

**TRINITY COUNTY PLANNING COMMISSION
STAFF REPORT**

APPLICANT: Steve Toney

REPORT BY: Colleen O’Sullivan

OWNER: same

APN: 024-500-71

PROJECT DESCRIPTION: Division of an 8.50 acre parcel into one parcel of 2.056 acres (Parcel A) and 6.429 acres (Parcel B), and rezone Parcel B from General Commercial (C-2) to Mobile Home/Special Occupancy Park (MH).

LOCATION: On the north and east side of the Trinity Plaza Shopping Center (Figures 1 and 2).

PROJECT INFORMATION:

- A) Planning Area: Weaverville
- B) Existing General Plan Designation: Commercial
- C) Existing Zoning: General Commercial (C-2)
- D) Existing Land Use: vacant
- E) Adjacent Land Use Information:

	<u>Land Use</u>	<u>Zoning</u>	<u>General Plan Des.</u>
North:	CHP, retail shops	C-2	Commercial
South:	retail	C-2	Commercial
East:	residential	R1-A	Single Family, Low Density
West:	retail	C-2	Commercial

BACKGROUND INFORMATION:

This parcel is what remains of several parcels that were developed for the Trinity Plaza Shopping Center (UO-87-23, P-92-13, P-93-47, P-97-28). Lance Gulch, which runs north to south behind the shopping center, was channelized as a result of property development. The applicant originally submitted this application in June 2016, but then put it on hold due to the extensive discussion regarding the proposed roundabout at Highway 299 and Lance Gulch/Glen Roads, which would have affected his property. Now that the roundabout will not be built, the applicant would like to resume this project.

The applicant, whose father developed the shopping center, would like to divide this parcel and rezone Parcel B to Mobile Home. Both parcels have a general plan designation of Commercial and a zone of General Commercial (C-2). He intends to apply for a use permit to develop the mobile home park at a later date. Mobile Home zone is consistent with a Commercial general plan designation.

PROJECT EVALUATION:

After the project was routed, staff's concerns centered on the rezone request, biological resources, cultural resources, utility/drainage easements and access dedications.

Rezoning Request

The two proposed parcels are currently zoned C-2, with a GP designation of Commercial, under which Mobile Home and Special Occupancy Parks are allowed, with a use permit (Section 27.B.1.a). The applicant would like to rezone Parcel B from C-2 to Mobile Home (MH) in order to establish future use and development.

The Weaverville Community Plan (1990) recommends "...appropriately located mobile home parks..." (page 6). The county Housing Element states that "[t]he county will provide adequate sites and services for development of housing units by rezoning additional land for residential land use, if needed..." (Objective Three: Provision of Adequate Sites and Services, page 87). The requested rezone from C-2 to MH is consistent with both documents.

In addition, Parcel B represents a transition from commercial activities to residential development along Martin Road to the east. The site is well suited to support this transition to higher density housing, with sewer, water and other utilities available. Affordable housing is in need in Weaverville, and the rezone would allow an opportunity for this purpose. Staff recommends that the Planning Commission recommend to the Board of Supervisors approval of the rezone.

Biological Resources

Parcel A is a grassy knoll, with little vegetation. Parcel B is occupied by a fairly thick stand of grey pine, with one black oak and a couple of ponderosa pines. The understory consists of scattered manzanita and associated shrub species. The terrain is hummocky, reflecting past mining activities. Lance Gulch crosses Parcel B from north to south and is cemented in. It has some wetlands-associated species growing in the channel (willows and grasses). CA Department of Fish and Wildlife recommended that a

minimum 50 foot setback be shown on the Parcel Map from the top of the bank. Also required is a Lake or Streambed Alteration Agreement (LSAA) for any impacts to the streambed, channel or bank of Lance Gulch. Staff recommends that a 50 foot buffer be shown on the Parcel Map measured from the top of the bank.

Cultural Resources

After a records check was conducted by the Northeast Information Center, they recommended that the parcel be surveyed by a professional archaeologist. On November 27, 2017 Alex Cousins prepared a site survey and report (excerpted as Figure 3). No cultural resources were discovered. Staff recommends that a Notice of Environmental Constraint be recorded on Parcel B as specified in Mitigation Measures V-1, and V-2 as a condition of the Parcel Map (attached as PC Resolution 18-01).

Drainage Easements

Parcel B is relatively undisturbed land with heavy vegetation. There are two drainages crossing the parcel from east to west, terminating in concrete drains, as shown on the map (Figure 2). Parcel A slopes towards Lance Gulch as well. Development of these parcels will result in increased water flow to the watercourse. The applicant has proposed a 20 foot wide public utility easement along Lance Gulch. The county Subdivision Ordinance (Section 16.49.210) requires a drainage system be provided as a condition of the Parcel Map. The drainage system, based on a drainage study, shall be completed and its findings incorporated as drainage easements on the Parcel Map.

Other Easements

The Trinity County Department of Transportation requires the following:

1. All easements within the development shall be dedicated on the Parcel Map or by separate instrument.
2. All utilities out of roadways on subject properties shall be a minimum 10 foot wide easements centered on the utility that serves the subject and adjoining parcels.
3. The proposed public utility easement shown along the west property line of Parcel B shall be extended up the north line of Parcel B.
4. The existing access onto Lance Gulch Road (County Road 266) shall be designated as a shared access for Parcel A and Parcel B. The proposed Access easement onto Lance Gulch Road shall be dedicated for the future use of owners of Parcel B in addition to the owners of the shopping center.

It is recommended, but not required, that the developer discuss the potential utility easement locations with the various utility companies providing service to the development. In particular, water, power and communications (Frontier and Velocity) may wish to loop through Parcel A and B from Lance Gulch to Martin Road. It may be advantageous to the developer to provide utility easements through Parcel A to Lance Gulch Road and/or to the water main line near the fire hydrant on Parcel A. A utility loop may help to prevent downtime during utility servicing.

Other comments included sewer and water availability to the parcels. No other comments were received.

ENVIRONMENTAL EVALUATION:

An Initial Study and Mitigated Negative Declaration were prepared on February 1, 2018. A list of the mitigation measures can be found on pages 2 and 3 of this document. Staff made the required findings that the Parcel Map and Rezone, as mitigated, will not have a substantial impact on the environment.

