

# County of Mariposa

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## Revised Initial Study

### A. PROJECT INFORMATION:

*Project Title:* **Yosemite West Special Plan; General Plan Amendment 2008-002/Zoning Amendment 2005-166**

*Lead Agency:* County of Mariposa

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*Project Proponent:* County of Mariposa

*Project Description:* Adoption of a Special Plan for the Yosemite West Special Plan area. The Special Plan contains Guiding Principles, goals, policies and implementation measures, establishes a land use sub-classification, allowable ~~land use classifications~~ and standards for the ~~classifications~~ uses, standards for legally existing non-conforming uses and vacation rental support businesses, and standards for site development, circulation and parking, and lighting. The Special Plan is intended to identify and implement policies and goals to meet the localized needs of Yosemite West. The Plan governs the area encompassed by Yosemite West Unit 1, the existing single-family residential lot subdivision, and Yosemite West Unit 2, the existing condominium area. The Special Plan contemplates no new development or new subdivision maps. It establishes land use controls relating to businesses and home site development within these two units.

*A General Plan Amendment is required for the Special Plan to incorporate the Special Plan into Volume II of the Mariposa County General Plan.* A zoning amendment is required to codify the land use regulations and standards contained in the Special Plan in Title 17, Mariposa County Zoning Ordinance.

*Site Characteristics:* Yosemite West is located at the 6,000-foot elevation adjacent to the boundaries of Yosemite National Park. Yosemite West Unit 2 is fully developed and contains 48 condominium units. Yosemite West Unit 1 is roughly 39% developed.

- Project Location:* The Yosemite West Special Plan area is accessed from Wawona Road within Yosemite National Park and by a roadway, Henness Ridge Road, that extends across Park property to Yosemite West from Wawona Road. The project site is located in portions of sections 23, 24, 25 and 26, T.3S., R.20E., MDB&M.
- Additional Documents* All of the documents cited and relied upon in the preparation of this Initial Study are available at the County of Mariposa Planning Department and are hereby incorporated into the record for this Initial Study. Documents reviewed and consulted in the preparation of this initial study were the Mariposa County General Plan and the Environmental Impact Report prepared for the General Plan, ~~Document I – Policies and Standards; the proposed General Plan Update 2005;~~ the public review draft of the Yosemite West Special Plan; and Title 17, Mariposa County Zoning Code. The public review draft of the Yosemite West Special Plan is available to the public and is incorporated in this document by reference.
- Revision to Initial Study* *This Initial Study has been revised subsequent to its original public review period due to input received from the Mariposa County Planning Commission and the public during commission hearings on the project in October of 2005 and March of 2006. Revisions are also based on the adoption of the Mariposa County General Plan and the certification of its environmental impact report. The adoption and certification occurred subsequent to planning commission action on the Special Plan. Added text is shown in bold, italicized, and underlined text. Deletions are shown in ~~double-strikethrough~~ text. The revisions to the initial study are not substantial, and do not alter the conclusions of the study and the recommendation that a negative declaration be adopted for the project. Therefore, recirculation of the document is not warranted. This determination is made pursuant to Section 15073.5 of the California Environmental Quality Act Guidelines.*

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

(blank): no impact

**L:** Less than Significant Impact

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

**PS:** Potentially Significant

_____ <i>Aesthetics</i>	_____ <i>Agriculture Resources</i>	<u>  <b>L</b>  </u> <i>Air Quality</i>
_____ <i>Biological Resources</i>	_____ <i>Cultural Resources</i>	_____ <i>Geology/Soils</i>
_____ <i>Hazards &amp; Hazardous Mat.</i>	_____ <i>Hydrology/Water Quality</i>	_____ <i>Land Use/Planning</i>
_____ <i>Mineral Resources</i>	_____ <i>Noise</i>	_____ <i>Population/Housing</i>
_____ <i>Public Services</i>	_____ <i>Recreation</i>	<u>  <b>L</b>  </u> <i>Transportation/Traffic</i>
_____ <i>Utilities/Service Systems</i>	_____ <i>Mandatory Findings of Significance</i>	

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## Section A

### ANALYSIS OF RELATIONSHIP TO GENERAL PLAN EIR

The Mariposa County General Plan was adopted in December of 2006. That adoption included certification of the environmental impact report (EIR) that was prepared for the general plan. All volumes of the general plan, including Volume I, the Countywide General Plan, and Volume IV, the EIR prepared for the general plan, are available for review at the Mariposa County Planning Department located on the lower floor of the Mariposa County Government Center, 5100 Bullion Street, Mariposa, California.

