

Item No. 5  
March 24, 2016



# TRINITY COUNTY PLANNING DEPARTMENT

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## STAFF REPORT

March 24, 2016

From: Carson Anderson, Senior Planner  
To: Planning Commission  
Subject: Mulvey General Plan Amendment/Zone Change/Parcel Map Creating Two Parcels

Applicant  
Don and Oralynn Mulvey

APN  
014-070-06

### Proposal

- 1) Proposed Mitigated Negative Declaration
- 2) General Plan Amendment and zoning land use classifications of the newly created northerly parcel from R-2/MF-M, respectively, to Commercial; yet retains the current land use designations for the newly created southerly parcel; and
- 3) Approve the Tentative Parcel Map on the subject property which creates two parcels (lot split).

### Location

201 Clinic Avenue (County Road No. HF02), Parcel straddles Clinic Avenue and is located between State Highway 3 and Clinic Avenue where said road trends northward from its east-west alignment.

### Project Information

- A. Planning Area: Hayfork
- B. Existing General Plan Designation: Multi-family Residential-Medium Density (MF-M)
- C. Existing Zoning: Residential Duplex (R-2)
- D. Existing Land Use: Residential, Electrical Services Shop
- E. Adjacent Land Use Information:

North: R2-zoned property (largely vacant with scattered residential) carrying MF-M General Plan designations

South: Hayfork Creek, which carries Open Space (OS) zoning and General Plan land use designations

East: Hayfork Park, which carries PF zoning and General Plan land use designations

West: R-2-zoned property carrying a MF-M General Plan land use designation (Property is currently developed with a two-story church facility)

The applicant is requesting approval of a Tentative Parcel Map that splits the existing L-shaped parcel in two, with Clinic Avenue separating the parcels as newly proposed (Parcel 1 and 2, per the Parcel Map exhibit Figure 4 of the accompanying Initial Study/Mitigated Negative Declaration to view the proposed Parcel Map). A General Plan amendment, which would change the current MF-M (Multi-family-Medium Density) land use designation to Commercial is requested, along with a zone change which would change the current zone designation from R-2 (Residential Duplex) to C-1 (Retail Commercial).

### **Environmental Scoping and Comments:**

The project was routed for comments on December 11, 2015. Comments received from the initial routing were as follows:

**County Surveyor:** "The Tentative Parcel Map contains most of the information required by the Subdivision Map Act and the County's Subdivision Ordinance. However, the following deficiencies are noted: The fence shown between the church and parcel 1 appears to have been relocated. The line type used to delineate the existing sewer line appears to show a loop in the line, while the water line is not shown to connect to a public system. The information shown needs to be corrected in order to properly assess easement and dedication requirements." Notwithstanding "the boundary of the existing parcel and the two parcels being created on the Tentative Parcel Map is complete and accurate. The map also depicts existing and proposed access to the parcels. Public access and utility easements will be needed to serve Parcel 1 .. and a utility easement might be needed to cover the existing overhead utility lines to Parcel 1." These requirements will be inserted as conditions of approval for the final map.

**County Department of Transportation:** "A 60-foot dedication for roadway and utility purposes, lying 30 feet each side of the existing centerline, along Clinic Avenue, County Road No. HF02, is required where said dedication lies within the subject property. Easement width shall be 30 feet each side of centerline, unless it can be shown that all elements of the design cross section, drainage, utility accommodations and border areas can be contained in a lesser width. In no case shall the dedication be less than 20 feet each side of the centerline.

All existing or proposed encroachments onto Clinic Avenue County Road No. HF02, shall conform to County Department of Transportation standards. An "Encroachment Permit" is on record for both of the existing driveways, but an encroachment permit application shall be submitted to the County Department of Transportation to verify that encroachments meet current standards.

All easements within the development shall be dedicated on the Parcel Map or by separate instrument and shall be depicted on a final version of the Parcel Map;  
All utilities outside of the roadway easements on the subject properties shall be in 10 foot wide easements centered on the utility line that serves the subject and adjoining parcels; and  
The sewer line and water line do not appear to be correctly indicated on the tentative map. Sewer and water line locations shall be verified to correspond to the utility easements."

**Northeast Information Center, California State University at Chico (NEIC):** "Based upon the above information, local topography, and regional history, the project appears to be located in an area considered to be highly sensitive for prehistoric, protohistoric, and historic resources. Wintu populations used the local region for seasonal and permanent settlement, as well as for the gathering of roots, seeds, fishing and hunting seasonal waterfowl and game. Historically, the area was settled before the gold rush and eventually became a sizeable mining and timber community. Therefore, we recommend that a professional historical resources consultant be contacted to conduct a cultural resources survey of the entire project area."

In response to the comments provided by the NEIC, a Phase I-level Archeological Resources Survey was conducted of the subject property during February 2016/updated March 2016 (Cousins). The findings were negative as to the detected presence of cultural and possible presence of paleontological resources.

The **County Environmental Health Department, County Building & Safety Department,** and **California Department of Fish and Wildlife** were contacted but offered no formal comments on the application.

### **Mitigation Monitoring and Reporting Program**

Staff has completed a Mitigation monitoring and Reporting Program (MMRP), which is attached to the IS/MND.

### **Staff Recommendations**

Staff recommends the following:

1. Adopt the Initial Study/Mitigated Negative Declaration and accompanying Mitigation Monitoring and Reporting Plan;
2. Approve the Tentative Parcel Map (Lot Split) for the subject property, which creates two parcels, as being consistent with the Subdivision Map Act and the County's Subdivision Ordinance, subject to the conditions noted by the County Surveyor; and
3. Make a finding that the project is consistent with the County's General Plan and with the Hayfork Community Plan (1996); and
4. Recommend approval to the County Board of Supervisors of the requested change of the General Plan designation from Multi-family Residential - Medium Density (MF-M) to Commercial, along with the requested zone change from Residential Duplex (R-2) to Retail Commercial (C-1) for the newly proposed "Parcel 1" depicted on the Tentative Parcel Map.

### **Findings of Fact**

**1 .Finding: Sound Principles of Land Use. The Subdivision application and requested change in the General Plan land use designation is granted based on sound principles of land use.**

Statement of Fact: This subdivision and the proposed change in General Plan designation would be compatible with the surrounding uses and consistent with the provisions of the zoning ordinance and Land Use Element of the General Plan.

**2. Finding: Not injurious. Approval of the subdivision request and the General Plan land use designation change will not be detrimental to the public health, safety or welfare, nor will it create a public nuisance.**

Statement of Fact: As conditioned, the proposed project can be found compatible with surrounding land uses such that no injury to the public health, safety or welfare would result.

**3. Finding: The subdivision request and requested change in the General Plan land use designation complies with the objectives of the general and community plans for the area in which it is located.**

Statement of Fact: Granting approval of the application is consistent with the objectives and policies of the County's General Plan and the Hayfork Community Plan and acknowledges current land use characteristics both on the subject property and within the project setting.