STAFF RECOMMENDATION:

Staff recommends the following:

1. Adopt a mitigated Negative Declaration, finding that on the basis of the whole record before the Planning Commission, including the initial study and comments received, that there is no substantial evidence that the project will have a significant effect on the environment and that a Negative Declaration reflects the Commission's independent judgment and analysis; and
2. Approve the Tentative parcel map to create two parcels from APN 024-500-71 subject to the conditions of approval as contained in Resolution PC-2018-01.
3. Recommend to the Board of Supervisors approval of the rezone of Parcel B from General Commercial (C-2) to Mobile Home (MH).

RESOLUTION NO. PC-2018-01

ON MARCH 8, 2018
RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING
A TENTATIVE MAP
FOR
TONEY - P-16-14

WHEREAS, the Planning Commission, on March 8, 2018 held a public hearing on the request for approval of a tentative parcel map for property located to the north and east of the Trinity Plaza Shopping Center, between Lance Gulch Road and Martin Road, in the community of Weaverville; and

WHEREAS, all governmental and utility agencies affected by the development of the proposed subdivision have been notified and given the opportunity to respond, and'

WHEREAS, the Planning Commission has determined that the proposed project will not have a significant effect on the environment, and has provided notice to the public of the preparation of a Negative Declaration; and

WHEREAS, the Planning Commission has considered the effects that approval of the proposed subdivision would have on the housing needs of Trinity County and has balanced these needs against the public service needs of residents, and available fiscal and environmental resources:

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF TRINITY COUNTY THAT:

1. The Negative Declaration has been prepared in compliance with CEQA, State and County Guidelines, and the Commission has reviewed and considered the information contained therein.
2. None of the conditions described in Government Code Section 66474, subsections (a) through (g) inclusive, exist with respect to the proposed subdivision.
3. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the County General Plan, and Section 16.12.150 of the Subdivision Ordinance, and Fire Safe Ordinance 1162.

4. The discharge of waste from the proposed subdivision will not result in violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Control Board.
5. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

A. Notice of Environmental Constraint

A notation regarding a Notice of Environmental Constraint shall be placed on the Parcel Map. The Notice of Environmental Constraint shall be recorded concurrent with the Parcel Map, which will state the following:

- 1) In the event that previously unidentified cultural or paleontological resources are encountered during construction, there shall be no further excavation or disturbance of that area. The construction crews shall stop work or avoid the materials and their context. The Environmental Compliance Specialist shall be notified immediately. A qualified archaeologist shall evaluate the find to determine its historical or archaeological significance. If the find is determined to be a significant historical, paleontological or archaeological resource, the archaeologist shall make recommendations for appropriate mitigation. Work in the area shall not resume until the mitigation measures recommended by the archaeologist have been implemented.
- 2) In the event that previously unidentified evidence of human burial or human remains are discovered, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains. The Trinity County Coroner must be informed and consulted, per State law. If the coroner determines the remains to be Native American, he or she shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent. The most likely descendent will be given an opportunity to make recommendations for means of treatment of the human remains and any associated grave goods. Work in the area shall not continue until the human remains are dealt with according to the recommendations of the County Coroner, Native American Heritage Commission and/or the most likely descendent have been implemented.

B. Lance Gulch Buffer

- 3) A 50 foot buffer on either side of Lance Gulch shall be shown on the Parcel Map as measured from the top of the bank.

C. Drainage Easements

- 4) A Drainage System shall be developed and its findings incorporated as drainage easements on the Parcel Map.

D. Other Easements

- 5) All easements within the development shall be dedicated on the Parcel Map or by separate instrument.
- 6) All utilities out of roadways on subject properties shall be a minimum 10 foot wide easements centered on the utility that serves the subject and adjoining parcels.
- 7) The proposed public utility easement shown along the west property line of Parcel B shall be extended up the north line of Parcel B.
- 8) The existing access onto Lance Gulch Road (County Road 266) shall be designated as a shared access for Parcel A and Parcel B. The proposed Access easement onto Lance Gulch Road shall be dedicated for the future use of owners of Parcel B in addition to the owners of the shopping center.
- 9) The final Parcel Map must be based on a field survey and sufficient monuments set to retrace the boundaries of all parcels.

E. CA Department of Fish and Wildlife Fee:

- 10) This entitlement does not become effective or operative and no work shall be commenced under this entitlement until the California Department of Fish and Wildlife filing fees required or authorized by Section 711.4 of the Fish and Wildlife code are submitted to the Trinity County Planning Department. Said fee of \$2330.75 shall be made payable to the Trinity County Planning Department and submitted to the Trinity County Planning Department prior to March 27, 2018 (within 5 days of the end of any appeal period). Any waiver of the fee shall be on a form issued by the Department of Fish and Wildlife upon their finding that the project has "no effect" on the environment. If the project is appealed, the payment will be held by the Trinity County Planning Department until the appeal is decided. Depending on the outcome of the appeal, the payment will either be filed with the County Clerk (if the project is approved) or returned to the payer (if the project is denied). Failure to pay this fee by the specified deadline shall result in the entitlement becoming null and void. **The applicant has sole responsibility to insure timely compliance with this condition.**

Chairman

ATTEST:

