sources: Amador County General Plan and General Plan EIR, Amador County Municipal Codes, Amador County GIS

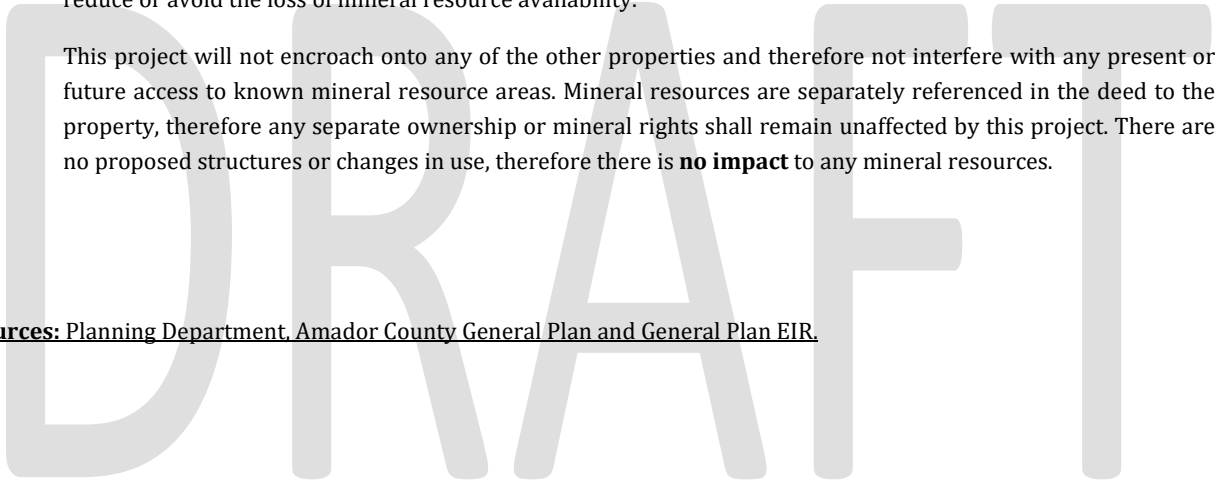
Chapter 12. MINERAL RESOURCES – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

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. There are no proposed structures or 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- A New noise levels contributed by the proposed project would include conversations by customers in the front of the store and from outdoor seating and live music in the backyard. The applicant has stated that the front seating will be utilized year round with seating up to 10 people, and seasonal for the backyard. The backyard will be utilized for outdoor seating up to 25 people and live music on the weekends and holidays between the hours of 1:00 pm to 7:00 pm. Additionally, the project’s use under the proposed zoning and General Plan designations would have noise levels limited within the 70 decibel limit as stated in the General Plan. The noises generated by these activities are not atypical to, or unusual in commercial zoned properties. In the event noise levels exceed applicable noise standards, the County will review complaints in accordance with the recently adopted Amador County Code Chapter 9.44 regarding nuisance noise. At this time, **impacts are less than significant.**
- B There are no proposed structures whose construction necessitate the use of heavy equipment for an extended period of time. However, as the project involves accessing and movement of contractor’s equipment so there may be small amounts of non-excessive ground borne vibrations. The existing site-conditions of the parcel, zoning setbacks, and surrounding context of the site ensure that there is a **less than significant impact.**
- C The nearest airport is approximately 9 miles away (eagle’s Nest Airport, Ione). **No impact** would result.

**Source:** Planning Department.

<b>Chapter 14. POPULATION AND HOUSING –</b> Would the project:	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

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 project site currently contains an occupied legal nonconforming use residence. At this time, **there are no impacts.**

DRAFT

Chapter 15. PUBLIC SERVICES – 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

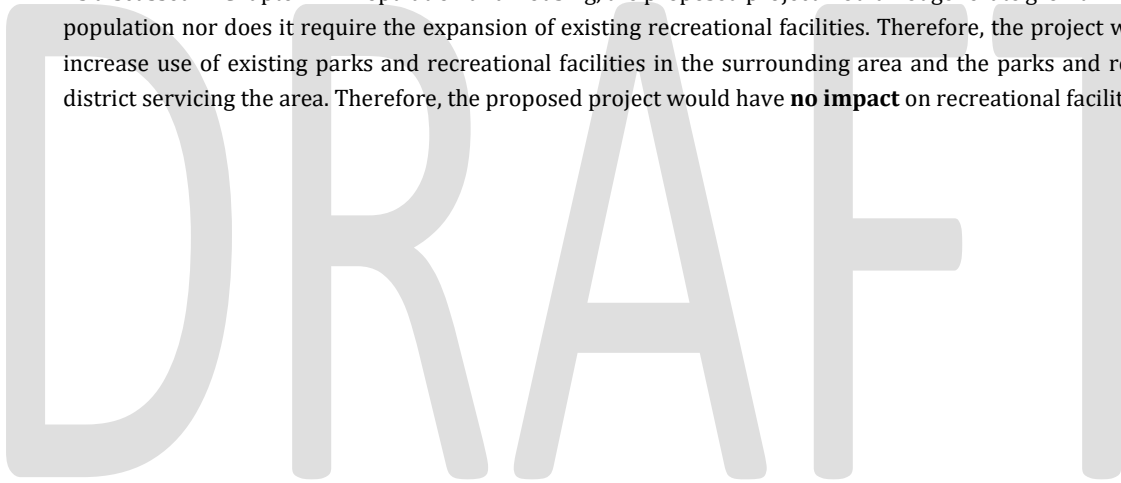
- A. Fire protection services in Amador County are provided by CalFire/Amador Fire Protection District. The nearest fire station is the Ione Fire station located at 22 W Jackson St, Ione, CA 95640 approximately 2.7 miles north (driving distance) of the project. Additional development may incrementally increase the demand for fire protection services however, Amador County Code requires the payment of fire protection impact fees to help offset the impacts that new development has on fire protection services. Such fees would be used to fund capital costs associated with acquiring land for new fire stations, constructing new fire stations, purchasing fire equipment, and providing for additional staff as needed. Fire protection impact fees would be paid at the time of any potential building permit issuance. At this time, **impacts are less than significant.**
- B. The Amador County Sheriff’s Office provides law enforcement service to the site. Implementation of the proposed project could increase service calls if additional structures are built. It is anticipated that future project implementation would not require any new law enforcement facilities or the alteration of existing facilities to maintain acceptable performance objectives. The project’s increase in demand for law enforcement services would be partially offset through project-related impact fees. At this time, **there are no impacts.**
- C. The project site is located within the Amador County Unified School District. Commercial use at the site would not result in an incremental demand for school facilities in the area. A development impact fee for school facilities will be assessed at the time of additional development on the project site. Impact fees would partially offset any potential impact to area school facilities. At this time, **there are no impacts.**
- D-E. The proposed project would not increase the number of residents in the County, as the project does not include additional 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

A&B Increase in the demand for recreational facilities is typically associated with substantial increases in population. As discussed in Chapter 14 - Population and Housing, the proposed project would not generate growth in the local population nor does it require the expansion of existing recreational facilities. Therefore, the project would not increase use of existing parks and recreational facilities in the surrounding area and the parks and recreation district servicing the area. Therefore, the proposed project would have **no impact** on recreational facilities.



<b>Chapter 17. TRANSPORTATION / TRAFFIC –</b> Would the project:	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**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 proposed project would not cause a substantial increase in traffic, reduce the existing level of service, or create any additional congestion at any intersections. 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. At this time, **impacts are 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. The proposed project would be consistent with surrounding uses and would use the existing access onto the property. There is a **less than significant impact.**
- D. There is no development proposed at this time. Future development would be reviewed for consistency with County’s General Plan policies and design guidelines during the planning permit phase. At this time, **there are no impacts.**



Chapter 18. TRIBAL CULTURAL RESOURCES – Would 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:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

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 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

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. At this time, **there are no impacts.**

**Sources:** Amador County Planning Department, California Public Resources Code; National Park Service National Register of Historic Places.

<b>Chapter 19. UTILITIES AND SERVICE SYSTEMS –</b> Would the project:	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

- A If increased water or wastewater capacity is required, applicants must pay their fair share of the necessary improvements. Where septic or connection to an existing wastewater system is not feasible, the County will require new development to demonstrate a means of wastewater collection, treatment, and reuse or disposal will be created that would be operated by an approved entity with adequate technical, financial, and managerial resources to assure safe and effective operation. Any such proposed method shall be consistent with goals and objectives of the General Plan as well as any planning goals of the operating entity.
- The project does not propose any changes in any of their utilities and service systems; therefore, at this time, **there are no impacts.**
- B The project is not located in an area of the County recognized as challenging in terms of groundwater yield. The project is unlikely to demand unusually high amounts of water. At this time, **there are no impacts.**
- C The project will not be served by a wastewater treatment provider, but instead continue to use the on-site septic systems. **There is no impact.**
- D Amador County meets its mandated capacity requirements through waste hauler contracts. Provided the project utilizes the Amador County franchise waste hauler, permitted waste disposal capacity is achieved. At this time, **there are no impacts.**
- E Future potential construction will be required to comply with California Building Codes (Cal Green) that mandate construction and demolition recycling requirements and Chapter 7.27 of the Amador County Municipal Code which mandates recycling and diversion of construction and demolition debris. Compliance with these regulations will bring impacts to less than significant levels. At this time, **there are no impacts.**

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

<b>Chapter 20. WILDFIRE</b> – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

- 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. All new development under the plan would be required to comply with County standards for the provision and maintenance of emergency access. At this time, **there are no impacts**.
- C No associated infrastructure that may exacerbate wildfire risk is proposed. The project does not propose any development. At this time, **there are no impacts**.
- D The project will not expose people or structures to any new significant risks regarding flooding, landslides, or wildland fire risk. The project shall conform to all standard Fire Safety Regulations as determined by Amador County Fire Department and California Building Codes. However, the project site is located in a Moderate Fire Severity Zone, **there is less than significant impacts**.