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# TRINITY COUNTY PLANNING DEPARTMENT

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## 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:** 03/09/16

**Project No.:** P-15-23

**Lead Agency:**

Trinity County Planning Department  
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**Project Planner:**

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### Project Information:

**Project Name:** General Plan Amendment/Rezone and Tentative Map Creating Two Parcels (Mulvey)

**Project Applicant(s):**

Don and Oralynn Mulvey

**Agent:**

Don Mulvey

**Project Location:**

The project is located at 201 Clinic Avenue, Hayfork. The subject property, which is L-shaped, traverses Clinic Avenue Road, is bounded by State Highway 3 on the west, and is approximately 700 feet south from the intersection of Hyampom Road with State Highway 3. Hayfork Creek borders the property on the south.

Identified as Assessor's Parcel # 014-070-06-00, the project location can be found on the Hayfork 7.5' USGS Topographic Quad, in Section 11 Township 31 North, Range 12 West, M.D. Base and Meridian. See Figure 1.

**APN:**

014-070-06

**Zoning:**

Duplex Residential  
(R-2)

**General Plan Designation:**

Multi-family Residential  
Medium Density (MF-M)

**Current Use:**

Electric Shop Business  
Building, Shop/Shed, Single-  
family Residence

## INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Mulvey Zone Change/General Plan Amendment and Tentative Map (P-15-23)

**Project Objective:** The objective of the applicant is to split an existing parcel in two so that the existing business building (electric services shop) will be on a separate parcel (northerly portion) from that occupied by the residence and a garage/shop building (southerly portion). The applicant seeks the rezoning of the northerly parcel from Duplex Residential (R-2) to Commercial, and a change in the General Plan designation from Multi-family Medium Density (MF-M) to Commercial. The southerly portion of the property would retain its current Residential zoning and General Plan designations.

### **Project Description:**

The applicant has requested two entitlements: 1) approval of a Tentative Parcel Map splitting the subject property into two parcels, and; 2) approval of a zone change and General Plan amendment that would change the land use classification of the newly created northerly parcel from R-2/MF-M to Commercial Retail (C-1)(zoning) and Commercial (General Plan)(Figures 2 and 3). See **Figure 4** for the proposed project Site Plan.

### **Surrounding Land Uses and Environmental Setting:**

A variety of uses are found in proximity to the subject property, and this is partly reflected in the varying zone classifications—R-2, Public Facilities (PF), and Retail Commercial (C-1). The Hayfork Chamber of Commerce (office use) directly abuts the subject property on the east where the alignment of Clinic Avenue bends from eastward-trending to northward-trending. To the east, across Clinic Avenue, Hayfork Park occupies a large swath of land which extends north from Hayfork Creek. A Little League Baseball field occupies the southernmost portion of the park. Adjoining on the park on northeast are the Hayfork Elementary School and Mountain Valley Alternative School (all are east from Clinic Avenue). Both the zoning and General Plan designations for the park and schools is PF.

Abutting the subject property on the west is the Hayfork Community Church (230 Clinic Avenue), zoning of which is R-2. Single-family and multiple-family residential uses occur to the north—midway in the block between Clinic Avenue and State Highway 3 (in its east-west trending alignment). West across State Highway 3 (in its north-south trending alignment) from Hayfork Community Church is another property developed with a large church building (Latter Day Saints)(6621 State Highway 3), zoning of which is C-1. Adjoining the just-referenced church property is public facilities-designated property for development of a County library and substation. Said property carries both Commercial zoning (C-1) and General Plan designations.

The subject property contains a dwelling, garage/shop building (southern portion of property) and an electric services shop (northerly portion of parcel, north of Clinic Avenue). The terrain is relatively flat and open, and is characterized by disturbed soil conditions with remnant grassland dotted with clusters of mature evergreen trees that often range in height from 30 to 40 feet. The terrain noticeably slopes downward travelling south from Clinic Avenue (proposed “Parcel 2”) towards Hayfork Creek, reflecting a drop in elevation of approximately 10 to 12 feet bordering Hayfork Creek. Riparian shrubbery and small trees border the creek.

### **Other Public Agencies whose Approval is Required:**

Encroachment Permit Approval from Trinity County Department of Transportation

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Mulvey Zone Change/General Plan Amendment and Tentative Map (P-15-23)

**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	Aesthetics	3	Agriculture Resources	3	Air Quality
3	Biological Resources	2	Cultural Resources	3	Geology / Soils
3	Greenhouse Gas Emissions	3	Hazards & Hazardous Materials	2	Hydrology / Water Quality
3	Land Use / Planning	3	Mineral Resources	3	Noise
3	Population / Housing	3	Public Services	3	Recreation
2	Transportation/Traffic	2	Utilities / Service Systems	3	Mandatory Findings of Significance

**Summary of Mitigation Measures**

**Mitigation Measure V-1:**

If any subsurface construction activities are proposed that would disturb the earth to a depth of more than six inches, those activities shall be monitored by a Tribal Representative from the Wintu Nation at the Applicant’s expense. If significant or potentially significant 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 Planning Department 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 archacologist have been implemented.

**Mitigation Measure V-2:**

In accordance with the California Health and Safety Code, if human remains are discovered during ground-disturbing activities, the project contractor shall immediately halt potentially damaging excavation in the area of the burial and notify the Trinity County Coroner, the Planning Department and a qualified professional archaeologist to determine the nature and significance of the remains. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code Section 7050[c]). If the coroner determines the remains to be Native American, he or she shall contact the Native American Heritage Commission within 24 hours. Following the coroner’s findings, the archaeologist and the Most Likely Descendent (designated by the Native American Heritage Commission) shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed. The responsibilities of Trinity County to act upon notification of a discovery of Native American human remains are identified in PRC § 5097.

**Mitigation Measure IX-1:**

The proposed Parcel 2 occurs within the boundaries of the FEMA 100-year floodplain, which extends to the southerly edge of Clinic Avenue while it trends eastward, encompassing the structures on the south side of the road. Substantial improvements to existing structures will require that a Floodplain Development Permit be obtained from the County Planning Department. If approved, work shall be subject to the development standards contained in Section 29.4, Sub-section 3.3 of the County Zoning Code.

## INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Mulvey Zone Change/General Plan Amendment and Tentative Map (P-15-23)

The current Parcel map exhibit appears to show a now obsolete configuration for the floodplain boundary, essentially along the southerly edges of the house and garage/shed buildings (proposed Parcel 2). This should be corrected on the final Parcel Map exhibit.

### **Mitigation Measure XVI-1**

A 60-foot dedication for roadway and utility purposes, lying 30 feet each side of the existing centerline, along Clinic Avenue, County Road No. HF02, is required where said dedication lies within the subject property. Easement width shall be 30 feet each side of centerline, unless it can be shown that all elements of the design cross section, drainage, utility accommodations and border areas can be contained in a lesser width. In no case shall the dedication be less than 20 feet each side of the centerline.

### **Mitigation Measure XVI-2**

All existing or proposed encroachments onto Clinic Avenue County Road No. HF02, shall conform to County Department of Transportation standards. An "Encroachment Permit" is on record for both of the existing driveways, but an encroachment permit application shall be submitted to the County Department of Transportation to verify that encroachments meet current standards.