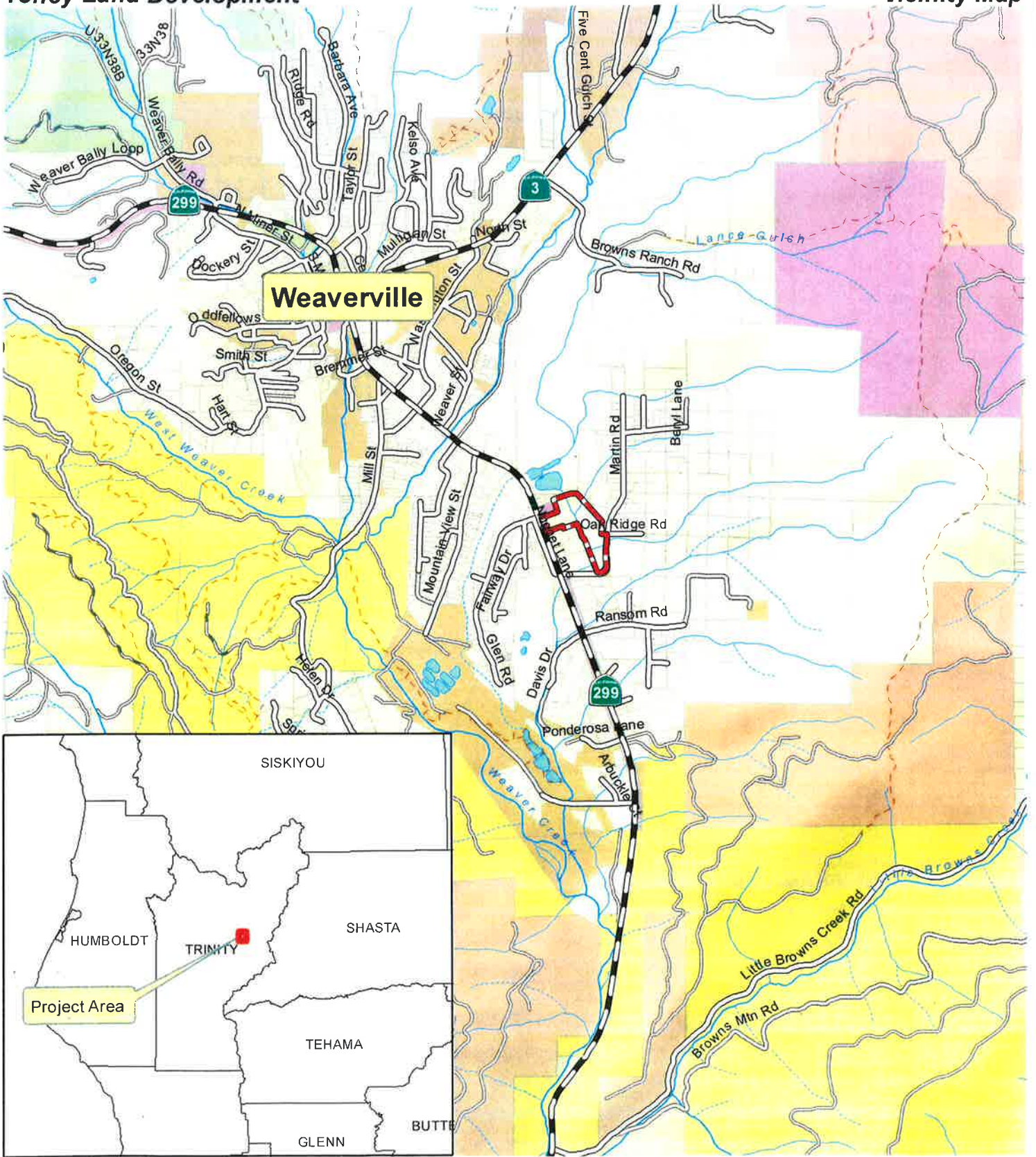
Secretary of Trinity County
Planning Commission










NOTE: Approval of this tentative map will expire on March 8, 2020. Any request for a time extension must be received by the Trinity County Planning Department 30 days prior to this expiration date.

FIGURE 1: Location Map

Toney Land Development

Vicinity Map

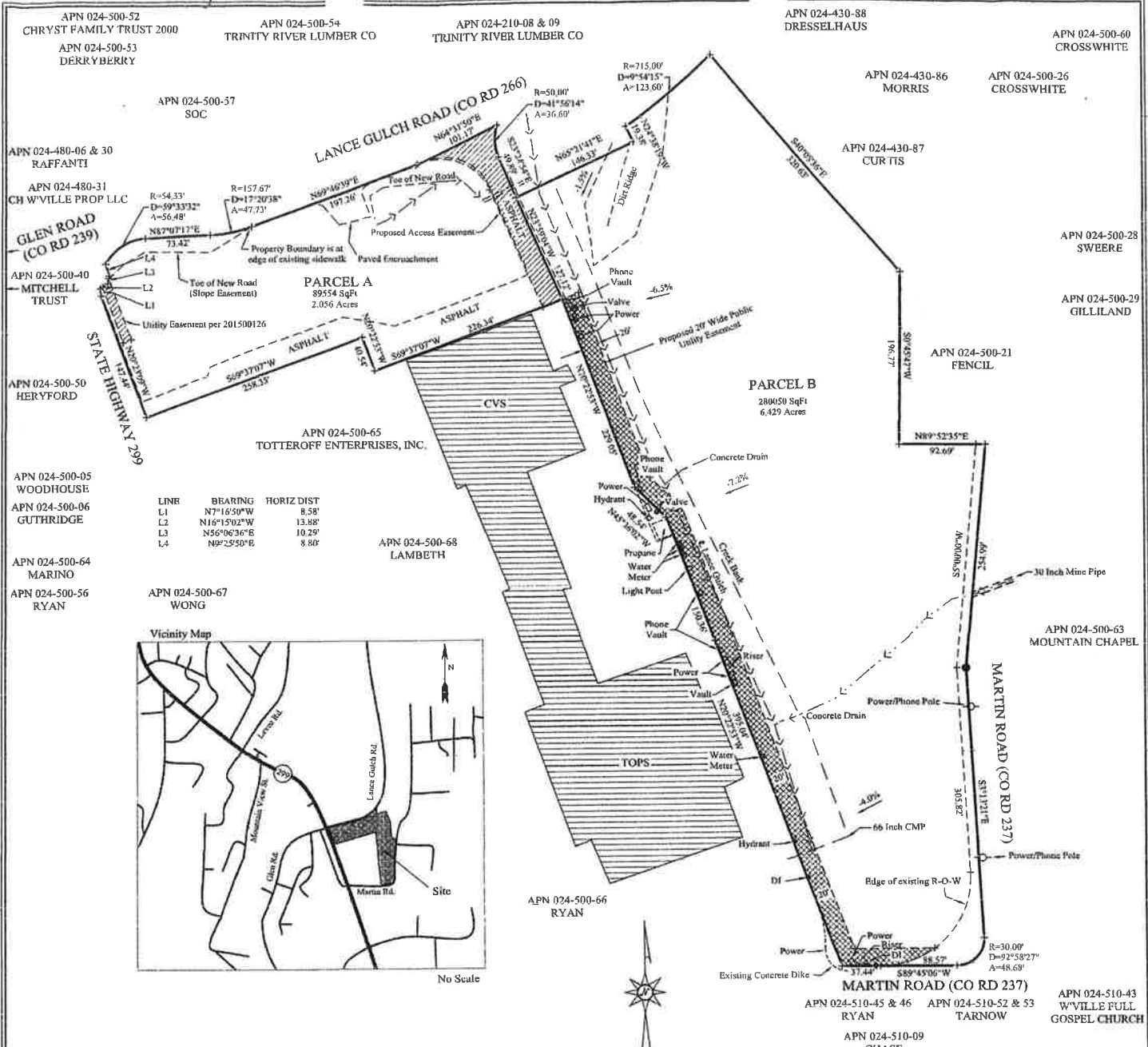


 Project Area	 Private / Other	 State of California
 Private - Ag (APZ)	 Bureau of Land Mgmt.	 Bureau of Reclamation
 Private - Timber (TPZ)	 U.S. Forest Service	
 County of Trinity		