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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

- A As discussed in the individual sections, there is no development proposed with the proposed project; therefore, the project would not degrade the quality of the environment with the implementation of measures in accordance with the County’s General Plan and Municipal Code and other applicable plans, policies, regulations, and ordinances. Subsequent project specific environmental review may be required for any potential future discretionary development. All environmental topics are either considered to have "No Impact," or "**Less Than Significant Impact.**"
- B Pursuant to Section 15065(a)(3) of the CEQA Guidelines, a lead agency shall find that a project may have a significant impact on the environment where there is substantial evidence that the project has potential environmental effects “that are individually limited, but cumulatively considerable.” As defined in Section 15065(a)(3) of the CEQA Guidelines, cumulatively considerable means “that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.”

As discussed in the individual sections, no development is proposed with the project. Future development, i.e. commercial construction, would be required to identify and mitigate any air quality impacts from Toxic Air Contaminants (TAC) emitted during construction, as well as other potential environmental impacts. Implementation of standard measures in accordance with the County’s General Plan and Municipal Code, and other applicable plans, policies, regulation, and ordinances would be required for any future proposed development on the project site. Based on the analysis in this Initial Study Checklist, the project is consistent with the County’s General Plan land use projections. The land use and density has been considered in the overall County growth. The analysis demonstrated that the project is in compliance with all applicable state and local regulations. In addition, the project would not produce impacts that considered with the effects of other past, present, and probable future projects, would be cumulatively considerable because potential adverse environmental impacts were determined to have less than or no significant impact. The project would not impact aesthetics, agricultural and forestry resources or biological resources, hydrology and water quality, mineral resources, or recreation and therefore, it would not contribute to a significant cumulative impact on these resources resulting in **less than significant impacts.**

- C Consistent with Section 15065(a)(4) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly. Pursuant to this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This factor relates to adverse changes to the environment of human beings generally, and not to effect particular individuals. While changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include air quality, hazardous materials, and noise. Implementation of the standard permit conditions and adherence to the Amador County General Plan, Municipal Code, and state and federal regulations described in these sections of the report, would avoid significant impacts. As discussed in Chapters 1 through 20 of this Initial Study, the project would not expose persons to substantial adverse impacts related to Aesthetics, Agricultural and Forest Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards or Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation and Traffic, or Utilities and Service Systems. The effects to these environmental issues were identified to have less than significant or no impacts. The resulting effects on human beings have been identified resulting in **less than significant impacts**.

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

**REFERENCES:** Amador County General Plan; Amador County General Plan EIR; Amador Air District; Amador County Municipal Codes; 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; 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.

# AFFIDAVIT

- |   |                      |
|---|----------------------|
| 1. Notice of Intent (NOI).  | Initial<br><u>RB</u> |
| 2. GIS List. <u>1000</u> ft. Plus <u>email list</u><br><small>(Distance) (Special Instructions: e.g. to end of access road)</small> | <u>RB</u>            |
| 3. Checked <u>all</u> APN pages of those parcels from the GIS list for "NOTES" or<br>a. "SPECIAL INSTRUCTIONS."                     | <u>RB</u>            |
| 4. Project Applicant and Representative(s), if applicable.  | <u>RB</u>            |
| 5. Checked Project file cover for agency distribution.  | <u>RB</u>            |
| 6. Checked inside file for special requests for notification.   | <u>RB</u>            |
| 7. Checked old notification list for additional notification.   | <u>RB</u>            |
| 8. Other – Specify:<br>_____<br>_____<br>_____  |                      |

**AFFIDAVIT OF SERVICE BY MAIL**

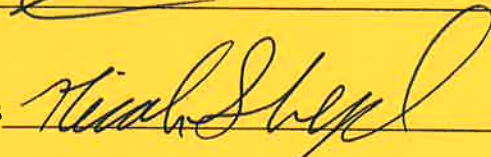
I am a citizen of the United States, over eighteen years of age, employed in Amador County, and not a party to the within action; my business address is 810 Court Street, City of Jackson, State of California. I hereby declare I served a copy of the attached public hearing notice regarding UP-22; 5-1 Petersen by placing copies in 9 envelopes addressed to: (see attached list).

Said envelopes were then sealed and postage fully paid thereon and were deposited in the United States Mail on November 10, 2022 at Jackson, California.

I declare under penalty of perjury the foregoing is true and correct.

Executed at Jackson, California on November 10, 2022

Signed 

Witness 



AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY  
**PLANNING DEPARTMENT**

PHONE: (209) 223-6380  
FAX: (209) 257-5002  
WEBSITE: [www.amadorgov.org](http://www.amadorgov.org)  
E-MAIL: [planning@amadorgov.org](mailto:planning@amadorgov.org)

COUNTY ADMINISTRATION CENTER • 810 COURT STREET • JACKSON, CA 95642-2132

**NOTICE OF PUBLIC HEARING**

Notice is hereby given the Planning Commission of the County of Amador, State of California, has received an application for the project described in this notice.

**PROJECT NAME AND DESCRIPTION:** Request for a Use Permit (UP-22; 5-1) to allow for a contractors storage yard to store, repair, and maintain various tree servicing equipment and to allow for up to 6 cargo containers. APN's 005-200-010 & 005-200-011.

**PROPERTY OWNERS:** Douglas Legros Petersen & April Dawn Petersen  
**SUPERVISORIAL DISTRICT:** 2  
**LOCATION:** 4531 & 4545 State Highway 88 Ione, CA 95640

**NOTE:** SEE MAP ON REVERSE. *The Staff Report will be available online (typically the Tuesday prior to the meeting) for viewing at <http://www.amadorgov.org> in the "Agendas and Minutes" section.*

**ENVIRONMENTAL REVIEW PROCESS:** In accordance with the California Environmental Quality Act (CEQA), the lead agency, the Amador County Planning Commission, intends to consider the adoption of a Negative Declaration, as the project is consistent with the Amador County General Plan and zoning codes. The environmental assessment and application materials appear to be complete and indicate there are no extraordinary or unique environmental issues not normally mitigated for with the County's standard conditions which would be applied to this type of project. If, during the processing of this application, it is determined that there are state or local issues which cannot be found to be insignificant or adequately mitigated through standard conditions, it may be found by the Planning Commission or Board of Supervisors an Environmental Impact Report (EIR) shall be prepared. The Technical Advisory Committee (TAC) has reviewed this project and has found no technical objection to the approval of this project with the adoption of a Negative Declaration. The required environmental review and comment period for this project will commence on November 10, 2022 and ends on December 13, 2022.

**PUBLIC HEARING:** Notice is hereby given said Planning Commission will hold a public hearing on this project at the County Administration Center, Board of Supervisors Chambers, 810 Court Street, Jackson, California, on December 13, 2022 at 7:00 p.m. or as soon thereafter as can be heard. Anyone having comments on the project may attend and be heard.

THE AMADOR COUNTY PLANNING COMMISSION WILL BE CONDUCTING ITS MEETING VIA TELECONFERENCE. WHILE THIS MEETING WILL STILL BE CONDUCTED IN-PERSON AT THE ABOVE ADDRESS, WE STRONGLY ENCOURAGE THE PUBLIC TO PARTICIPATE FROM HOME BY CALLING IN USING ANY OF THE FOLLOWING NUMBERS:

+1 669 900 6833 US  
+1 346 248 7799 US

+1 301 715 8592 US  
+1 312 626 6799 US

+1 929 205 6099 US  
+1 253 215 8782 US

Meeting ID: 537 512 8983

YOU MAY ALSO VIEW AND PARTICIPATE IN THE MEETING USING THIS LINK:

<https://us02web.zoom.us/j/5375128983>

The Chairperson will invite the public to comment via phone/online. Public comment will also be accepted by email at [planning@amadorgov.org](mailto:planning@amadorgov.org). All emails must be received prior to the start of the meeting and will be included in the record of the meeting. Emails received after those already included in the meeting materials will be printed and distributed to the Commissioners and available to the public, and shall be subject to the same rules as would otherwise govern speaker comments at the Commission meeting.