The EIR prepared for the general plan was a program EIR as described in Section 15168 of the California Environmental Quality Act (CEQA) Guidelines. This section states that “A program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:

- 1) Geographically,
- 2) As logical parts in the chain of contemplated actions,
- 3) In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or
- 4) As individual activities carried out under the same authorizing statutory and regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.”

In describing the use of program EIRs, Section 15168(c) states: “Use with Later Activities. Subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared.”

Section 15168(d) of CEQA states the following:

“Use with subsequent EIRs and negative declarations. A program EIR can be used to simplify the task of preparing environmental documents on later parts of the program. The program EIR can:

- 1) Provide the basis in an Initial Study for determining whether the later activity may have any significant effects.
- 2) Be incorporated by reference to deal with regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole.
- 3) Focus an EIR on a subsequent project to permit discussion solely of new effects which had not been considered before.”

The implementation of the Yosemite West Special Plan, which provides land use guidance for the Yosemite West area is considered to be a “later activity” subsequent to adoption of the general plan. As specifically described in Section 5.3.01.E(1) of the general plan, Yosemite

West is a Special Planning Area. As such, a Special Plan is to be adopted for this Planning Area, in accordance with Section 5.3.01.E. of the general plan. The general plan contemplates subsequent activities, such as adoption of area plans, as necessary to help fully implement the general plan.

Section 5.3.01.B(1) of the general plan states the following:

“Special Planning Area: Some small locales in the County do not face the full scope of issues warranting a full-scale town plan or community plan. The purpose of a special plan is to address the specific issues of local importance for the planning area. Consistent uses will be defined in the special plan. Special plans may be used within a town plan or community plan to address more focused issues.”

The Yosemite West Special Plan addresses issues specific to the Yosemite West area and has environmental issues that are specific to the area. The general plan EIR addresses the broad implications of general plan implementation and allows for subsequent determinations as to the level of environmental review for subsequent activities, such as implementation of area plans. The question is, Can a subsequent activity utilize the environmental analysis for the broader project (general plan) to determine environmental impacts of the activity, or is further environmental analysis required to address impacts of the subsequent activity not contemplated in the broader project’s environmental analysis?

Mariposa County has determined that further environmental analysis is required to determine the potential impacts of implementation of the Yosemite West Special Plan due to the specific issues it addresses that were not addressed in the EIR for the general plan. Within the context of the environmental analysis for the implementation of the special plan, the program EIR for the general plan will serve as the basis for the analysis, and this initial study/proposed negative declaration will be “tiered” from that document, in accordance with Section 15152 of the CEQA Guidelines.

This CEQA section describes the “tiering” process. Section 15152(a) states:

“Tiering refers to using the analysis of general matters contained in a broader EIR (such as one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project.”

This section further states that tiering eliminates repetitive discussions of the same issues and focuses the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Section 15152(b) states: “Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy, or program to an EIR or negative declaration for another plan, policy, program of lesser scope, or to a site-specific EIR or negative declaration.” The project for which a tiered document is prepared



must be consistent with the general plan of a county. The Yosemite West Special Plan is consistent with the Mariposa County General Plan.

Section 15152(h) of CEQA includes program EIRs as those documents that may be used by subsequent CEQA documents under the tiering process.

This initial study/proposed negative declaration, which is a tiered document from the broader general plan EIR, incorporates text and conclusions of that EIR.

#### Significant and Unavoidable Impacts with General Plan Implementation<sup>1</sup>

The following are the Significant and Unavoidable Impacts due to implementation of the general plan on applicable environmental issues:

##### Land Use:

Impact LU-6: Build-out of the proposed general plan might impact the County's mineral production industry.