### **Mitigation Measure XVII:**

- All easements within the development shall be dedicated on the Parcel Map or by separate instrument and shall be depicted on a final version of the Parcel Map.
- All utilities outside of the roadway easements on the subject properties shall be in 10 foot wide easements centered on the utility line that serves the subject and adjoining parcels.
- The sewer line and water line do not appear to be correctly indicated on the tentative map. Sewer and water line locations shall be verified to correspond to the utility easements

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT


Project Name: Mulvey Zone Change/General Plan Amendment and Tentative Map (P-15-23)

**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.

  
Carson Anderson, Senior Planner,  
Trinity County Planning Department

  
Date



INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Mulvey Zone Change/General Plan Amendment and Tentative Map (P-15-23)

**IV.  
Environmental Checklist and Explanatory Notes**

I. <b>AESTHETICS</b> Would the project:	Potentially Significant	Less Than 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 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) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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,b): Although within the viewshed of a state highway that has status as an “Eligible” scenic highway, the project is not within the sight lines of an officially recognized scenic vista, scenic resource, or historic buildings. The proposed project consists of a Parcel Map (Lot Split), Zone Change and General Plan Amendment actions, and does not include new development that would change visual character of the setting or views from the nearby “eligible” scenic highway. There would be no impact therefore.

I(c): The project will not substantially change or degrade the existing visual character or quality of the site and its surroundings. No new structures are proposed, and no existing structures will be removed. The appearance of the site will not change to any noticeable degree, and accordingly, no impact on visual character or quality would result.

I(d): The project does not propose the creation of any new sources of light or glare.

II. <b>AGRICULTURE 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 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 timberland zoned timber production (TPZ) as defined by Government Code Section 51104(g)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Mulvey Zone Change/General Plan Amendment and Tentative Map (P-15-23)

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-b): The subject property is not classified as being prime farmland subject to the Williamson Act. The zoning and General Plan designations are R-2 and MF-M, respectively, and thus, the project would not result in the conversion of any farmland to other uses. Accordingly, there would be no impact.

II(c-d): Although the proposed project calls for changing existing zoning it does not involve either timber production land or forest land as defined in Government Code Section 51104(g). Hence, no impact to such resource lands would result.

II(e): As mentioned above, the project would not affect the agricultural use of the subject property. There will be no impact on other farmlands in the area.

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 checked="" type="checkbox"/>	<input 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-c): The project does not conflict with or obstruct implementation of applicable air quality plans. Trinity County is in attainment for all criteria pollutants and federal standards, but occasionally exceeds State Standards for state particulate matter. The proposed project, however, does not add new development beyond the residence, shop and electrical service business building that already exist onsite. Emissions levels are expected to remain the same as they are at present, and accordingly, will not exceed air quality standards.

III(d): As proposed, the project actions (i.e., lot split and changes to General Plan and zoning designations to better reflect existing uses) do not call for new uses or construction activities that have the potential to generate substantial pollutant concentrations. Accordingly, there would be no impact associated with pollutants.

III(e): The project calls for no changes in existing uses—these including a residence, shop/garage and electric services shop--would not create objectionable odors or otherwise degrade the atmospheric environment; thus, no impact would result.

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Mulvey Zone Change/General Plan Amendment and Tentative Map (P-15-23)

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 checked="" type="checkbox"/>	<input 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 California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 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 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 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): The location is partially urbanized, featuring large rural residential lots and open fields covered with upland grasses and ruderal vegetation. Both native and non-native trees and plant communities (e.g., conifers and ornamental trees) are present. The area immediately surrounding the project site includes a landscaped public park facility, offices, and a church on a large lot. Riparian vegetation is present along the banks of Hayfork Creek (south).

Due to low project potential for resulting in impacts, no biological survey was conducted of the project site. However, a botanical survey conducted in 2002 for improvements project along Hyampom Road, within approximately a mile-and-a-half of the subject property, documented the presence of endangered, threatened and sensitive species in the general area. These include the Bald eagle, Northern spotted owl California floater, Southern torrent salamander, Pacific fisher, American marten, two bat species, the western pond turtle, as well as three fish species (e.g., Coho and Chinook salmon, and summer steelhead trout). Tracy's eriastrum is the key known threatened or endangered plant species found in the east-central portion of Hayfork Valley but its abundance and distribution are dependent on specific site characteristics.

Queries done during fall 2015 of the California Natural Diversity Database and the U.S. Fish and Wildlife Service list of Threatened and Endangered Species for the Hayfork Quad confirmed this list of special-status animal species likely to occur in the project vicinity.

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Western pond turtle, a State Species of Special Concern, could be present within Hayfork Creek, which will not be disturbed. Nests are not likely to be present in the vegetation and sunning area within the creek due to frequent close-by human activities and noise levels associated with the nearby park and highway. Similarly, because the creek would not be disturbed by the proposed project, no impacts to fish species potentially present in the creek would occur.

Northern spotted owl and Pacific fisher may occasionally forage or disperse through conifer trees skirting the property, but preferable habitat for both species occurs in dense, Douglas-fir stands that are not present on or adjoining the project site. There is no suitable habitat for nesting or denning within the project area. Also, no removal of suitable nesting trees or foraging habitat for Northern spotted owl or for the Pacific fisher would occur as part of the proposed project, as no new development demolition or tree removals are proposed. Accordingly, although there is some potential for less-than-significant indirect impacts, no direct impact would result.

IV(c): No activities are proposed as part of the project which would disturb Hayfork Creek. No wetlands or other waters of the United States will be filled, realigned or hydrologically altered by the project.

IV(d): The project will not interfere with fish migration. Although adjoining Hayfork Creek, the project will not affect or disturb its waters or vegetation.

IV(e-f): The project will not conflict with any local policies or ordinances protecting biological resources, or with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan. The project area is not subject to any specific ordinances and is consistent with the biological resources policies contained in the Hayfork Community Plan.

<b>V. CULTURAL RESOURCES</b> 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource, pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

V(a,b) A records search was requested from the Northeast Information Center (NEIC)(California Historical Resources Information Center) in late December 2015/early January 2016. NEIC replied that according to their records, no prehistoric sites have been recorded in the project area, but that two sites of this type have been recorded within a mile of the proposed project consisting of lithic scatters and groundstone; and so, for that reason, prehistoric cultural resources may be located in the project area. The Hayfork area occurs within a portion of the territory of the Nor Rel Muk Band of the Wintu Nation. Historic uses of the area include gold mining, farming and ranching.

The ground surfaces appear to have been heavily disturbed by prior grading, road construction and building construction activities, and although the lot split portion of the proposed project does not call for demolition, grading or shallow excavations, the property adjoins Hayfork Creek, and there is some potential due to that placement, and based on the research findings of the NEIC, for subsurface cultural

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resources to be present. Due the sensitivity of the site, it is possible that significant historic cultural resources could be unearthed in the future in the event ground-disturbing actions are undertaken. Mitigation Measure V-1, below, will be implemented to cover this possibility.

### **Mitigation Measure V-1**

**If any subsurface construction activities are undertaken in the future that would disturb the earth to a depth of more than six inches, those activities shall be monitored by a Nor Rel Muk Band of Wintu Nation Tribal Representative at the Applicant's expense. If significant or potentially significant 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 Planning Department 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.**

V.(c): There are no known paleontological resources in the project area, and the Cultural Surveys did not find evidence of any paleontological resources. Therefore, no impact is anticipated. However, Mitigation Measure V-1, above, includes provisions for the unexpected discovery of paleontological resources in the event of future ground-disturbing actions.