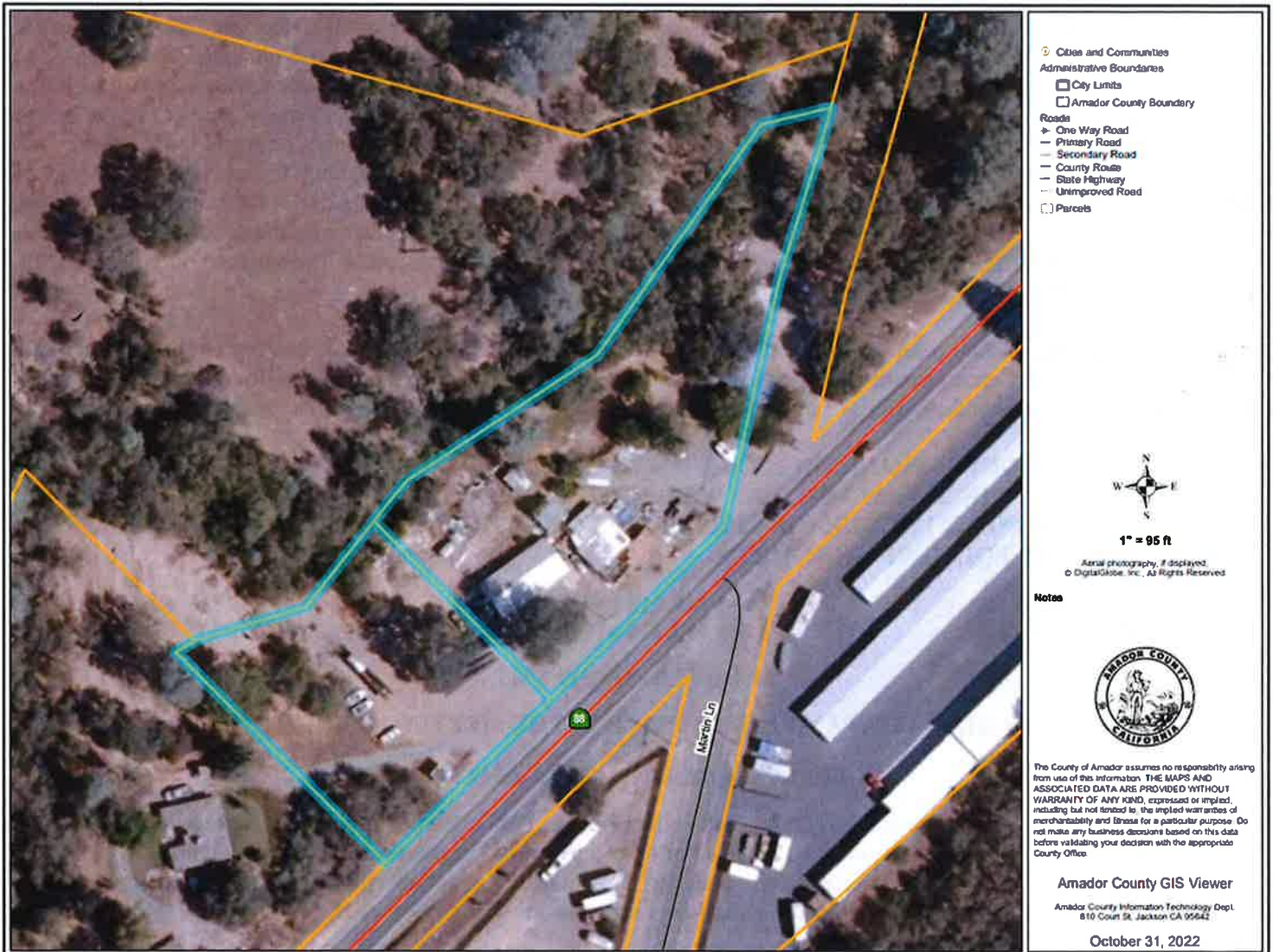
Letters of comment regarding this matter received by the County prior to the publication of the Staff Report will be sent to each Planning Commissioner as part of the agenda packet (generally the Tuesday prior to the meeting). Letters received after the Staff Report has been published will be copied and circulated to each Commissioner just prior to the public hearing. Be advised that due to time constraints, the Commissioners may not be able to give letters submitted after the Staff Report is published, as detailed a review as those received earlier. Therefore, it may be to your benefit to attend the hearing and summarize your concerns orally. Letters will not be read aloud at the public hearing. If you have any questions or desire more information, please contact this office.

In compliance with the Americans with Disabilities Act, if you are a person with a disability and require special modification or accommodation to participate in this meeting, please contact the Amador County Planning Department, at (209) 223-6380, by email to [planning@amadorgov.org](mailto:planning@amadorgov.org). Requests must be made as early as possible, and at least two business days before the start of the meeting.

**NOTE:** If you do not comment at the public hearing or send in written comments and later decide to challenge the nature of this proposed action in court, you may be limited to raising only those issues you raised at the public hearing or have given in written correspondence delivered to the public entity conducting the hearing at, or prior to, the Public Hearing.

**AMADOR COUNTY PLANNING COMMISSION**  
Date of this notice: November 10, 2022

**SUBJECT AREA HIGHLIGHTED IN BLUE**



THE REED LEASING GROUP LLC  
PO BOX 3191  
MODESTO, CA 95353

U S MINE LLC & HERITAGE EQUITY  
TRUST  
ATTN - A SCOTT DOCKTER  
PO BOX 580  
IONE, CA 956400580

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ATTN - A SCOTT DOCKTER  
PO BOX 580  
IONE, CA 956400580

JESS JOSEPH JOHN SR & CONNIE LEE  
TRUST  
5001 OAK MEADOW CT  
IONE, CA 95640

RANCHO ARROYO SECO CEMETARY

KONKLE CORY & SILVA DEZERAE  
PO BOX 385  
IONE, CA 956400385

GRINDER FAMILY TRUST  
GRINDER CLYDE DERRALD & VICKI LU  
TRUSTEES  
406 LYNDHURST AVE  
ROSEVILLE, CA 95678

MISURACA FAMILY TRUST  
MISURACA PETER & FISHER-MISURACA  
PATRICIA CO-TRSTE  
13241 MOUNT ECHO DR  
IONE, CA 95640-9555

MISURACA FAMILY TRUST  
MISURACA PETER & FISHER-MISURACA  
PATRICIA CO-TRSTE  
13241 MOUNT ECHO DR  
IONE, CA 95640-9555

U S MINE LLC & HERITAGE EQUITY  
TRUST  
ATTN - A SCOTT DOCKTER  
PO BOX 580  
IONE, CA 956400580

PETERSEN APRIL DAWN & DOUGLAS  
LEGROS  
PO BOX 14  
IONE, CA 956400014

PETERSEN APRIL DAWN & DOUGLAS  
LEGROS  
PO BOX 14  
IONE, CA 956400014

GRINDER FAMILY TRUST  
GRINDER CLYDE DERRALD & VICKI LU  
TRUSTEES  
406 LYNDHURST AVE  
ROSEVILLE, CA 95678

BOYLE MICHAEL E & BARBARA L TRUST  
7105 MARTIN LN  
IONE, CA 956409741

**APPLICATION**



**PLANNING DEPARTMENT**  
**Community Development Agency**

County Administration Center  
810 Court Street • Jackson, CA 95642-2132  
Telephone: (209) 223-6380  
Website: www.amadorgov.org  
E-mail: planning@amadorgov.org

**APPLICATION PROCEDURE FOR USE PERMIT**

A Public Hearing before the Planning Commission will be scheduled after the following information has been completed and submitted to the Planning Department Office:

✓ 1. Complete the following:

Name of Applicant Doug Petersen

Mailing Address PO Box 14  
Lone, Ca. 95640

Phone Number 916-454-5486

Assessor Parcel Number 005-200-010 & 011

Use Permit Applied For:

- Private Academic School
- Private Nonprofit Recreational Facility
- Public Building and Use(s)
- Airport, Heliport
- Cemetery
- Radio, Television Transmission Tower
- Club, Lodge, Fraternal Organization
- Dump, Garbage Disposal Site
- Church
- OTHER \_\_\_\_\_