##### Traffic and Circulation:

Impact TT-1: Build-out of the proposed general plan would create adverse vehicular impacts on state highways and county arterial roads. Specifically, levels of service (LOS) would be reduced to level "E" on state highways in the County beyond 2010 with the addition of planned growth. Implementation of highway improvement programs would improve the situation, but the County cannot guarantee implementation of the necessary improvements.

Impact TT-2: Build-out of the proposed general plan would create adverse impacts at intersections in the County. Future LOS at the County's intersections would likely follow the pattern or route segments identified under Impact TT-1 above. Anticipated state improvements would provide service at LOS "D" or better, but without the improvements, there could be significant impacts at intersections in the County.

##### Public Services and Utilities

Impact PS-2: Build-out of the proposed general plan could create a demand for additional school capacity that cannot be met by existing or planned capacity, which would be a significant impact.

##### Air Quality

Impact AQ-2: Build-out of the proposed general plan could create significant impacts to air quality from emissions greater than the listed significance thresholds.

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<sup>1</sup> These impacts and mitigation measures that would not reduce impact to less than significant levels are stated on page 2-85 through page 2-88 of Volume IV, General Plan Environmental Impact Report.

Significant Impacts that can be mitigated to a less than significant level with implementation of recommended mitigation measures<sup>2</sup>

Land Use

Impact LU-3: The general plan allows for the conversion of Agriculture/Working Landscape lands or prime, unique, or farmland of statewide significance to non-agricultural use.

Impact LU-4: Build-out of the general plan could result in pressures leading to cancellation or non-renewal of Williamson Act Contracts.

Biological Resources

Impact BR-1: Build-out under the proposed general plan could cause significant adverse impacts to special status species. If these species occur in development areas there could be loss of individuals and habitat.

Impact BR-2: Build-out of the proposed general plan has the potential to cause loss of plant species contained on CNPS Lists 2, 3, and 4. A Significant impact would occur if development would result in the loss of more than 15 percent of the known occurrences of the population in the County.

Impact BR-3: Build-out of the proposed general plan could cause a significant impact to nesting raptors and migratory birds if active nests occur within a development area.

Impact BR-4: Build-out of the proposed general plan could cause the permanent loss of habitat for sensitive wildlife species.

Impact BR-5: Build-out of the proposed general plan could result in a loss of sensitive native plant communities from development activities.

Impact BR-6: Build-out of the proposed general plan could cause a significant impact from blocking or disrupting wildlife migration or travel corridors.

Impact BR-8: Build-out of the proposed general plan could result in the net loss of wetlands, vernal pools, or other waters of the U.S. from development activities.

Hydrology and Water Quality

Impact HW-2: Build-out of the proposed general plan could result in the net degradation of surface runoff quality from additional paved surfaces, landscaping, fertilization, and irrigation, and grading, construction, and inadequate revegetation.

Air Quality

Impact AQ-1: Build-out of the proposed general plan may result in significant construction-period air pollutant emissions.

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<sup>2</sup> These impacts and mitigation measures that would reduce these impacts to less than significant levels are stated on pages 2-88 through pages 2-104 of the Volume IV, General Plan Environmental Impact Report. This section also lists potential impacts that were found to be less than significant requiring no further mitigation due to implementation of goals, policies, and implementation measures in the general plan or the existing regulatory environment.

Historic and Cultural Resources

Impact HC-2: Build-out of the proposed general plan could result in the disturbance of unknown archaeological resources.

Impact HC-3 Build-out of the proposed general plan could result in the disturbance of unknown paleontologic resources.

Impact HC-4: Build-out of the proposed general plan could result in the disturbance of human remains, including those outside formal cemeteries.

Noise

Impact NO-2: Build-out of the proposed general plan may result in the generation of ground vibration that may disturb people of damage structures.

Public Health and Safety

Impact PHS-4: Build-out of the proposed general plan may expose people to death or injury and structures to destruction from wildland fire.

Visual Resources

Impact VR-1: Build-out of the proposed general plan may result in significant visual impacts to state highways 41 and 49.