V.(d): Although unlikely, if human remains were unearthed as a result of future ground-disturbing actions the following mitigation measure will be implemented.

**Mitigation Measure V-2: In accordance with the California Health and Safety Code, if human remains are discovered during future ground-disturbing activities, the project contractor shall immediately halt potentially damaging excavation in the area of the burial and notify the Trinity County Coroner, the Planning Department and a qualified professional archaeologist to determine the nature and significance of the remains. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code Section 7050[c]). If the coroner determines the remains to be Native American, he or she shall contact the Native American Heritage Commission within 24 hours. Following the coroner's findings, the archaeologist and the Most Likely Descendent (designated by the Native American Heritage Commission) shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed. The responsibilities of Trinity County to act upon notification of a discovery of Native American human remains are identified in PRC § 5097.**

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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:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 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 18-1B 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): The project is located on a relatively flat to gently sloping landform along adjoining Hayfork Creek of the Weaverville Formation. These formations, comprised of coarse non-marine sediments are relatively stable and not subject to liquefaction, subsidence or differential settling.

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 immediate area. (Trinity County 2002b). Seismic shaking may occur, generated by more distant active faults to the west. However, these would not be likely to lead to ground failure, liquefaction expansion, lateral spreading or differential subsidence at the project site, due to the nature of the materials underlying the site (SHN 2012b).

VI(b): No grading or other earth disturbance actions are proposed as part of the project is proposed and surface areas are flat to gently sloping; therefore, implementation of the project will not result in soil erosion or the loss of topsoil.

VI(e): The project does not involve septic tanks or construction of other types of wastewater disposal systems; thus, no impact would result.

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VI(f): The underlying soils and rock to be excavated are not ultramafic (SHN 2012b) and no ground disturbance is being proposed. Therefore, there is no potential of naturally occurring asbestos being disturbed at the project site.

<b>VII. GREENHOUSE GAS EMISSIONS</b> 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 checked="" type="checkbox"/>	<input 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"/>

VII(a): The project does not call for new uses or for the intensification of existing uses. In fact, the electrical services shop on the property (proposed Parcel 1) is outfitted with solar and wind generators to minimize use of fossil-based energy sources. Accordingly, any associated greenhouse gas emissions would have a less-than-significant impact on the environment.

VII(b): Trinity County currently does not have a plan or regulation for reducing greenhouse gases. Therefore, the project does not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases in Trinity County.

<b>VIII. HAZARDS AND HAZARDOUS MATERIALS</b> 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 type="checkbox"/>	<input checked="" 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 in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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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-b): The project does not involve the transport, use, or disposal of hazardous materials such as fuels, oils, greases, hydraulic fluids or solvents. The project will not create a significant hazard to the public or the environment.

VIII(c): Although the project is within ¼ mile of a school the project does not include the transport, use or disposal of hazardous materials.

VIII(d): The site is not on any lists of known hazardous materials sites.

the developed properties have always been used in the same way as the existing uses, (residences and pasture), it can be concluded that there is very little potential to encounter hazardous materials on the site.

VIII(e,f) Although the project is located one-third of a mile of the farthest west end of the Hayfork Airport runway it falls outside the impact zone of the Trinity County Airport Land Use Compatibility Plan.

VIII(g): The project will not interfere with emergency response services or the emergency evacuation of residences in the vicinity. State Highway 3 and Hyampom Road serve as emergency response corridors. Although adjacent, the project would not affect emergency response services on those nearby streets, nor would these be closed or blocked due to the proposed project.

VIII(h): The project does not involve construction of new habitable structures or other facilities that would attract permanent residences to the wildland fire interface. As mentioned above, the project will not affect evacuation routes in the event of a wildfire or other emergency.

<b>IX. HYDROLOGY AND WATER QUALITY</b> 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>



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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 type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 checked="" type="checkbox"/>	<input 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): Creation of the project will not violate any applicable water quality standards or waste discharge requirements. No new development is proposed as part of the project and waste water will be collected and disposed of off-site by existing adequate waste water/sewage systems.

IX(b): No new development is being proposed as part of the project and thus project implementation would not deplete the groundwater supplies or cause lowering of the local groundwater table. There will not be any substantial increase of new impermeable surfaces created by the project, because driveways or parking areas are in place already and are covered with permeable gravel. In addition, abundant permeable soil in the area that would absorb and infiltrate all stormwater.

IX(c-d): The drainage pattern of the area will remain unchanged. Runoff from will sheet flow over permeable soil filtering down into the ground or to the north bank of Hayfork Creek with little likelihood of erosion.

IX(e): There are no stormwater drainage systems in the project area. Runoff will infiltrate into the surrounding unpaved, permeable soils.

IX(f): The project will have no other effects on water quality or drainage.

IX(g-h): Although the project is not a housing project and does not call for the placement of new housing or structures into a mapped 100-year floodplain, the southerly portion of the subject property (proposed Parcel 2) falls within the 100-year floodplain, which extends north from Hayfork Creek to the southerly boundary of Clinic Avenue (while the road is in its east-west alignment). There is an existing single-family residence and garage/shop building on the property that is within the floodplain that would potentially be subject to induction in the event of a major flood. To address this possible hazard Mitigation Measure IX-1, below, will be implemented to cover this possibility.

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**Mitigation Measure IX-1:**

**The proposed Parcel 2 occurs within the boundaries of the FEMA 100 year floodplain, which extends to the southerly edge of Clinic Avenue while it trends eastward, encompassing the structures on the south side of the road. Substantial improvements to existing structures will require that a Floodplain Development Permit be obtained from the County Planning Department. If approved, work shall be subject to the development standards contained in Section 29.4, Sub-section 3.3 of the County Zoning Code.**

IX(i-j): The project would not attract people to flood prone areas or cause new areas to become prone to flooding. Therefore, it will not expose people or structures to a significant risk of loss, injury, or death involving flooding or inundation by seiche, tsunami, or mudflow.

<b>X. LAND USE AND PLANNING</b> 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 in the area.

X(b): The project would not conflict with the policy of the Trinity County General Plan (Trinity County 2003) or the Hayfork Community Plan (1996) and conforms with all other applicable land use plans, policies, and regulations of Trinity County.

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

<b>XI. MINERAL AND ENERGY RESOURCES</b> 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. The project is not on a site that contains an important mineral resource.

XI(c): The project calls for a continuation of existing onsite uses: single-family residential, a garage/shop building, and electrical services shop—the latter outfitted with solar and wind generators to minimize use of fossil-based energy sources. No construction actions are being proposed, and current

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uses would not result in the use of energy or non-renewable resource in a wasteful or inefficient manner. No impacts to mineral and energy resources would result.

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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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,d): No new sources of noise are expected to be generated by the proposed project. The most prevalent noise resulting from implementation of the project would be the continued occasional, sporadic increases in noise levels associated with the extant residential and electric service shop uses and associated sporadic traffic and outdoor activity-generated noise. The subject property is adjoined by a public park that hosts Little League baseball games, with attendant noise, traffic, and music impacts. This, in addition to ambient noise levels due to the proximity of State Highway 3, would serve to largely negate any noise generated by the implementation of the proposed project. Accordingly, any periodic increases in ambient noise levels associated with the project would be negligible and less than significant.