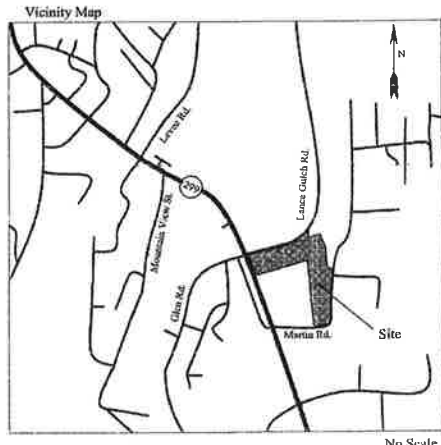
0 0.25 0.5 Miles

N ↑

Figure 2. Proposed 2 parcel division



LINE	BEARING	HORIZ DIST
L1	N7°16'50"W	8.58'
L2	N16°15'02"W	13.88'
L3	N56°06'36"E	10.29'
L4	N9°25'50"E	8.80'



Subdividers' Statement:

1. Existing Use of Property - Vacant Land
2. Proposed Use of Property - Future Development
3. Proposed Source of Domestic Water - WCSD
4. All Sewage Disposal to be by WSD
5. Access to be from Lance Gulch Road/Martin Road
6. General Plan Designation - Commercial
7. Existing Zone: General Commercial (C2)/Plan Review Overlay
8. Proposed General Plan Designation - No Change
9. Proposed Zone Change- No Change

Possible Encumbrances

66/OR/51	Arbuckle	Highway
66/OR/103	Loomis and Scott	Highway
12 M&S 94	Toney	Martin Road
277/OR/715		Merger
285/OR/421		Timberland Conversion Permit
19 M&S 182	Trinity Village Joint Venture	Various Easements
950002831/OR	Trinity Plaza Shopping Center	Maintenance Agreement
199701744/OR		CC&Rs of Lot Line Adjustment
201304216/OR	County of Trinity	Slope Easement
201500126/OR	County of Trinity	Utility Easement



- Proposed Access Easement
- Existing Structure
- Proposed Utility Easement



TENTATIVE PARCEL MAP
for
STEVE TONEY
9273 Chaps Lane
Palo Cedro, CA 96073
of
APN 024-500-71
52551 State Highway 299
Weaverville, CA 96093
in
SECTION 18, T 33N., R 9W., M.D.M.
WEAVERVILLE, CA
MAY 6, 2016
by
Joslyn Surveying
P.O. Box 2011
Weaverville, CA 96093
(530) 739-9288
jssurvey3@gmail.com

FIGURE 3 : EXCERPTED CULTURAL RESOURCES REPORT

With the coming of the railroads in the late 1800s, logging and saw milling became more important local industries than mining. The battle between those interested in logging and those interested in conservation has been waged ever since.

Water rights have also been an historic battleground between users and conservationists in the Trinity Alps. Arguments over water rights between miners were often fatal, but had few lasting effects on the land. That ended, however, when southern California and Central Valley water districts obtained the rights to divert Trinity River water to southern California and the Central Valley. By the 1960s the Trinity, Lewiston, and Whiskeytown dams were completed, forming Clair Engle Lake, and drowning Trinity Meadows and some of the best salmon and steelhead fishing left in California.

Methods and Results

Records Search

A records search was conducted at the Northeast Center of the California Historical resources Information System, in Chico, CA (I.C. File #M17-4). The search was conducted by examining the official maps and records for archaeological sites and surveys in the project area.

Results

Prehistoric Resources

The records show that no sites of this type have been recorded in the project area or vicinity.

Historic Resources

According to the records, one site of this type has been recorded in the project area. Site P-53-001915 consists of the Trinity River Lumber Company, mill ponds, structures, and processing areas. Additionally four sites of this type have been recorded in the ½ mile project vicinity. This site will be revisited and confirmation of its location will be determined.

Previous Archaeological Investigations

Fryman, Leslie R (Jones and Stokes)

2002 *Historic Property Survey Report for the Trinity East Connector Roadway, Trinity County, California*
NEIC Report 006036

Jones & stokes Associates, Inc. (Jones & Stokes Associates, Inc.)

1996 *Cultural Resource Monitoring Report for the AT&T Fiber Opic Cable Project, Brandon, Oregon to Cloverdale, California.*
NEIC Report 004170

Rich, William (William Rich and Associates)

2013 *An Addendum Archaeological Survey Report for the East Connector Project, Located in Weaverville, Trinity County, California*
NEIC Report 12878

Van Bueren, Thad M., and George Petershagen (California Department of Transportation)
1993 *Positive Archaeological Surveys Report for Four Passing Lane Projects West of
Weaverville on State Route 299, Trinity County, California*
NEIC Report 001315

Field Survey

The entire project area was examined using general survey techniques.

Field survey verified that the Trinity River Lumber Company historic site does not extend into the project area.

Hydraulic Mine Tailings

A small cluster of rock tailing piles associated with ground sluicing or small scale hydraulic mining covers an area of less than a ¼ acre. Historical records suggest that hydraulic mining along the upper terrace of East Weaver Creek occurred between the 1880 and 1900, and was most likely preceded by earlier ground-sluicing and other mining methods throughout Lance Gulch. The East Weaver Creek area has been subsequently developed for residential use. In the 1960s, the US Army Corps of Engineers evidently recycled tailings for the construction of a levee along East Weaver Creek to prevent residential flooding. Other historically mined areas, and adjacent, to the project have been developed as park facilities and a lumber mill.