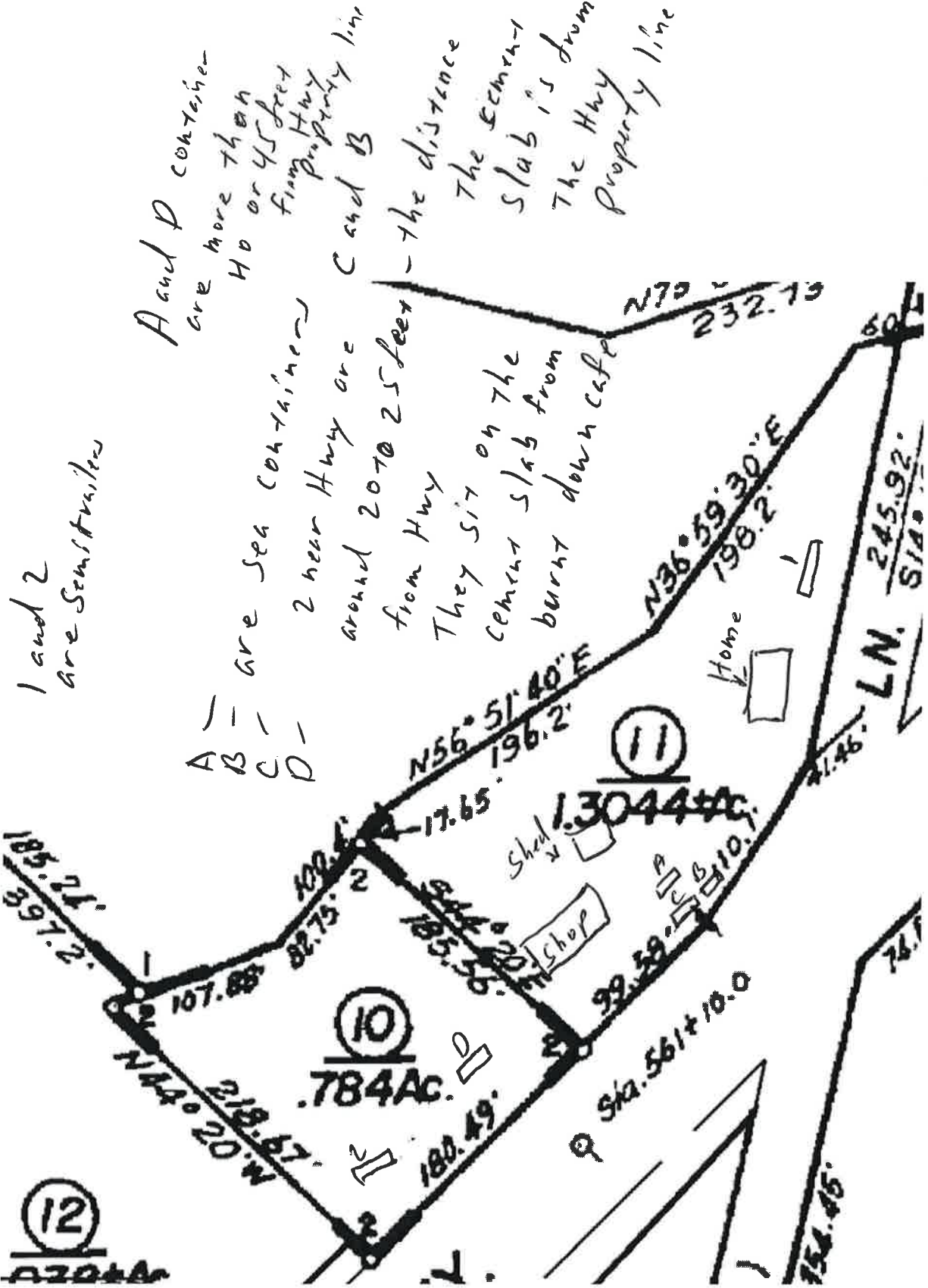
- ✓ 2. Attach a letter explaining the purpose and need for the Use Permit.
- ✓ 3. Attach a copy of the deed of the property (can be obtained from the County Recorder's Office).
- ✓ 4. If Applicant is not the property owner, a consent letter must be attached.
- ✓ 5. Assessor Plat Map (can be obtained from the County Surveyor's Office).
- ✓ 6. Plot Plan (no larger than 11" X 17") of parcel showing location of request in relation to property lines, road easements, other structures, etc. (see Plot Plan Guidelines). Larger map(s) or plans may be submitted if a photo reduction is provided for notices, Staff Reports, etc. The need is for easy, mass reproduction.
- ✓ 7. Planning Department Filing Fee: \$ 1,829  
Environmental Health Review Fee: \$ \_\_\_\_\_  
Public Works Agency Review Fee: \$ \_\_\_\_\_  
AFPD \$ 176
- ✓ 8. Complete an Environmental Information Form.
- ✓ 9. Sign Indemnification Form.

I'm self employed - Tree Service  
and other things - and a ranch  
this is our hub and parking  
and maintenance place and our home  
presently - we bought this place with that  
purpose and it's zoned Commercial and  
has a home on the property - We use  
this place as storage for our activities  
and projects as we see that it has  
been used this way for years - many years  
The property is a bit over 2 acres  
and has been in disrepair for along  
time. We moved in and have been fixing  
it up as we have funds available  
We are being required to get this permit  
because we have 4 Sea Containers for  
storage and now being required for a  
Contractors Storage yard - We have been  
slow at getting this permit because  
of supposed CEQA requirements that  
have an unknown cost exceeding 10,000<sup>00</sup>  
dollars which is money we need for our  
home that needs a lot of work - we need  
a new roof and new siding and new decks  
among other things. Our work consists of  
Tree Service - Equipment ~~and~~ and vehicle

Maintenance and repair, Towing, mobil millery,  
wood storage for salvaged logs and processed  
wood. We use the shop for repair  
and the yard for storage. Presently  
3 of the containers on on cement from  
a slab foundation from a burnt down Cafe  
and We are in a constant state of  
moving things around as projects come  
and go. The Highway will probably in  
the not to off future will probably  
be widened and thus we may be  
eminent domained and have enough  
property taken as we may have to  
move. We have heard this from the  
mine behind us. We do not see this  
Property as something to invest much  
money in because of that other  
than the comfort of our home

  
Dany Peterson

A picture



A and D containers are more than 40 or 45 feet from Hwy property line

They sit on the cement slabs from burnt down cafe

The distance from Hwy around 20 to 25 feet

The cement slabs from the Hwy property line

A - are sea containers  
 B - 2 near Hwy are around 20 to 25 feet from Hwy  
 C and D - around 20 to 25 feet from Hwy

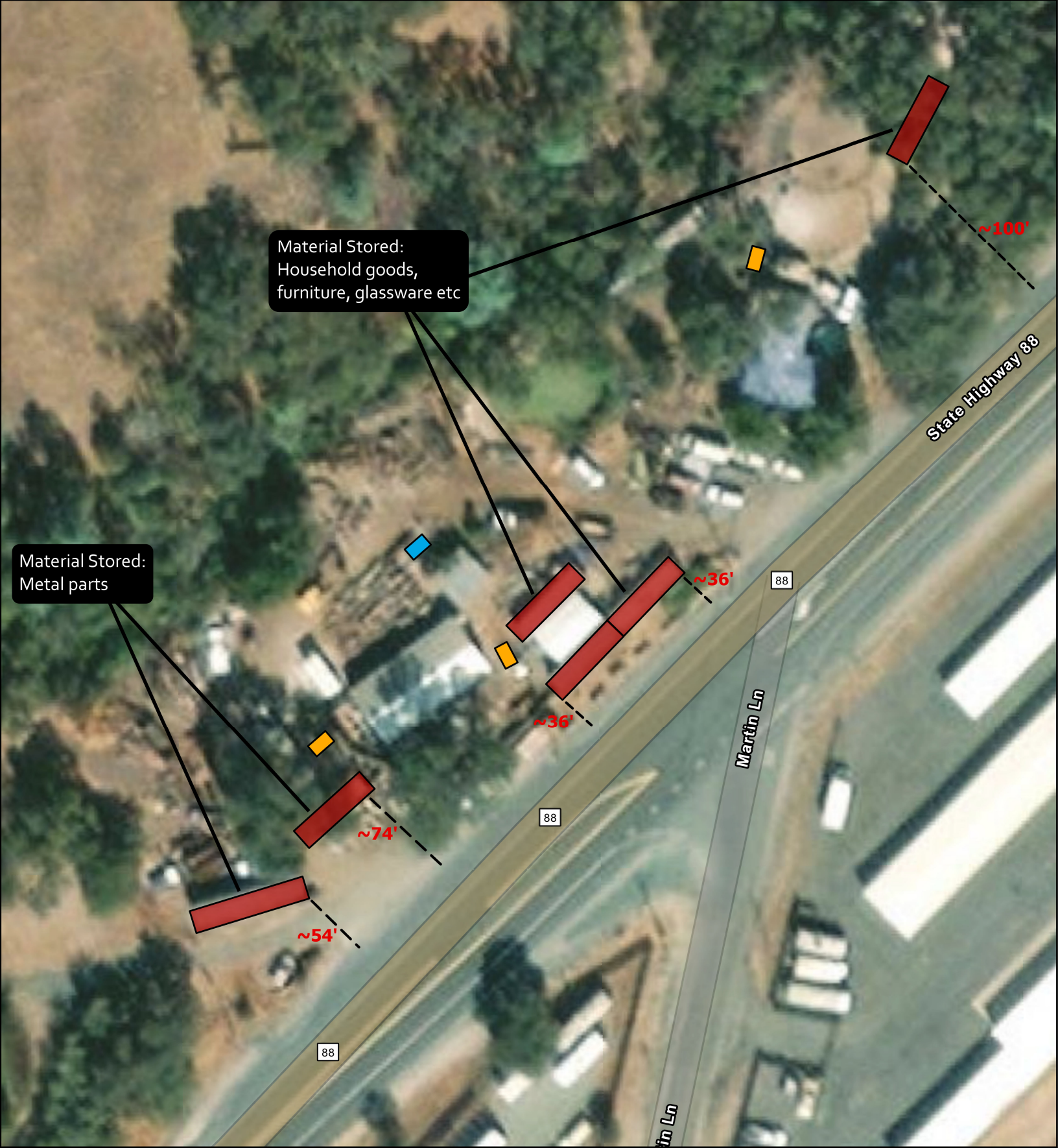
B picture





C larger picture



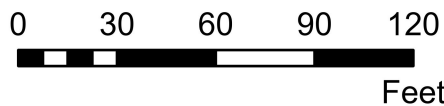
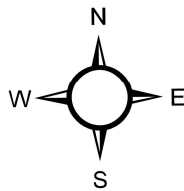


Material Stored:  
Household goods,  
furniture, glassware etc





Material Stored:  
Metal parts

**UP-22;5-1 PETERSEN  
CONTRACTORS STORAGE  
YARD W/CARGO CONTAINERS**

Site Plan of cargo containers  
and distance from edge of  
travel way



**Legend**

-  Amador County Border
-  Cargo Containers
-  Septic Tanks (Approx. Locations)
-  Well (Approx. Locations)

**ENVIRONMENTAL INFORMATION FORM**

To be completed by applicant; use additional sheets as necessary.  
Attach plans, diagrams, etc. as appropriate.