XII(b): No groundborne vibration would be generated by the project as proposed.

XII(c): The project will not result in a substantial permanent, continuous increase in ambient noise levels or vibrations in the project vicinity. As described above, any such noise increases would be sporadic and negligible in reference to ambient noise levels.

XII(e,f): The project is located is located within approximately one-third mile of the Hayfork Airport but falls outside any impact zone of the Trinity County Airport Land Use Compatibility Plan.

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<b>XIII. POPULATION AND HOUSING</b> 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 project will have no effect on population, nor will it displace housing or businesses.

<b>XIV. PUBLIC SERVICES</b> 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 will not bring new residents or development to the area, and therefore will have no effect on public facilities or infrastructure.

<b>XV. RECREATION</b>	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 does not increase population or otherwise increase the use of existing parks and recreational facilities. The project does not call for any change to extant residential and commercial uses of the subject property and will not lead to the need to expand other recreational facilities; nor will it increase use of other recreational facilities such that physical deterioration would occur.

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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, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 does not call for new uses or an intensification of existing use operations that would generate news sources of traffic, or which would conflict with an applicable plan, ordinance or policy establishing a measure of effectiveness for the performance of the circulation system; nor would it conflict with a congestion management program. The current average daily traffic (ADT) on State Highway 3 weekday is 1,031 and peak hour is 260 (peak month traffic is 2,400). The Regional Transportation Plan (RTP) indicates that State Highway 3, through Hayfork, operates at Level of Service (LOS) C, and identifies the nearby intersection of Hyampom Road and State Highway 3 as operating at LOS A, at all approaches. Because the LOS standard is C, there is no possibility for the project, as proposed, to adversely affect levels of service. Accordingly, no impact would result.

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

XVI(d): The project will not substantially increase hazards due to a design feature as no changes to . The parking and circulation features are proposed. Nonetheless, the Department of Transportation is requiring the following standard measures that serve to minimize hazards related to circulation:

**Mitigation Measure XVI-1:**

**A 60-foot dedication for roadway and utility purposes, lying 30 feet each side of the existing centerline along Clinic Avenue (County Road No. HF02), shall be made where said dedication lies within the subject property. Easement width shall be 30 feet each side of centerline, unless it can be shown that all elements of the design cross section, drainage, utility accommodations and border areas can be contained in a lesser width. In no case shall the dedication be less than 20 feet each side of centerline.**

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**Mitigation Measure XVI-11:**

**All existing or proposed encroachments onto Clinic Avenue shall conform to Department of Transportation standards. An “Encroachment Permit” is on record for both of the existing driveways, but an encroachment permit application shall be submitted to the Trinity County Department of Transportation to verify that encroachments meet current standards.**

XVI(e): The project will not affect emergency access. No public roads will be blocked or closed as a result of the implementation of the project.

XVI(f): The project will have no effect on existing or proposed transit, bikeways or pedestrian facilities. No such designated facilities are proposed on Clinic Avenue adjoining the subject property. In addition, in the event any such facilities were developed at a future date, the project would not interfere with them.

<b>XVII. UTILITIES AND SERVICE SYSTEMS</b> 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-d): The project does not call for new uses or an intensification of existing uses, and accordingly, will not affect wastewater service levels require new water supplies nor require the construction of new storm water drainage systems. Any new surfacing for driveways will be done with permeable gravel, so no new impermeable surfaces will be created. The subject property has adequate capacity to meet current and anticipated future needs for potable water the Trinity County Department of Environmental Health will require the following:

XVII(f-g): The project will not have an impact on landfill facilities.

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Mulvey Zone Change/General Plan Amendment and Tentative Map (P-15-23)

To address concerns regarding the future placement of utilities, the Department of Transportation required the following standard measures that are to be reflected in the final map exhibits for the project:

**Mitigation Measure XVII-1:**

- **All easements within the development shall be dedicated and shown on the Parcel Pap or denoted by separate instrument and depicted on the Parcel Map.**
- **All utilities outside of roadway easements on subject properties shall be in 10-foot wide easements centered on the utility line that serves the subject and adjoining parcels.**
- **The sewer line and water line do not appear to be correctly indicated on the tentative map. Sewer and water line locations shall be verified to correspond to the utility easement.**

<b>XVII. MANDATORY FINDINGS OF SIGNIFICANCE</b>	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 will have no effect on special status fish, wildlife or plant species. With mitigation, the project will not eliminate any important examples of major periods of history or prehistory.

XVII(b): Since the project, as mitigated, will have no effect on sensitive resources, its effects will not result in a cumulative adverse effect on the human or natural environment. There are no other projects in the immediate vicinity that would contribute to the effects of this project.

XVIII(c): The project would not have any adverse environmental effects on human beings.

## INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Mulvey Zone Change/General Plan Amendment and Tentative Map (P-15-23)

### References:

LeBlanc, Christine. 2002. Biological Evaluation; Hyampom Road Improvements Project, Post Mile 6.5-8.3. Hughes Environmental Consultants, Inc. December.

Hayfork Community Plan, adopted November 19, 1996.

Jones, Cajun, Julie Kierstead Nelson, Pete Figura and Joe R. McBride, PhD. c2000. "Special Interest Plant Species of the Trinity Ultramafic Region" (Project Abstract), Pages 6-8.

SHN Consulting Engineers and Geologists, Inc.2012. Technical Memorandum; Preliminary Results of Geotechnical Investigation for the Fountain Ranch Road Realignment Project, Salyer, Trinity County, California July 20, 2012.

Trinity County. 2002. Trinity County General Plan, Circulation Element.

Trinity County. 2002b. Trinity County General Plan, Safety Element.

Trinity County Department of Transportation, 2014 Traffic Counts on file.

Trinity County Transportation Commission 2011. Trinity County Regional Transportation Plan, adopted November 1, 2011.



## **MITIGATION MONITORING AND REPORTING PROGRAM (Mulvey P-15-15)**

This document comprises the Mitigation Monitoring and Reporting Program (MMRP) for the Mulvey Tentative Parcel Map, General Plan Amendment, zone change application. Its purpose is to memorialize the mitigation responsibilities of the Trinity County Planning Department and the Applicants, Don and Orallynn Mulvey in implementing the proposed project. The mitigation measures herein will be adopted by the County as conditions of project approval.

Mitigation is defined by the California Environmental Quality Act (CEQA) Section 15370 as a measure that:

- avoids the impact altogether by not taking a certain action or parts of an action;
- minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- rectifies the impact by repairing, rehabilitation, or restoring the impacted environment;
- reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- compensates for the impacts by replacing or providing substitute resources or environments.

Mitigation measures provided in this MMRP have been identified in the project's Initial Study – Environmental Checklist and Evaluation of Environmental Impact (Initial Study/Mitigated Negative Declaration).

This MMRP includes a discussion of the legal requirements a list of the mitigation measures and a discussion of monitoring responsibilities (including the timing or the monitoring efforts).