Unless mine tailings are part of an intact mining district or landscape able to convey its significance under National Register Criterion A or C, they are rarely considered historically significant. Although East Weaver Creek was most likely an intact historic mining district at one time, subsequent land use and growth of Weaverville in an easterly direction have significantly altered its historic appearance. The hydraulic mining debris in and adjacent to the project area are not eligible for inclusion in the NRHP as individual resources, nor do they appear to contribute to a larger historic district or mining district or landscape along East Weaver Creek.

The area has been impacted in recent years, including the construction of Lance Gulch Road. The surrounding properties are fully developed with houses, and this area has been used as an open space for the residences of the neighborhood. Evidence of current use, aside from the underground sewer system include tire tracks, modern camps and general modern use.

Native American Consultation

The Native American Heritage Commission was contacted for any information regarding the project site, as well as to provide a list of individuals or groups that might have knowledge of the area.

A letter was sent to the individuals or groups provided by the NAHC. As of November 27th, none responded.

Findings

No cultural sites were located within the project area.

Conclusions and Recommendations

As a result of previous and present archaeological survey, no cultural sites were located within the project Area of Potential Effects.

This project will have no affect on known cultural resources within the Area of Potential Effect and archaeological clearance is recommended for the entire project area.

If the project areas are revised appropriate inventory survey should be completed prior to approval of construction related impacts.

The present evaluation and recommendations are based on the findings of an inventory-level surface survey only. There is always the possibility that previously undiscovered or buried resources will be discovered during ground activities associated with construction.

If buried resources are inadvertently discovered during ground-disturbing activities, work shall stop in the area and within 100 feet of the find until a qualified archaeologist can assess the significance of the find and, if necessary, develop appropriate treatment/mitigation measures.

According to California Health and safety Code, six or more human burials at one location constitute a cemetery (Section 8100) and disturbance of Native American cemeteries is a felony (Section 7052). If human remains are discovered during project construction, work will stop at the discovery location and any nearby area reasonably suspected to overlie adjacent human remains (Public Resources Code, Section 7050.5). The county coroner will be contacted to determine if the cause of death must be investigated.

If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws relating to disposition of Native American burials, which fall within the jurisdiction of NAHC (Public Resources Code, Section 5097). The coroner will contact NAHC. The descendants or most likely descendants of the deceased will be contacted, and work will not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods, as provided in Public Resource Code, Section 5097.98. Work may resume if the NAHC is unable to identify a descendant or the descendant failed to make a recommendation.

Professional Archaeologist qualifications

Alex Cousins,

- MA Latin American Studies 2001, San Diego State University
- BA Anthropology (Archaeology), 1998, California State University, Chico
- Archaeological Field School, El Peten (Tikal) Guatemala, 1998, Guatemalan Government
- 15 Years Cultural Resource Management in Northern California—Both Private and Government

Alex Cousins

/s/ Alex Cousins

Archaeologist

TRINITY COUNTY
PLANNING DEPARTMENT



61 Airport Road
P.O. BOX 2819
61 Airport Road
WEAVERVILLE, CA 96093
(530) 623-1351 ext. 5 FAX (530) 623-1353
E mail: cosullivan@trinitycounty.org

PROJECT INITIAL STUDY -
ENVIRONMENTAL CHECKLIST AND
EVALUATION OF ENVIRONMENTAL IMPACT

This document has been prepared by the Trinity County Planning Department as lead agency in accordance with the California Environmental Quality Act, CEQA (Public Resource Code, § 21000 *et seq.*).

Date: February 1, 2018

Project No.: P-16-14

Lead Agency:

Trinity County Planning Department
P.O. Box 2819 – 61 Airport Road
Weaverville, CA 96093-2819
(530) 623-1351 voice, (530) 623-1353 fax

Project Planner:

Colleen O’Sullivan, Associate Planner
Trinity County Planning Department
P.O. Box 2819 – 61 Airport Road
Weaverville, CA 96093-2490
(530) 623-1351 voice; (530) 623-1353 fax
cosullivan@trinitycounty.org

Project Information:

Project Name: Toney Parcel Map and Rezone of Parcel B

Project Applicant(s): Steve Toney

Agent: Joslyn Surveying

Project Location:

1551 State Highway 299 West, Weaverville, CA
Section 18; T33 N R9 W; MDB&M
Weaverville 7.5 minute USGS Quad
See Figures 1, 2 and 3

General Plan Designation:

Commercial

Zoning:

General Commercial (C-2)

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Toney Parcel Map and Rezone (P-16-14)

Project Description:

The subject property is located to the north and east of the Trinity Village Shopping Center on Highway 299 in Weaverville, CA (Figures 1 and 2). It is vacant land; the 'remainder' of a previous four parcel map from several years ago. It is approximately 8.5 acres situated in a developed commercial area known as Trinity Plaza or Trinity Village Shopping Center.

Surrounding Land Uses and Environmental Setting:

The area to the south is the Trinity Village Shopping Center, Highway 299 and restaurants. Retail and Public Services uses are located to the west (CHP, real estate office, etc.). To the east is scattered commercial activity. To the north of Parcel P is the Martin Road residential area. Except for Parcel B, which supports vegetation, the environmental setting is mostly urban development.

Other Public Agencies whose Approval is Required:

Trinity County Department of Transportation
Weaverville Community Services District
Weaverville Sanitary District

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project. The significance level is indicated using the following notation: 1=Potentially Significant; 2=Less Than Significant with Mitigation; 3=Less Than Significant.

3	I. Aesthetics	3	II. Agriculture Resources	3	III. Air Quality
2	IV. Biological Resources	2	V. Cultural Resources	3	VI. Geology / Soils
3	VII. Greenhouse Gas Emissions	3	VIII. Hazards & Hazardous Materials	2	IV. Hydrology / Water Quality
3	X. Land Use / Planning	3	XI. Mineral Resources	3	XII. Noise
3	XIII. Population / Housing	2	XIV. Public Services	3	XV. Recreation
2	XVI. Transportation/Traffic	3	XVII. Utilities / Service Systems	2	XVIII. Mandatory Findings of Significance

Summary of Mitigation Measures:

Mitigation Measure IV.1: A minimum 50 foot setback for the onsite drainage, to be delineated from the top-of-bank or outer edge of riparian canopy (drip line), whichever results in a greater buffer should be shown on the Parcel Map.