**GENERAL INFORMATION**

Project Name: Use Permit

Date Filed: \_\_\_\_\_ File No. \_\_\_\_\_

Applicant/

Developer \_\_\_\_\_ Landowner Doug Petersen

Address \_\_\_\_\_ Address PO Box 14 Tama Co. 95640

Phone No. \_\_\_\_\_ Phone No. 916 454 5486

Assessor Parcel Number(s) 005-200-010-000, 005-200-011-000

Existing Zoning District \_\_\_\_\_

Existing General Plan \_\_\_\_\_

List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state, and federal agencies \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**WRITTEN PROJECT DESCRIPTION** (Include the following information where applicable, as well as any other pertinent information to describe the proposed project):

1. Site Size
2. Square Footage of Existing/Proposed Structures
3. Number of Floors of Construction
4. Amount of Off-street Parking Provided (provide accurate detailed parking plan)
5. Source of Water
6. Method of Sewage Disposal
7. Attach Plans
8. Proposed Scheduling of Project Construction
9. If project to be developed in phases, describe anticipated incremental development.
10. Associated Projects
11. Subdivision/Land Division Projects: Tentative map will be sufficient unless you feel additional information is needed or the County requests further details.
12. Residential Projects: Include the number of units, schedule of unit sizes, range of sale prices or rents and type of household size expected.
13. Commercial Projects: Indicate the type of business, number of employees, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities.
14. Industrial Projects: Indicate type, estimated employment per shift, and loading facilities.
15. Institutional Projects: Indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.
16. If the project involves a variance, conditional use permit, or rezoning application, state this and indicate clearly why the application is required.

**ADDITIONAL INFORMATION** Are the following items applicable to the project or its effects? Discuss below all items checked "yes" (attach additional sheets as necessary).

YES NO

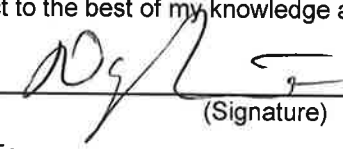
- 17. Change in existing features or any lakes or hills, or substantial alteration of ground contours.
- 18. Change in scenic views or vistas from existing residential areas, public lands, or roads.
- 19. Change in pattern, scale, or character of general area of project.
- 20. Significant amounts of solid waste or litter.
- 21. Change in dust, ash, smoke, fumes, or odors in the vicinity.
- 22. Change in lake, stream, or ground water quality or quantity, or alteration of existing drainage patterns.
- 23. Substantial change in existing noise or vibration levels in the vicinity.
- 24. Site on filled land or has slopes of 10 percent or more.
- 25. Use or disposal of potentially hazardous materials, such as toxic substances, flammables, or explosives.
- 26. Substantial change in demand for municipal services (police, fire, water, sewage, etc.).
- 27. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.).
- 28. Does this project have a relationship to a larger project or series of projects?

**ENVIRONMENTAL SETTING**

- 29. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site (cannot be returned).
- 30. Describe the surrounding properties, including information on plants and animals and any cultural, historical, or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity (cannot be returned).
- 31. Describe any known mine shafts, tunnels, air shafts, open hazardous excavations, etc. Attach photographs of any of these known features (cannot be returned).

Certification: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date 5-6-22

  
(Signature)  
For \_\_\_\_\_

INDEMNIFICATION

Project: Use Permit

In consideration of the County's processing and consideration of the application for the discretionary land use approval identified above (the "Project") the Owner and Applicant, jointly and severally, agree to defend, indemnify, and hold harmless the County of Amador from any claim, action, or proceeding against the County to attack, set aside, void or annul the Project approval, or any action relating related to the Project approvals as follows:

1. Owner and Applicant shall defend, indemnify, and hold harmless the County and its agents, officers or employees from any claim, action, or proceeding against the County or its agents, officers or employees (the "County") to attack, set aside, void or annul the Project approval, or any prior or subsequent determination regarding the Project, including but not limited to determinations related to the California Environmental Quality Act, or Project condition imposed by the County. The Indemnification includes, but is not limited to, damages, fees, and or costs, including attorneys' fees, awarded against County. The obligations under this Indemnification shall apply regardless of whether any permits or entitlements are issued.

2. The County may, within its unlimited discretion, participate in the defense of any such claim, action, or proceeding if the County defends the claim, action, or proceeding in good faith.

3. The Owner and Applicant shall not be required to pay or perform any settlement by the County of such claim, action, or proceeding unless the settlement is approved in writing by Owner and Applicant, which approval shall not be unreasonably withheld.

IN WITNESS WHEREOF, by their signature below, Owner and Applicant hereby acknowledge that they have read, understand, and agree to perform the obligations under this Indemnification.

Applicant:

  
Signature

Owner (if different than Applicant):

\_\_\_\_\_  
Signature

**Foothill Resource Management**

Steve Q. Cannon, RPF #2316  
P.O. Box 818, Pine Grove, CA 95665  
(209)419-1569

Mr. Chuck Beatty, Director  
Planning Department, County of Amador  
810 Court Street  
Jackson, CA 95642

14 April 2022

Re: Peterson property, APNs 005-020-010 & 005-020-011

Dear Mr. Beatty,

At the request of Mr. Doug Peterson, I conducted an inspection of the property referenced above. I was told by Mr. Ruslan Bratan of your office that the Planning Department has required that an Oak Woodlands Assessment shall be done for the parcel since applying for a Conditional Use Permit. This letter is in response to that requirement.

Section 21083.4 of the California Public Resources Code requires that counties determine if there will be a significant effect on oak woodlands as a result of a project proposed to the county. The first question that must be answered is whether a project area does indeed qualify as an "Oak Woodland". The Fish and Game Code of the State of California defines "Oak Woodland" under Section 1361(h) as "... oak stand with a greater than 10 percent canopy cover or that may have historically supported greater than 10% canopy cover". Additional important information comes from PRC 21083(a), where it is stated that oaks included in the determination of oak woodland status cannot come from the Group A or Group B commercial species as defined by 14 CCR 895.1 (Forest Practice Rules). California Black Oak (*Quercus kelloggii*), which is common in Amador County, is a Group B species, but it is not usually found at the elevation of APN 005-020-010 & 011.

On the 30<sup>th</sup> of March, 2022, I visited the Peterson property and conducted an evaluation of the property. It seemed to be obvious from the air photos and a casual drive-by that the area around these parcels would qualify as an "Oak Woodland", as defined by the Fish & Game Code. When I conducted my on-site inspection, it was also obvious that while the areas around the developed portion of the property were oak woodland, the amount of development that has occurred over a fairly long period of time has changed the property to the extent that it is no longer oak woodland. The PRC mandates this kind of evaluation if the property *is* oak woodland or *historically* has been oak woodland. There is no doubt in my mind that this property was oak woodland in the past, but was converted and changed long before PRC Section 21083.4 was part of Public Resources Code.

The oak woodlands around the perimeter of the Peterson property are Valley Live Oaks (*Quercus lobata*). Their diameters range from 4" DBH to 12" DBH. Their spacing is such that the crown cover of the areas where oaks have not been removed in the past results in those areas definitely qualifying as oak woodland. The portion of the Peterson property where oaks still exist is minor.

However, given the degree to which the Petersons and the former owners have developed the property, it is highly unlikely that these parcels could ever return to being oak woodland. Therefore, I conclude that the impact of granting the Peterson's a Conditional Use Permit would not have a significant impact on oak woodlands.

Page 2, Peterson Oak Woodland Report

I have attached an Assessor Parcel Map and a topographic map showing the approximate location of the Peterson parcels.

If you have any questions, please feel free to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Cannon", with a long horizontal flourish extending to the right.