### Legal Requirements

The legal basis for the MMRP lies within CEQA (Sections 21002 and 21002.1 California Public Resources Code), which state:

- Public agencies are not to approve project as proposed if there are feasible alternative or feasible mitigation measures available that would substantially lessen the significant environmental effects of such projects.
- Each public agency shall mitigate or avoids the significant effects on the environment of projects it carries out or approves whenever it is feasible to do so.

Section 21081.6 of the California Public Resources Code further requires that:

- The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.
- The monitoring program must be adopted when a public agency makes its findings under CEQA so that the program can be made a condition of project approval in order to mitigate significant effects on the environment.

### Authorities and Responsibilities

The County will have responsibility for monitoring and enforcement of the MMRP. The applicant is responsible for implementing the mitigation measures. Any person or agency may file a complaint that alleges noncompliance with the mitigation measures adopted as part of the approval process for the approved project. The complaint shall be directed to the Trinity County Planning Department, P.O. Box 2819, Weaverville, CA 96093 in written form, describing the purported violation in detail. The County

shall conduct an investigation and determine the validity of the complaint. If noncompliance with the mitigation measure is verified the County shall take the necessary actions to remedy the violation.

### **Summary of Mitigation Measures**

#### Mitigation Measure V-1:

If any subsurface construction activities are proposed at a future date that would disturb the earth to a depth of more than six inches, those activities shall be monitored by a Wintu Nation Tribal Representative at the Applicant's expense. If significant or potentially significant cultural or paleontological resources are encountered during future 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 Planning Department 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.

**Required Actions and Timing: During any grading of construction activities undertaken by the applicant that have the potential for ground disturbance to a depth of six inches or more**

#### Mitigation Measure V-2:

In accordance with the California Health and Safety Code, if human remains are discovered during future ground-disturbing activities, the project contractor shall immediately halt potentially damaging excavation in the area of the burial and notify the Trinity County Coroner, the Planning Department and a qualified professional archaeologist to determine the nature and significance of the remains. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code Section 7050[c]). If the coroner determines the remains to be Native American, he or she shall contact the Native American Heritage Commission within 24 hours. Following the coroner's findings, the archaeologist and the Most Likely Descendent (designated by the Native American Heritage Commission) shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed. The responsibilities of Trinity County to act upon notification of a discovery of Native American human remains are identified in PRC § 5097.

**Required Actions and Timing: During any grading of construction activities undertaken by the applicant that have the potential for ground disturbance to a depth of six inches or more**

#### **Mitigation Measure IX-1:**

The proposed Parcel 2 occurs within the boundaries of the FEMA 100-year floodplain, which extends to the southerly edge of Clinic Avenue while it trends eastward, encompassing the structures on the south side of the road. Substantial improvements to existing structures will require that a Floodplain Development Permit be obtained from the County Planning Department. If approved, work shall be subject to the development standards contained in Section 29.4, Sub-section 3.3 of the County Zoning Code.

The current Parcel map exhibit appears to show a now obsolete configuration for the floodplain boundary, essentially along the southerly edges of the house and garage/shed buildings (proposed Parcel 2). This should be corrected on the final Parcel Map exhibit.

**Required Actions and Timing:** The Parcel Map exhibit shall be corrected by his/her agent to show the revisions requested by the County Surveyor, as enumerated in in the Staff Report under “Environmental Scoping and Comments,” and should as accurately depicting the current 100-year floodplain boundaries. These revisions shall be shown on the Final Parcel Map submitted for the approval of the County Department of Transportation and Planning Department preceding recordation of the Final Parcel Map. As a condition of approval, at the time of the recordation of the Final Parcel Map, notification must be provided to the owner of the newly created “Parcel 1” of the obligation to obtain a Floodplain Development Permit from the County Planning Department for any future substantial improvements to existing structures on said property, consistent with the development standards contained in Section 29.4, Sub-section 3.3 of the County Zoning Code.

**Mitigation Measure XVI-1:**

A 60-foot dedication for roadway and utility purposes, lying 30 feet each side of the existing centerline, along Clinic Avenue, County Road No. HF02, is required where said dedication lies within the subject property. Easement width shall be 30 feet each side of centerline, unless it can be shown that all elements of the design cross section, drainage, utility accommodations and border areas can be contained in a lesser width. In no case shall the dedication be less than 20 feet each side of the centerline.

**Required Actions and Timing:** Action shall take place as directed by the Department of Transportation when the Final Parcel Map is submitted for approval.

**Mitigation Measure XVI-2**

All existing or proposed encroachments onto Clinic Avenue County Road No. HF02, shall conform to County Department of Transportation standards. An “Encroachment Permit” is on record for both of the existing driveways, but an encroachment permit application shall be submitted to the County Department of Transportation to verify that encroachments meet current standards.

**Required Actions and Timing:** Action shall take place as directed by the Department of Transportation when the Final Parcel Map is submitted for approval.

**Mitigation Measure XVII:**

- All easements within the development shall be dedicated on the Parcel Map or by separate instrument and shall be depicted on a final version of the Parcel Map.
- All utilities outside of the roadway easements on the subject properties shall be in 10 foot wide easements centered on the utility line that serves the subject and adjoining parcels.
- The sewer line and water line do not appear to be correctly indicated on the tentative map. Sewer and water line locations shall be verified to correspond to the utility easements

**Required Actions and Timing:** Action shall take place as directed by the Department of Transportation when the Final Parcel Map is submitted for approval.