Mitigation Measure IV.2: A Lake or Streambed Alteration Agreement (LSAA) is required for any impacts to the streambed, channel or bank of Lance Gulch.

Mitigation Measure IV.3.: Tree removal and vegetation clearing associated with project implementation should be conducted out of the bird nesting season (generally no work during February 1-August 31) in order to avoid "take" as defined and prohibited by Fish and Wildlife Code sections 86, 3503, 3503.5, 3513, and by the Federal Migratory Bird Treaty Act (16 U.S. Code 703 et seq.). If work must be conducted during the bird nesting season, a qualified ornithologist (someone who is able to identify Northern California birds, and who has experience in nest-searching for passerines and raptors) should thoroughly survey the area no more than seven days prior to tree/vegetation removal to determine whether active nests (nests containing eggs or nestlings) are present. If active nests are found, appropriate buffers should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service to avoid a take.

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Toney Parcel Map and Rezone (P-16-14)

Mitigation Measure V-1: In the event that previously unidentified cultural or paleontological resources are encountered during construction, there shall be no further excavation or disturbance of that area. The construction crews shall stop work or avoid the materials and their context. The Environmental Compliance Specialist shall be notified immediately. A qualified archaeologist shall evaluate the find to determine its historical or archaeological significance. If the find is determined to be a significant historical, paleontological or archaeological resource, the archaeologist shall make recommendations for appropriate mitigation. Work in the area shall not resume until the mitigation measures recommended by the archaeologist have been implemented.

Mitigation Measure V-2: In the event that previously unidentified evidence of human burial or human remains are discovered, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains. The Trinity County Coroner must be informed and consulted, per State law. If the coroner determines the remains to be Native American, he or she shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent. The most likely descendent will be given an opportunity to make recommendations for means of treatment of the human remains and any associated grave goods. Work in the area shall not continue until the human remains are dealt with according to the recommendations of the County Coroner, Native American Heritage Commission and/or the most likely descendent have been implemented.

Mitigation Measure XVI.1: All easements within the development shall be dedicated on the Parcel Map or by separate instrument.

Mitigation Measure XVI.2: All utilities outside of roadways on subject properties shall be a minimum 10 foot wide easements centered on the utility that serves the subject and adjoining parcels.

Mitigation Measure XVI.3: The proposed public utility easement shown along the west property line of Parcel B shall be extended up to the north line of Parcel B.

Mitigation Measure XVI.4: The existing access onto Lance Gulch Road (County Road 266) shall be designated as a shared access for Parcel A and Parcel B. the proposed Access easement onto Lance Gulch Road shall be dedicated for the future use of owners of Parcel B in addition to the owners of the Trinity Village Shopping Center.

Determination:

On the basis of this initial evaluation:

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Toney Parcel Map and Rezone (P-16-14)

Determination:

On the basis of this initial evaluation:

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



Leslie J. Hubbard, Planning Director,
Trinity County Planning Department

3/1/18

Date

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Toney Parcel Map and Rezone (P-16-14)

	Potentially Significant	Significant With Mitigation	Less Than Significant	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

I.a: Parcel A is currently a grassy knoll, and Parcel B is a wooded area that serves as a buffer between Martin Road and the shopping center/Hwy. 299. Vegetation removal to facilitate future development will reduce or eliminate the visual buffer.

I.b: There are no potential impacts to scenic resources as the project is located in a well-developed commercial area.

I.c-d: The rezone of Parcel B to Mobile Home Park (MHP) will provide a path to obtaining a use permit to develop the lot as a Mobile Home Park or Special Occupancy Park, which would result in tree removal, and thus the visual barrier between residences to the east and the shopping center. Increased glare from existing facilities and Parcel B development could impact these residences. These potential impacts can be addressed during the use permit process.

II. AGRICULTURE RESOURCES In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.				
Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program in the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, timberland (as defined by Public Resources Code section 4526), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Toney Parcel Map and Rezone (P-16-14)

timberland zoned timber production (TPZ) as defined by Government Code Section 51104(g)?				
d) Result in loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

II.a-e: There are no agricultural or timber resources on either of the proposed parcels.

III. AIR QUALITY Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
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) Violate any air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

III.a-e: No potential air quality impacts will result from this project.

IV. BIOLOGICAL RESOURCES Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	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 Game 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, and regulations or by the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Toney Parcel Map and Rezone (P-16-14)

California Department of Fish and Game or US Fish and Wildlife Service?				
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IV.a-b: Parcel A is a grassy knoll with no trees. Parcel B is populated almost entirely by Grey pine, with one or two ponderosa pines and one black oak. Scattered Manzanita shrubs dot the understory, with associated shrub species, but they are sparse. There is an erosion gully traversing Parcel B and the terrain is hummocky, reflecting past mining activities. Deer were spotted onsite during a field review. There is a narrow riparian corridor associated with Lance Gulch, which traverses Parcel B in a northwest-southeast direction. Lance Gulch is a cement-sided channelized watercourse to conduct water from across Lance Gulch Road to a culvert on Martin Road. The CA Department of Fish and Wildlife is recommending the following, which have been rephrased as Mitigation Measures:

Mitigation Measure IV.1: A minimum 50 foot setback for the onsite drainage, to be delineated from the top-of-bank or outer edge of riparian canopy (drip line), whichever results in a greater buffer should be shown on the Parcel Map.

Mitigation Measure IV.2: A Lake or Streambed Alteration Agreement (LSAA) is required for any impacts to the streambed, channel or bank of Lance Gulch.

Mitigation Measure IV.3.: Tree removal and vegetation clearing associated with project implementation should be conducted out of the bird nesting season (generally no work during February 1-August 31) in order to avoid “take” as defined and prohibited by Fish and Wildlife Code sections 86, 3503, 3503.5, 3513, and by the Federal Migratory Bird Treaty Act (16 U.S. Code 703 et seq.). If work must be conducted during the bird nesting season, a qualified ornithologist (someone who is able to identify Northern California birds, and who has experience in nest-searching for passerines and raptors) should thoroughly survey the area no more than seven days prior to tree/vegetation removal to determine whether active nests (nests containing eggs or nestlings) are present. If active nests are found, appropriate buffers should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service to avoid a take. These surveys should occur within and surrounding all areas of the project site in which project activities take place, including the creation of ingress and egress routes.