Steve Q. Cannon, Registered Professional Forester #2316

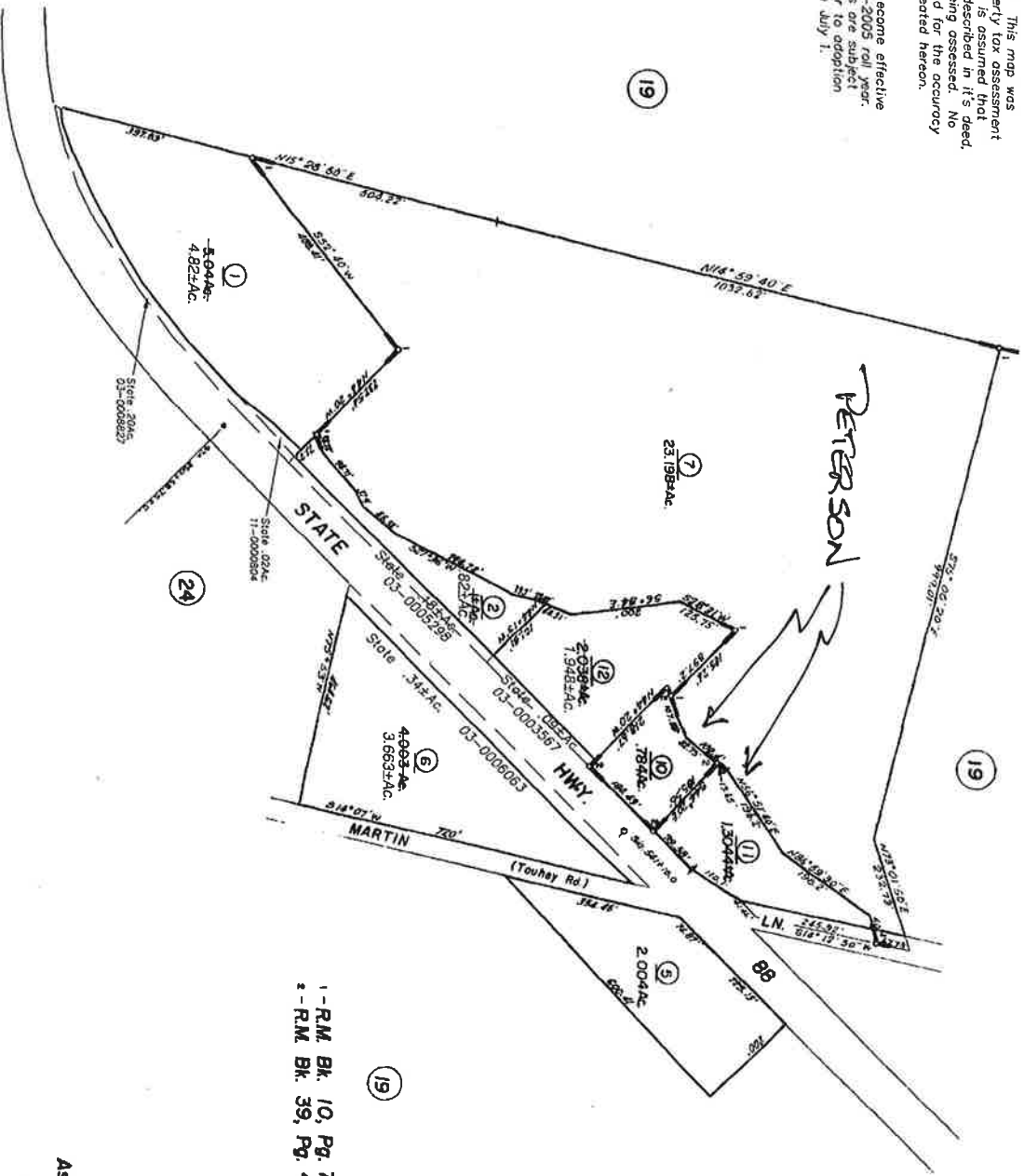
attachments

POR. RANCHO ARROYO SECO.

5-20

IMPORTANT NOTE: This map was prepared for property tax assessment purposes and is assumed that the property as described in it's deed is the property being assessed. No liability is assumed for the accuracy of the data delineated hereon.

Map changes become effective with the 2004-2005 roll year. Parcel numbers are subject to change prior to adoption of roll on each July 1.



1 - R.M. Bk. 10, Pg. 77  
 2 - R.M. Bk. 39, Pg. 47

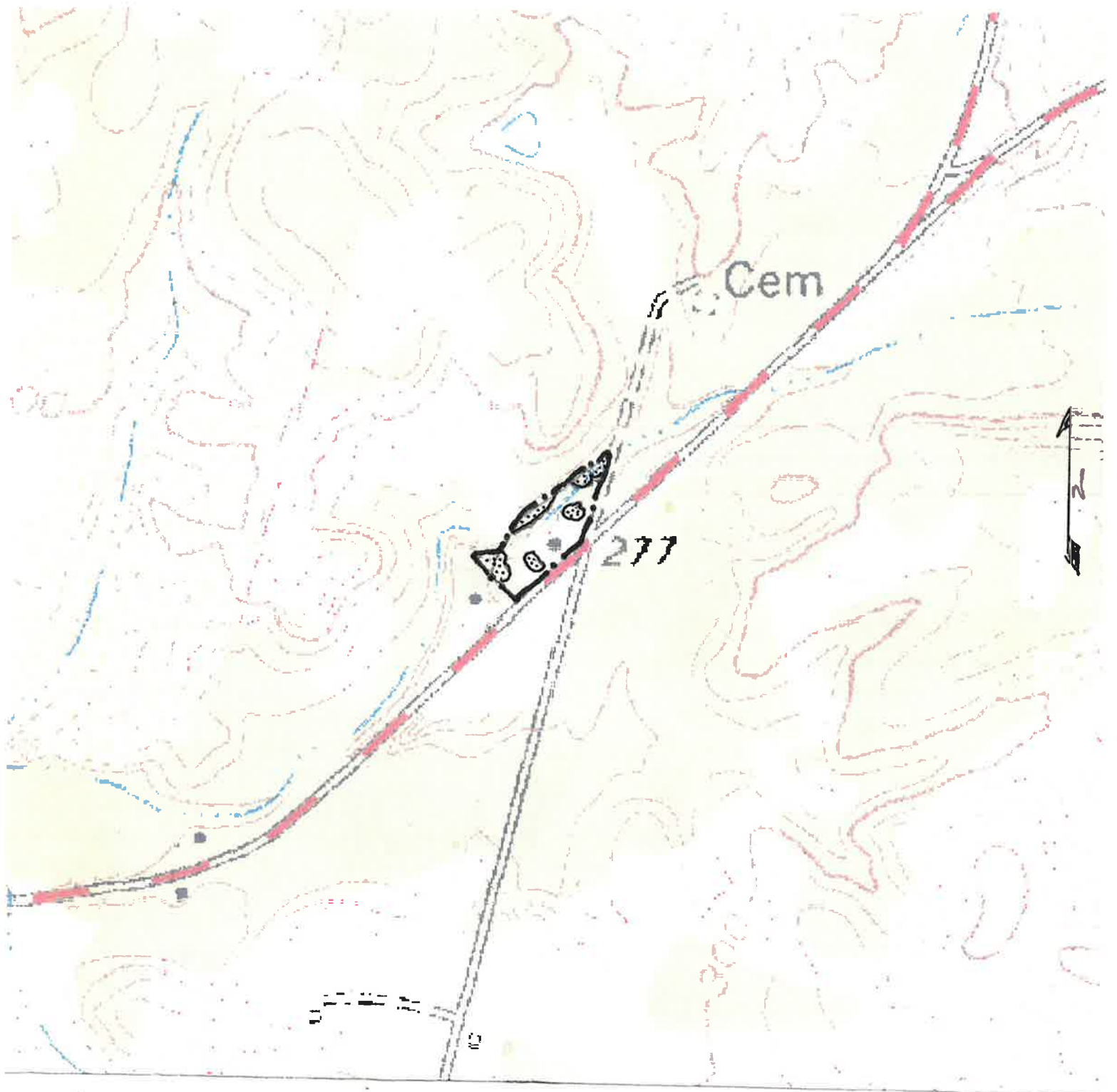


# Peterson Oak Woodlands Evaluation

Arroyo Seco Land Grant Area

1one 7.5' Quadrangle

Amador County



 Peterson Property Boundary

Area of Oak Canopy



Approx. Scale



0 500 ft

**COMMENTS**



Planning Department <planning@amadorgov.org>

---

## TAC Project Referral - UP-22;5-1 Petersen Contractors Storage Yard and Cargo Containers - Completeness

---

**AFPD Headquarters** <afpdhdq@amadorgov.org>

Wed, Jun 1, 2022 at 9:15 AM

To: Amador County Planning Department <planning@amadorgov.org>

Cc: Stacy Powrozek <spowrozek@amadorgov.org>

CFD annexation condition applies.

Thank you,

Nicole Cook  
Amador Fire Protection District  
810 Court Street  
Jackson, CA 95642  
209-223-6391-phone  
209-223-6646-fax

This communication may contain legally privileged and confidential information sent solely for the use of the intended recipient, and the privilege is not waived by the receipt of this communication by an unintended and unauthorized recipient. If you are not the intended recipient of this communication you are not authorized to use it in any manner, and must either immediately destroy it or return it to the sender. Please notify the sender immediately by telephone at (209) 223-6391 if you received this communication in error."

[Quoted text hidden]

## California Department of Transportation

OFFICE OF THE DISTRICT 10 PLANNING  
P.O. BOX 2048 | STOCKTON, CA 95201  
(209) 948-7325 | FAX (209) 948-7164 TTY 711  
[www.dot.ca.gov](http://www.dot.ca.gov)



June 08, 2022

Krista Ruesel  
Planner  
Amador County Planning Department  
810 Court Street  
Jackson, CA 95642

**AMA-88-PM 5.14**  
**Conditional Use Permit**  
**(CUP-22; 5-1) Petersen**

Ms. Ruesel,

The California Department of Transportation (Caltrans) appreciates the opportunity to comment during the early consultation of the Conditional Use Permit (CUP-22; 5-1) to allow for a contractor's storage yard to store, repair, and maintain various tree servicing equipment and allow for up to six (6) cargo containers.

The proposed project is located at 4545 State Route (SR) 88 in Ione. The Assessor Parcel Numbers (APN) are 005-200-010 & 005-200-011.

### **Caltrans has the following comments:**

#### **Hydrology**

A cross culvert is located on SR 88 at Post Mile (PM) 5.11. The property owner needs to ensure any future developments will not cause damage to the existing culvert.

#### **Encroachment**

On the provided ariel, please show where the placement of the cargo boxes will be relative to the SR and Caltrans right-of-way (ROW) to identify location and ensure the cargo boxes do not encroach into the Caltrans ROW. The typical clearance from a Highway Design Manual (HDM) perspective for clear recovery is zone 52 feet from the edge of the travel way.

Ms. Krista Ruesel  
June 08, 2022  
Page 2

We would also like a description of proposed materials that may be stored to ensure that the containers do not contain any toxic materials that have the potential to leach or create runoff into the state ROW.