# GENERAL PLAN DESIGNATION Mulvey P-15-23

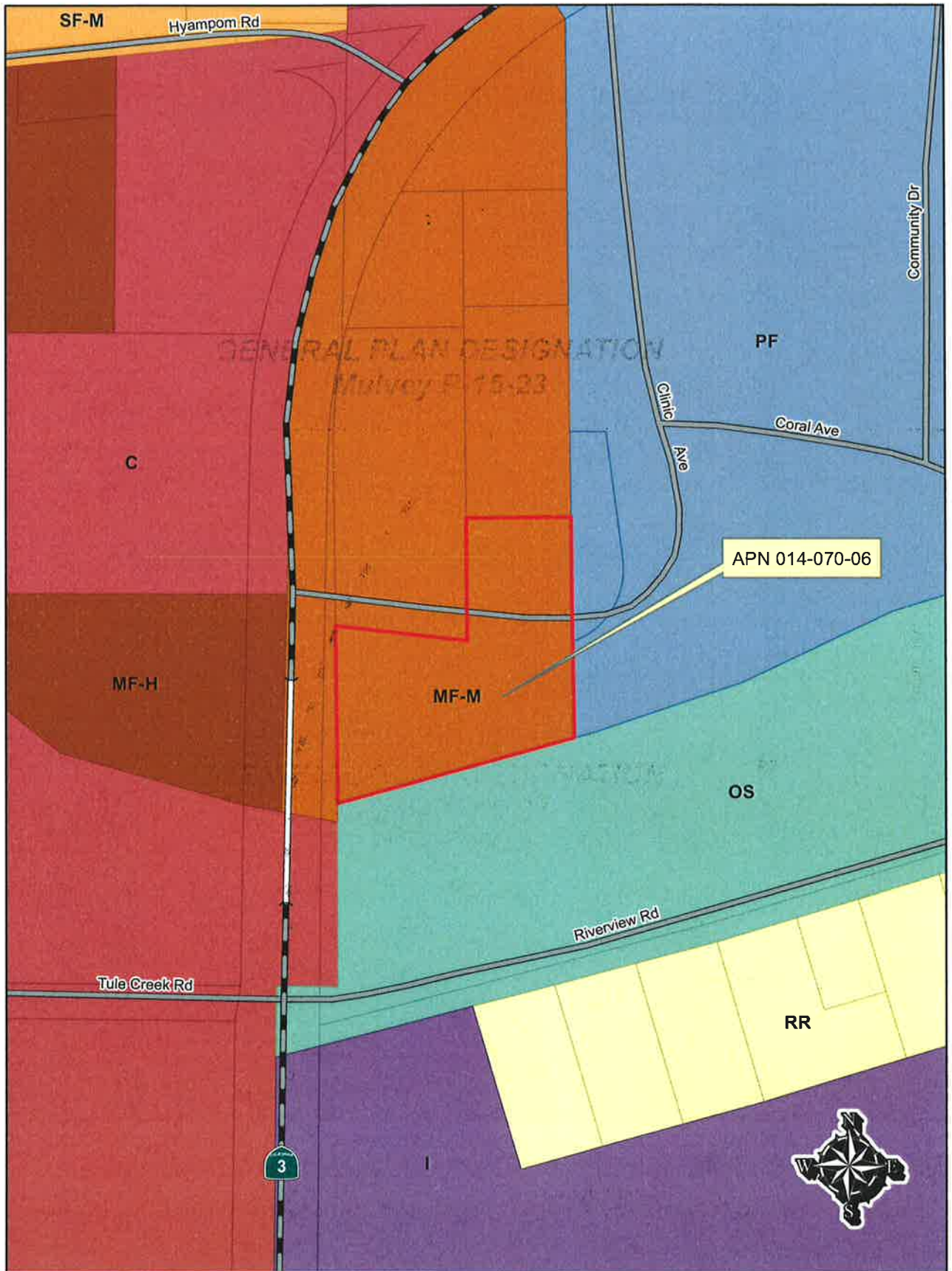
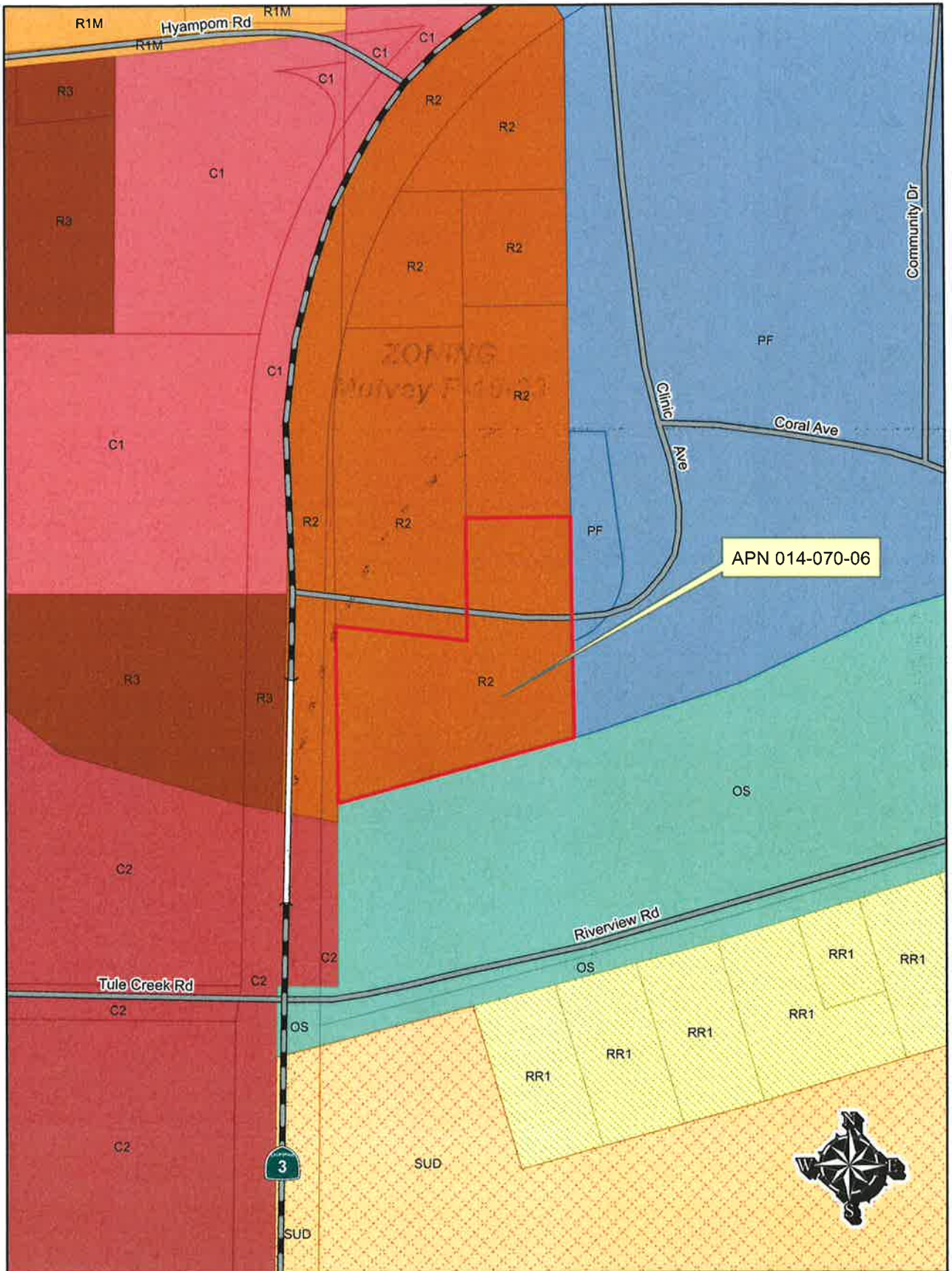