IV.c-f: If/when Parcel B is built out, resident populations of deer, gray squirrels, acorn woodpeckers, scrub jays, starlings, reptiles and other species will be displaced. These issues were addressed in the

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Toney Parcel Map and Rezone (P-16-14)

original use permit and parcel map for the shopping center (UO-87-23 and P-93-47). There are no recommended mitigation measures.

V CULTURAL RESOURCES Would the project.	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Cause a substantial adverse change in the significance of a historical resource, as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource, pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

V(a-d): Archaeologist Alex Cousins performed a records search at the Northeast Center of the California Historical Resources Information System. No records were found. He also conducted an onsite survey of both parcels and contacted the Native American Heritage Commission. No comments were received. No cultural sites were located within the project area. The standard mitigation measures follow and should be recorded as a Notice of Environmental Constraint as part of the map recordation:

Mitigation Measure V-1: In the event that previously unidentified cultural or paleontological resources are encountered during construction, there shall be no further excavation or disturbance of that area. The construction crews shall stop work or avoid the materials and their context. The Environmental Compliance Specialist shall be notified immediately. A qualified archaeologist shall evaluate the find to determine its historical or archaeological significance. If the find is determined to be a significant historical, paleontological or archaeological resource, the archaeologist shall make recommendations for appropriate mitigation. Work in the area shall not resume until the mitigation measures recommended by the archaeologist have been implemented.

Mitigation Measure V-2: In the event that previously unidentified evidence of human burial or human remains are discovered, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains. The Trinity County Coroner must be informed and consulted, per State law. If the coroner determines the remains to be Native American, he or she shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent. The most likely descendent will be given an opportunity to make recommendations for means of treatment of the human remains and any associated grave goods. Work in the area shall not continue until the human remains are dealt with according to the recommendations of the County Coroner, Native American Heritage Commission and/or the most likely descendent have been implemented.

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Toney Parcel Map and Rezone (P-16-14)

VI. GEOLOGY AND SOILS Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Expose people or structures to 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 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 soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 18-1B of the Uniform Building Code (1994), creating 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 wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Would the project result in disturbance of ultra-mafic rock or soils potentially containing naturally occurring asbestos?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VII(a,c,d): There are no known faults crossing the project area. The area is not mapped on an Alquist-Priolo Earthquake Fault Zoning Map. No Quaternary faults (faults having recent movement within the past 2 million years) have been recognized in the area. Seismic shaking may occur, generated by more distant active faults. However, these would not be likely to lead to ground failure or liquefaction at the project site, due to the nature of the materials underlying the site. The site is underlain by non-marine sediments of the Weaverville Formation. The coarse sediments underlying the site are not subject to liquefaction, expansion, lateral spreading or differential subsidence.

VII(b): The soils are classified as Urban Land-Xeralfs Complex, 5 to 30 percent slopes. They are comprised of very gravelly clay loam, which are derived from igneous, metamorphic and sedimentary rock. An approved grading and drainage plan is on file with the Department of Transportation for the entire development.

VI(e): The project does not involve septic tanks or other wastewater disposal systems.

VI(f): No.

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Toney Parcel Map and Rezone (P-16-14)

VII. GREENHOUSE GAS EMISSIONS Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
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"/>

VIIa&b: The project will not generate new traffic or otherwise generate emissions. The Trinity County Regional Transportation Plan, Weaverville Community Plan and the Trinity County General Plan all support commercial development along major transportation corridors. This project represents infill as designated by zoning and a previous parcel map.

VIII. HAZARDS AND HAZARDOUS MATERIALS Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	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 that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use compatibility plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Toney Parcel Map and Rezone (P-16-14)

in the project area?				
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII a-h: The project will not create new hazards or interfere with local airport activity or adopted emergency plans. The parcel is within district boundaries for sewer, water and fire protection. Emergency access can be provided by both Lance Gulch and Martin Roads, as well as Highway 299.

IX. HYDROLOGY AND WATER QUALITY Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Violate any applicable water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	<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, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Toney Parcel Map and Rezone (P-16-14)

quality?				
g) Place housing within a 100-year floodplain, as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year floodplain structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX(a): The proposed project will not result in impacts to water quality. Future proposed actions, especially on Parcel B, could result in impacts, unless mitigated. These potential impacts can be addressed at the time of the use permit proposal.

IX(b): No proposed use of water is planned with this project. Future development proposals will require connections to the Weaverville Community Services District for domestic water.

IX(c-e): Eventual build-out of Parcels A and B will result in land form alteration, with potential impacts to existing onsite drainage patterns. The development of Parcel A will be guided by an existing drainage and grading plan under the use permit for the shopping center. Parcel B will require a grading and drainage plan as part of the use permit for a mobile home park, in particular to address potential impacts to Lance Gulch. Water discharge into Lance Gulch from Parcel B should be calculated and addressed at the time of the use permit proposal.

IX(f): An erosion control plan will also be required as part of future development, which can mitigate for potential impacts to water quality in Lance Gulch.

IX(g-i): The 100 year floodplain does not need to be shown on Parcel B as a map condition.

IX(j): The proposed parcels do not have high landslide or mudflow potential, as the sites are composed of Weaverville Formation, a relatively stable soil type. There is no threat of seiche, tsunami, or mudflow.

X. LAND USE AND PLANNING Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural communities' conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

X(a): The project will not physically divide a community or change land use patterns. These parcels reside in an urban setting, and the eventual development of the parcels represent infill of vacant land.

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Toney Parcel Map and Rezone (P-16-14)

X(b): The project is consistent with policies in the Weaverville Community Plan, Housing and Population Goals: *To establish a variety of housing types and prices compatible with the services capacity and character in each community area in order to provided housing opportunities for all income groups.*

Parcel B, if rezoned and eventually developed, would provide additional housing in Weaverville. The rezone request to Mobile Home Park/Special Occupancy Park is consistent with the Commercial General Plan Designation, after first securing a use permit. The use permit can address onsite and offsite impacts, as they have been preliminarily addressed in this process.

X(c): The project site is not subject to any habitat conservation plan or natural community conservation plan.

XI. MINERAL AND ENERGY RESOURCES Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Result in the loss of availability of a known mineral that would be of 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"/>
c) Result in the use of energy or non-renewable resources in a wasteful or inefficient manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XI(a-b): The project will not affect the availability of any mineral resources. Placer and aggregate deposits in the area would continue to be available.