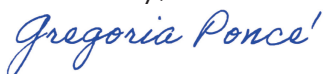
The cargo containers may require a transportation permit as dimensions and weight are unknown. While the Stockton Permit's Office does not handle transportation Permits, our Sacramento and Los Angeles Offices can assist with this. Here is the link: <https://dot.ca.gov/programs/traffic-operations/transportation-permits>

Caltrans suggests Amador County continue to coordinate and consult with Caltrans to identify and address potential cumulative transportation impacts from this project and other developments near this location. This will assist Caltrans in ensuring that traffic safety and quality standards are maintained for the traveling public on existing and future state transportation facilities.

If any future project activities encroach into Caltrans ROW, the project proponent must submit an application for an Encroachment Permit to the Caltrans District 10 Encroachment Permit Office. Appropriate environmental studies must be submitted with this application. These studies will analyze potential impacts to any cultural sites, biological resources, hazardous waste locations, and/or other resources within Caltrans ROW at the project site(s). For more information, please visit the Caltrans Website at: <https://dot.ca.gov/programs/traffic-operations/ep/applications>

Please contact Paul Bauldry at (209) 670-9488 or by email: paul.bauldry@dot.ca.gov, or me at (209) 483-7234 (email: Gregoria.Ponce@dot.ca.gov) if you have any questions or concerns.

Sincerely,



Gregoria Ponce', Chief  
Office of Rural Planning



---

## TAC Project Referral - UP-22;5-1 Petersen Contractors Storage Yard and Cargo Containers - Completeness

---

**CulturalCommittee IBMI** <culturalcommittee@ionemiwok.net>  
To: Amador County Planning Department <planning@amadorgov.org>  
Cc: Jereme Dutschke <jereme@ionemiwok.net>

Fri, Jun 10, 2022 at 10:57 AM

Hi Ruslan,

Thank you for requesting comments from the Lone Band of Miwok Indians. You have requested comments pursuant to A.B. 52 .

The Lone Band of Miwok Indians Cultural Heritage Committee is not aware of any specific cultural resources within the projects Area of Potential Effects; thus, the Cultural Heritage Committee does not have any further comment at this time.

The project should be conditioned with the stipulation that if Native American Cultural Resources are discovered during construction, all construction should stop immediately and consultation with the Tribe reinitiated.

Again, thank you for requesting comments from the Tribe. We look forward to working with you in the future.

[Quoted text hidden]



Ruslan Bratan <rbratan@amadorgov.org>

---

## Amador County TAC Agenda Item #3, Petersen Follow Up

---

**Bauldry, Paul@DOT** <paul.bauldry@dot.ca.gov>  
To: Ruslan Bratan <rbratan@amadorgov.org>  
Cc: "Ponce, Gregoria@DOT" <gregoria.ponce@dot.ca.gov>

Tue, Jun 14, 2022 at 1:49 PM

Hi Ruslan,

The California Department of Transportation (Caltrans) appreciates the opportunity to comment on the Amador County TAC meeting agenda item 3. Mr. Petersen requested a Conditional Use Permit (UP-22; 5-1) to allow a contractor's storage yard to store, repair, and maintain various tree servicing equipment and allow for up to six (6) cargo containers. APN's 005-200-020 and 005-200-011.

**Applicant:** Douglas Petersen

**Supervisory District:** 2

**Location:** [4531 & 4545 State Highway 88 Lone, CA 95640](#)

Caltrans would like to reaffirm our earlier discussions and request the following updated information on the provided aerial.

1. Identifying the location(s) of the cargo boxes (storage containers) on the aerial
2. The distance of the cargo boxes (storage containers) from the state route (SR) 88, from the edge of the travel way
3. Identifying the driveway with the positioning of the proposed cargo boxes (storage containers)
4. A description of the proposed materials be stored in the cargo boxes (storage containers), i.e., standard equipment or any toxic materials that have the potential to leach or create runoff into the state right-of-way (ROW)
5. Locations of the septic tanks and wells on the property
6. The property owner needs to ensure any future developments will not cause damage to the existing culvert located at Post Mile (PM) 5.11.

Please contact me at (209) 670-9488 or by email: [paul.bauldry@dot.ca.gov](mailto:paul.bauldry@dot.ca.gov) if you have any questions or concerns.

### **Paul Bauldry**

Caltrans District 10

Office of Rural Planning

Division of Planning, Local Assistance, and Environmental

1976 E. Dr. Martin Luther King Jr Blvd.

[Stockton CA 95205](#)

Telework # 209.670.9488

## California Department of Transportation

OFFICE OF THE DISTRICT 10 PLANNING  
P.O. BOX 2048 | STOCKTON, CA 95201  
(209) 948-7325 | FAX (209) 948-7164 TTY 711  
[www.dot.ca.gov](http://www.dot.ca.gov)



July 20, 2022

Ruslan Bratan  
Planner  
Amador County Planning Department  
810 Court Street  
Jackson, CA 95642

**AMA-88-PM 5.14**  
**Conditional Use Permit**  
**CUP-22; 5-1**  
**Douglas Petersen**

Mr. Bratan,

The California Department of Transportation (Caltrans) appreciates the opportunity to comment during the early consultation of the Conditional Use Permit CUP-22; 5-1 to allow for a contractor's storage yard to store, repair, and maintain various tree servicing equipment and allow for up to six (6) cargo containers.

The proposed project is located at 4545 State Route (SR) 88 in Ione. The Assessor Parcel Numbers (APN) are 005-200-010 and 005-200-011.

### **Caltrans has the following comments:**

#### **Hydrology**

A cross culvert is located on SR 88 at Post Mile (PM) 5.11. The property owner needs to ensure any future developments will not cause damage to the existing culvert.

Caltrans suggests Amador County continue to coordinate and consult with Caltrans to identify and address potential cumulative transportation impacts from this project and other developments near this location. This will assist Caltrans in ensuring that traffic safety and quality standards are maintained for the traveling public on existing and future state transportation facilities.

#### **Encroachment Permits**

If any future project activities encroach into Caltrans ROW, the project proponent must submit an application for an Encroachment Permit application, application checklist, and Quality Management Assurance Process (QMAP) checklist to the Caltrans District 10



Ruslan Bratan  
July 20, 2022  
Page 2

Encroachment Permit Office. Appropriate environmental studies must be submitted with this application. These studies will analyze potential impacts on any cultural sites, biological resources, hazardous waste locations, and/or other resources within Caltrans ROW at the project site(s). For more information, please visit the Caltrans Website at: <https://dot.ca.gov/programs/traffic-operations/ep/applications>

Please contact Paul Bauldry at (209) 670-9488 (email: paul.bauldry@dot.ca.gov), or me at (209) 483-7234 (email: Gregoria.Ponce@dot.ca.gov) if you have any questions or concerns.

Sincerely,

*Gregoria Ponce'*

Gregoria Ponce', Chief  
Office of Rural Planning

## California Department of Transportation

OFFICE OF THE DISTRICT 10 PLANNING  
P.O. BOX 2048 | STOCKTON, CA 95201  
(209) 948-7325 | FAX (209) 948-7164 TTY 711  
[www.dot.ca.gov](http://www.dot.ca.gov)



August 23, 2022

Ruslan Bratan  
Planner  
Amador County Planning Department  
810 Court Street  
Jackson, CA 95642

**AMA-88-PM 5.14**  
**Conditional Use Permit**  
**CUP-22; 5-1**  
**Petersen**

Mr. Bratan,

The California Department of Transportation (Caltrans) appreciates the opportunity to comment during the early consultation of the Conditional Use Permit CUP-22; 5-1 to allow for a contractor's storage yard to store, repair, and maintain various tree servicing equipment and allow for up to six (6) cargo containers.

The proposed project is located at 4545 State Route (SR) 88 in Ione. The Assessor Parcel Numbers (APN) are 005-200-010 and 005-200-011.

### **Caltrans has the following comments:**

#### **Hydrology**

A cross culvert is located on SR 88 at Post Mile (PM) 5.11. The property owner needs to ensure any future developments will not cause damage to the existing culvert.

Caltrans suggests Amador County continue to coordinate and consult with Caltrans to identify and address potential cumulative transportation impacts from this project and other developments near this location. This will assist Caltrans in ensuring that traffic safety and quality standards are maintained for the traveling public on existing and future state transportation facilities.

**Encroachment**

Per the Encroachment Permits Manual and Special Provisions, the Clear Recovery Zone (CRZ) on a State Route (SR) is **20 feet from the edge of the travel way (ETW).**

**Caltrans Right-of-Way Line is in RED.**





**CRZ (UTILITIES INSIDE THE CLEAR RECOVERY ZONE)** All above ground structures or utility facilities within the State Highway right of way, including but not limited to utility poles, cabinets conduits, enclosures, temporary signs, temporary/permanent fences, and

"Provide a safe and reliable transportation network that serves all people and respects the environment"

etc...shall be placed outside the **clear recovery zone (CRZ)**, e.g. 20' from edge of travelled way or 2' from face of curb. Any accident caused or aggravated by any of these facilities if within the CRZ shall be the responsibility of the permittee. Permittee shall indemnify and hold harmless the State, its officers, and employees from any and all claims suits of actions brought forth, or on account of injuries from the accident.