Figure 1



# ZONING Mulvey P-15-23





# PROJECT LOCATION MAP

## Mulvey P-15-23

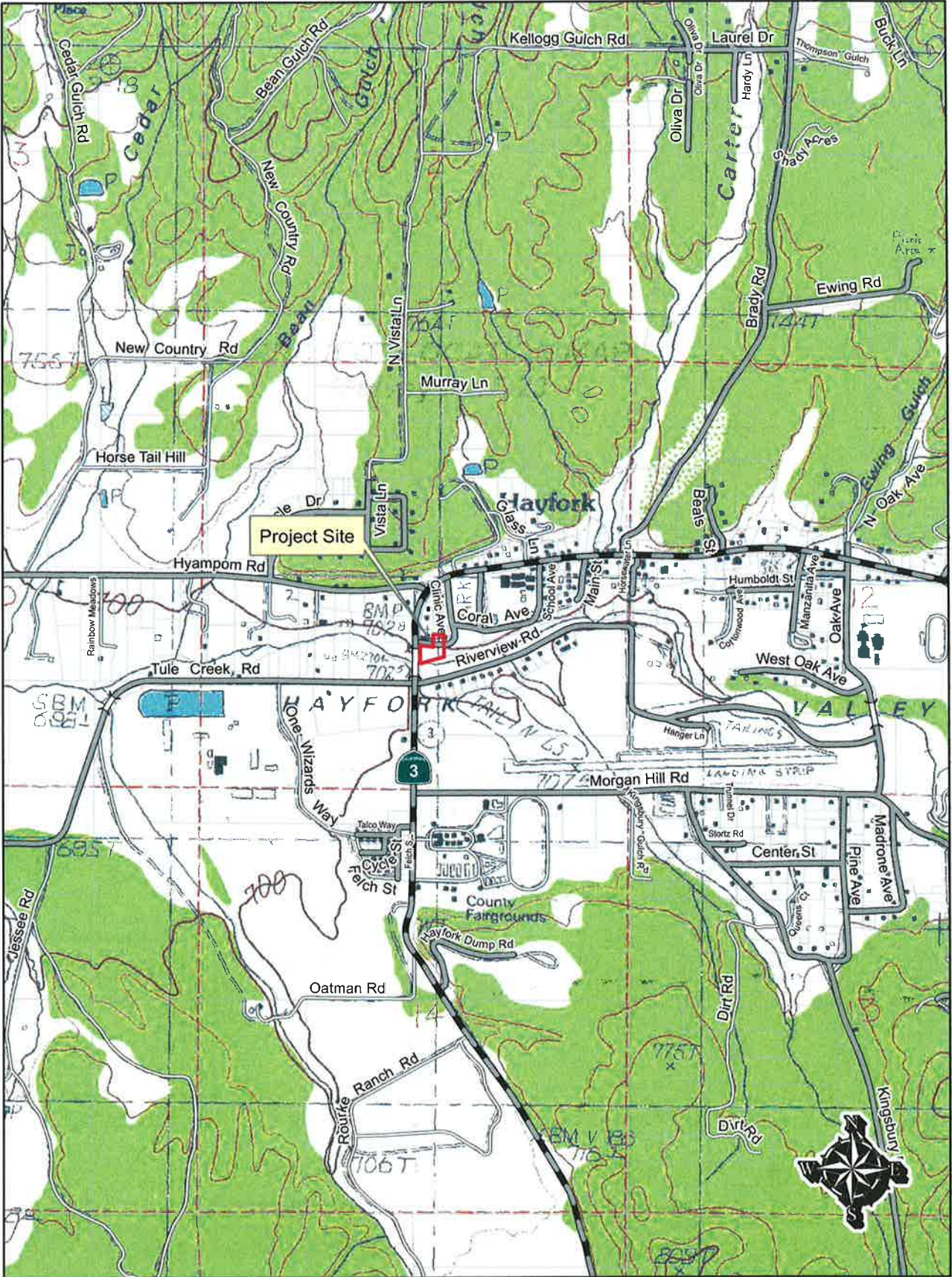
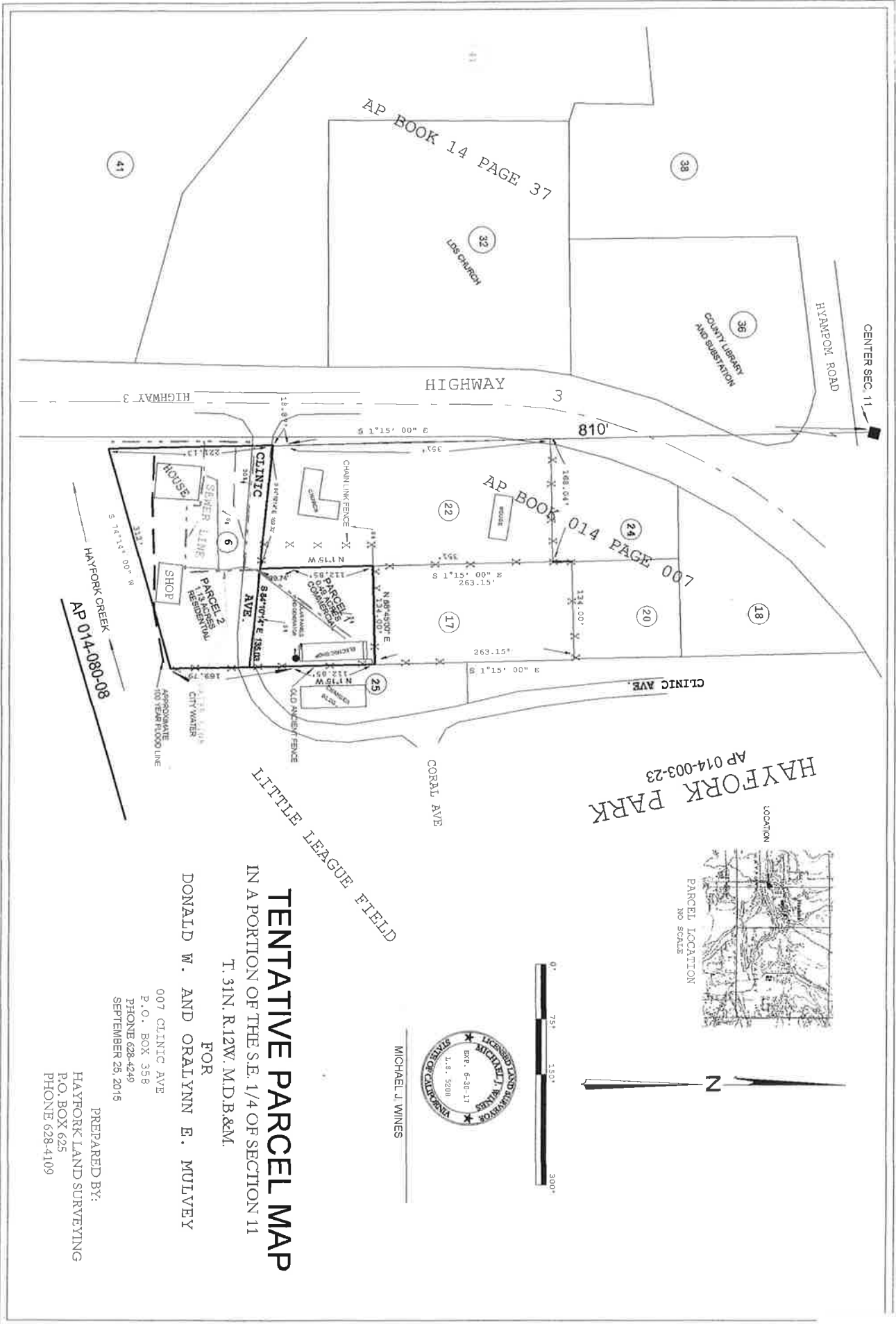
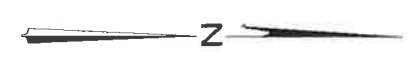


Figure 3



HAYFORK PARK  
AP 014-003-23



MICHAEL J WINNES

**TENTATIVE PARCEL MAP**  
IN A PORTION OF THE S.E. 1/4 OF SECTION 11

T. 31N. R.12W. M.D.B.&M.

FOR  
DONALD W. AND ORALYNN E. MULVEY

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Figure 4