XI(c): No.

XII. NOISE Would the project result in:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Exposure of persons to, or generation of, noise levels 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) Exposure of persons to, or 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) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use compatibility 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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Toney Parcel Map and Rezone (P-16-14)

working in the project area to excessive noise levels?				
f) For a project within the vicinity of a private airstrip, 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"/>

XII(a): The only noise generated by this project would be during construction once parcel development takes place. Noise would be typical construction noise such as equipment engines, grading, and compaction of soils and paving equipment. Trinity County does not have a noise ordinance. The Noise Element of the General Plan does not have standards that apply to construction activities. There are sensitive receptors (e.g. residences in the Martin Road area) adjacent to the project site. Most activity will go on in the downtown commercial area, where ambient noise is fairly high during the day. Construction will only occur during daylight hours, Monday through Friday.

XII(b): Vibrations will be generated by heavy equipment moving earth at the site, and compaction of the soils. There will be no pile driving, blasting or other excessive noise or vibration. Grading will be minimal, and the project will be completed in a short time. The vibrations will be short term, during daylight hours only, and not close enough to be felt by any sensitive receptors.

XII(c): The finished project will not result in a permanent measurable increase in noise levels.

XII(d): Use of heavy equipment during project construction will cause some noise for a short period of time. Afterwards, there would be no substantial increase in permanent ambient noise. As discussed above, this temporary increase in noise will not be significant, because of the distance to residences, etc., and the existing ambient noise in the downtown commercial district.

XII(e): The project is located outside the Weaverville Airport Land Use Compatibility Plan for the 65 dB noise contour. Therefore, the project will not expose people to excessive aircraft noise.

XII(f): The project is not located within two miles of a private airstrip.

XIII. POPULATION AND HOUSING Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIII(a-c): The proposed project will have an insignificant effect on population, and it will not displace housing or businesses. Subsequent parcel development will most likely result in increased housing opportunities on Parcel B. Affordable housing is a need in Weaverville, as identified in the 2014-2019 Housing Element of the TC General Plan. In particular, the plan calls for the following (page 71, TC Housing Element):

Program 2.4: The County will continue to allow manufactured housing (mobile homes) on parcels zoned for single family residences, maintain mobile home park zoning, and will not adopt restrictions

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Toney Parcel Map and Rezone (P-16-14)

regarding their size or architectural features which would prevent manufactured housing (mobile homes) from being placed in these areas.

XIV. PUBLIC SERVICES Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the 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:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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) Roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV(a-f): The project as proposed will not have substantial adverse impacts to existing public services. The parcel is located within the Weaverville Fire Protection District, Trinity Alps Unified School District and Weaverville-Douglas City Parks and Recreation District.

XV. RECREATION	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	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 that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XV(a-b): The project as proposed is located within the Weaverville Community Plan area, which assessed current and potential recreation-based needs as part of its Land Use assessment. At residential build-out in the Community Plan area, all recreational facilities are designed to accommodate additional use.

XVI. TRANSPORTATION/TRAFFIC Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing a measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Toney Parcel Map and Rezone (P-16-14)

including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?				
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans or programs regarding public transit, bikeways, or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI(a-b): The project is consistent with the current Trinity County Regional Transportation Plan, which strives “[T]o provide a safe, reliable, cost-effective and efficient transportation system consistent with socioeconomic and environmental needs within Trinity County” (2016 RTP). The Lance Gulch Road connector project has significantly increased traffic circulation in the Weaverville basin, allowing a more orderly development of vacant parcels in the vicinity of the road. In addition, access can, and should, be provided from Martin Road to Parcel B, which allows a looped road system. The Department of Transportation requires the following:

Mitigation Measure XVI.1: All easements within the development shall be dedicated on the Parcel Map or by separate instrument.

Mitigation Measure XVI.2: All utilities outside of roadways on subject properties shall be a minimum 10 foot wide easements centered on the utility that serves the subject and adjoining parcels.

Mitigation Measure XVI.3: The proposed public utility easement shown along the west property line of Parcel B shall be extended up to the north line of Parcel B.

Mitigation Measure XVI.4: The existing access onto Lance Gulch Road (County Road 266) shall be designated as a shared access for Parcel A and Parcel B. The proposed Access easement onto Lance Gulch Road shall be dedicated for the future use of owners of Parcel B in addition to the owners of the Trinity Village Shopping Center.

XVI(c): The project will have no effect on air traffic patterns.

XVI(d): Both Lance Gulch Road and Martin Road have good line-of-site distances for ingress and egress. Single access to both parcels at the north end can be made from Lance Gulch Road, and Parcel B can also be accessed from Martin Road at the south end.

XVI(e): Emergency access is adequately addressed with the existing access from Lance Gulch Road. Secondary access by way of Martin Road will provide a looped system to allow two exits for Parcel B in case of an emergency. The looped system will be required when Parcel B is developed for residences.

XVI(f): No.

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Toney Parcel Map and Rezone (P-16-14)

XVII. UTILITIES AND SERVICE SYSTEMS Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that 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"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVII(a-g): The parcels, as they are developed, will be required to connect to the Weaverville Sanitary District and Weaverville Community Services District for their services. The Weaverville Transfer Station will be able to accommodate additional waste because it is a transfer station so it has no capacity issues.

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Toney Parcel Map and Rezone (P-16-14)

XVII. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Does the project have the potential to 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, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 probably future projects, as defined in Section 15130.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVII(a): The project in and of itself does not create impacts. No rare and endangered or sensitive species are found on the site. No cultural resources were discovered through a records check or field survey.

XVII(b): Since the project will have no effect of sensitive resources, its effects will not result in a cumulative adverse effect on the human or natural environment.

XVIII(c): The project would not have any adverse effects on human beings. Potentially, additional affordable housing could be created on Parcel B if a Mobile Home or Special Occupancy Park is constructed, and additional employment opportunities will be created on Parcel A with the development of businesses.

References:

- Weaverville Community Plan – 1990
- Trinity County Housing Element – 2014-2019.
- Trinity County Regional Transportation Plan – 2016.
- Trinity County Subdivision Ordinance – 1986
- Natural Resources Conservation District – WSS Soils Reports – 2018.