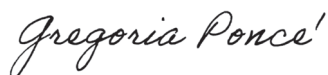
**INSTALLATIONS AND CLEARANCES:**

Horizontal clearances, as measured from the edge of the traveled way to the installation, shall be in accordance with the minimum desirable clear recovery zone width for a conventional which is 20 feet (6.10 m). In no case is a pole allowed closer than 1.5 feet (0.46 m) behind a curb face or less than 2 feet (0.61 m) from the edge of a slope catch point or driveway, or within a drainage ditch. New installations should adhere to setback limits or should be protected. Consideration should be given to placing such encroachments underground in shoulder or parking areas. Also, installations and clearances shall comply with all applicable orders of the Public Utilities Commission of the State of California, or the California Occupational Safety and Health (CAL-OSHA) Safety Orders, whichever is greater.

**Encroachment Permits** If any project activities encroach into Caltrans ROW, the project proponent must submit an application for an Encroachment Permit application, application checklist, and Quality Management Assurance Process (Qmap) checklist to the Caltrans District 10 Encroachment Permit Office. Appropriate environmental studies must be submitted with this application. These studies will analyze potential impacts on any cultural sites, biological resources, hazardous waste locations, and/or other resources within Caltrans ROW at the project site(s). For more information, please visit the Caltrans Website at: <https://dot.ca.gov/programs/traffic-operations/ep/applications>

Please contact Paul Bauldry at (209) 670-9488 (email: paul.bauldry@dot.ca.gov), or me at (209) 483-7234 (email: Gregoria.Ponce@dot.ca.gov) if you have any questions or concerns.

Sincerely,



Gregoria Ponce', Chief  
Office of Rural Planning



Planning Department <planning@amadorgov.org>

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## TAC Project Referral - UP-22;5-1 Petersen Contractors Storage Yard and Cargo Containers - Environmental Review

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Tiesha Adams <TAdams@amadorgov.org>

Mon, Oct 17, 2022 at 1:42 PM

To: Amador County Planning Department <planning@amadorgov.org>, John Schmidt <jschmidt@amadorgov.org>

Received, thank you. Surveying has no comment at this time.

[Quoted text hidden]

--

Tiesha Adams  
Amador County Surveying Department  
(209)223-6371

## California Department of Transportation

OFFICE OF THE DISTRICT 10 PLANNING  
P.O. BOX 2048 | STOCKTON, CA 95201  
(209) 948-7325 | FAX (209) 948-7164 TTY 711  
[www.dot.ca.gov](http://www.dot.ca.gov)



October 20, 2022

Ruslan Bratan  
Planner  
Amador County Planning Department  
810 Court Street  
Jackson, CA 95642

**AMA-88-PM 5.14**  
**Conditional Use Permit**  
**CUP-22; 5-1**  
**Douglas Petersen**

Mr. Bratan,

The California Department of Transportation (Caltrans) appreciates the opportunity to comment during the early consultation of the Conditional Use Permit CUP-22; 5-1 to allow for a contractor's storage yard to store, repair, and maintain various tree servicing equipment and allow for up to six (6) cargo containers.

The proposed project is located at 4545 State Route (SR) 88 in Ione. The Assessor Parcel Numbers (APN) are 005-200-010 and 005-200-011.

### **Caltrans has the following comments:**

#### **Hydrology**

A cross culvert is located on SR 88 at Post Mile (PM) 5.11. The property owner needs to ensure any future developments will not cause damage to the existing culvert.

Caltrans suggests Amador County continue to coordinate and consult with Caltrans to identify and address potential cumulative transportation impacts from this project and other developments near this location. This will assist Caltrans in ensuring that traffic safety and quality standards are maintained for the traveling public on existing and future state transportation facilities.

Ruslan Bratan  
October 20, 2022  
Page 2

If any future project activities encroach into Caltrans ROW, the project proponent must submit an application for an Encroachment Permit application, application checklist, and Quality Management Assurance Process (QMap) checklist to the Caltrans District 10 Encroachment Permit Office. Appropriate environmental studies must be submitted with this application. These studies will analyze potential impacts on any cultural sites, biological resources, hazardous waste locations, and/or other resources within Caltrans ROW at the project site(s). For more information, please visit the Caltrans Website at: <https://dot.ca.gov/programs/traffic-operations/ep/applications>

Please contact Paul Bauldry at (209) 670-9488 (email: paul.bauldry@dot.ca.gov), or me at (209) 483-7234 (email: Gregoria.Ponce@dot.ca.gov) if you have any questions or concerns.

Sincerely,

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

Gregoria Ponce', Chief  
Office of Rural Planning



## California Department of Transportation

OFFICE OF THE DISTRICT 10 PLANNING  
P.O. BOX 2048 | STOCKTON, CA 95201  
(209) 948-7325 | FAX (209) 948-7164 TTY 711  
[www.dot.ca.gov](http://www.dot.ca.gov)



December 1, 2022

Ruslan Bratan, Planner  
Amador County Planning Department  
810 Court Street  
Jackson, CA 95642

**AMA-88-PM 5.14**  
**Contractor Storage Yard**  
**Initial Study (IS) SCH:**  
**2022110219**

Mr. Bratan,

The California Department of Transportation (Caltrans) appreciates the opportunity to comment on the Contractor Storage Yard Initial Study to allow for a contractor's storage yard to store, repair, and maintain various tree servicing equipment and allow for up to six (6) cargo containers.

The proposed project is located at 4545 State Route (SR) 88 in Ione. The Assessor Parcel Numbers (APN) are 005-200-010 and 005-200-011.

### **Caltrans has the following comments:**

#### **Environmental**

If any construction-related activities encroach into Caltrans Right of Way (ROW), the project proponent must apply for an Encroachment Permit to the Caltrans Encroachment Permit Office. All California Environmental Quality Act (CEQA) documentation, with supporting technical studies, must be submitted with the Encroachment Permit Application. These studies will include an analysis of potential impacts on cultural sites, historic properties, biological resources, hazardous waste locations, scenic highways, and/or other environmental resources within Caltrans ROW at the project site(s). Evidence of consultation with local Native American tribes and interested parties will need to be presented within the technical documents to approve encroachment in the Caltrans ROW. This area supports habitat and critical habitat for the special status species (Ione Manzanita).

If impacts occur to the species within Caltrans ROW, Caltrans will need to review the consultation application with the regulatory agency(ies). If there are impacts to protected water resources within Caltrans ROW, Caltrans will need to see the correspondence with the permitting authorities California Fish and Wildlife (CDFW), U.S.

Army Corps of Engineers (USACE), and Regional Water Quality Board (RWQCB). There are mature trees within and/or near Caltrans ROW that could provide suitable nesting habitat. If work occurs between February 1<sup>st</sup> and September 30<sup>th</sup> of any year, a pre-construction bird survey must be conducted by a qualified biologist prior to the start of any construction-related activities in Caltrans ROW.

### **Hydrology**

A cross culvert is located on SR 88 at Post Mile (PM) 5.11. The property owner needs to ensure any future developments will not cause damage to the existing culvert.

If any future project activities encroach into Caltrans ROW, the project proponent must submit an application for an Encroachment Permit application, application checklist, and Quality Management Assurance Process (Qmap) checklist to the Caltrans District 10 Encroachment Permit Office. Appropriate environmental studies must be submitted with this application. These studies will analyze potential impacts on any cultural sites, biological resources, hazardous waste locations, and/or other resources within Caltrans ROW at the project site(s). For more information, please visit the Caltrans Website at: <https://dot.ca.gov/programs/traffic-operations/ep/applications>

Please contact Paul Bauldry at (209) 670-9488 (email: paul.bauldry@dot.ca.gov), or me at (209) 483-7234 (email: Gregoria.Ponce@dot.ca.gov) if you have any questions or concerns.

Sincerely,

*Gregoria Ponce'*

Gregoria Ponce', Chief  
Office of Rural Planning

---

## Central Valley Regional Water Quality Control Board

13 December 2022

Ruslan Bratan  
Amador County Planning Department  
810 Court Street  
Jackson, CA 95642  
[rbratan@amadorgov.org](mailto:rbratan@amadorgov.org)

### **COMMENTS TO REQUEST FOR REVIEW FOR THE NEGATIVE DECLARATION, UP-22;5-1 PETERSEN – CONTRACTOR'S STORAGE YARD AND CARGO CONTAINERS PROJECT, SCH#2022110219, AMADOR COUNTY**

Pursuant to the State Clearinghouse's 10 November 2022 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Negative Declaration* for the UP-22;5-1 Petersen – Contractor's Storage Yard and Cargo Containers Project, located in Amador County.

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

#### **I. Regulatory Setting**

##### **Basin Plan**

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

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of

Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/)

### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/sacsjr\\_2018\\_05.pdf](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf)

In part it states:

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

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

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

## **II. Permitting Requirements**

### **Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml)

**Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

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

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

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/water\\_quality/certification/](https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality/certification/)

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

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: [https://www.waterboards.ca.gov/centralvalley/water\\_issues/waste\\_to\\_surface\\_water/](https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/)

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:

[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf)

### **Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

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

[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

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

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2018-0085.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf)

### **Limited Threat General NPDES Permit**

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

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2016-0076-01.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf)

### **NPDES Permit**

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

UP-22;5-1 Petersen – Contractor's - 5 -  
Storage Yard and Cargo Containers Project  
Amador County

13 December 2022

If you have questions regarding these comments, please contact me at (916) 464-4684  
or Peter.Minkel2@waterboards.ca.gov.

*Peter Minkel*

Peter Minkel  
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,  
Sacramento