Impact VR-2: Build-out of the proposed general plan may cause substantial degradation of the visual character and quality of Mariposa County, resulting in a significant impact.

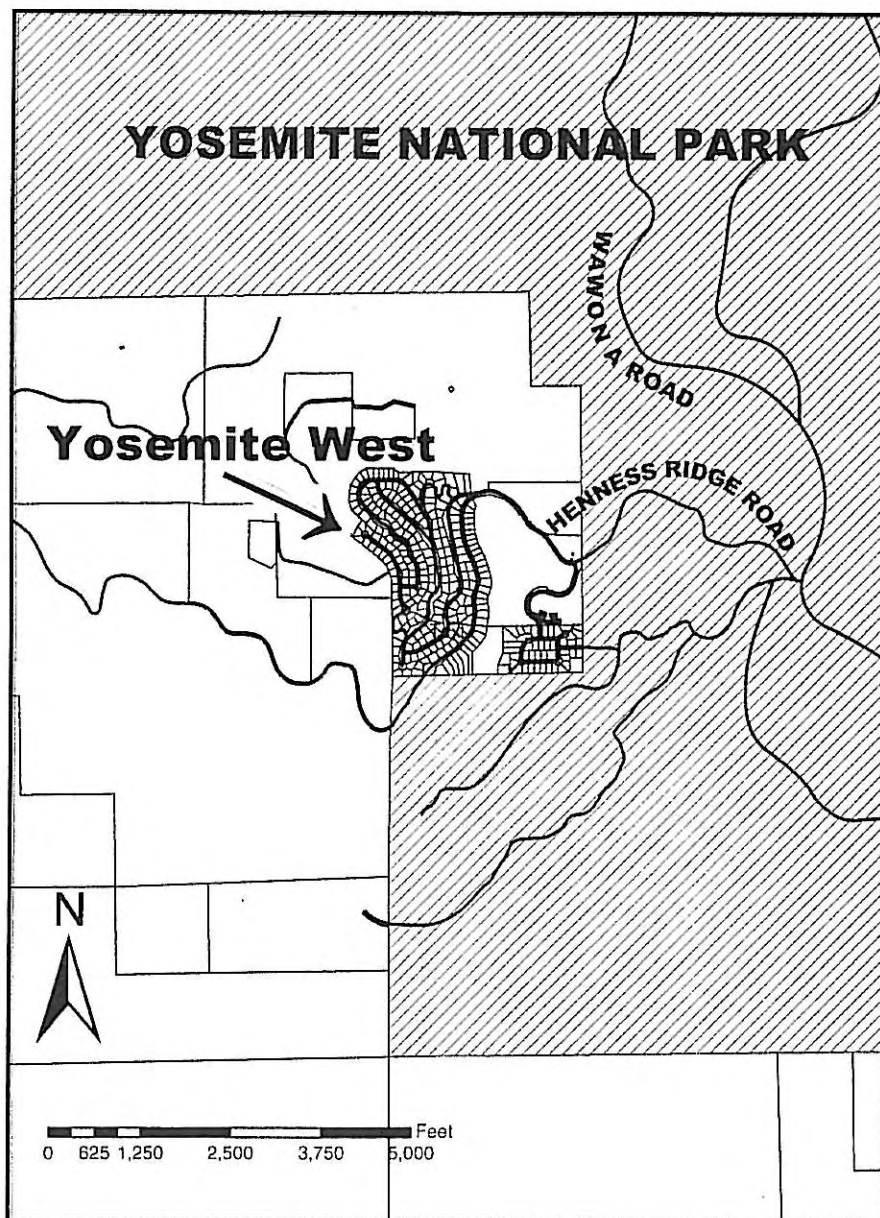
Impact VR-3: Build-out of the proposed general plan may result in significant impacts from the creation of substantial light and glare.

(Environmental issues for which the general plan EIR found significant and unavoidable impacts or for which significant impacts were found requiring the adoption of mitigation to reduce impacts to less than significant levels are addressed in the appropriate sections of this initial study.)

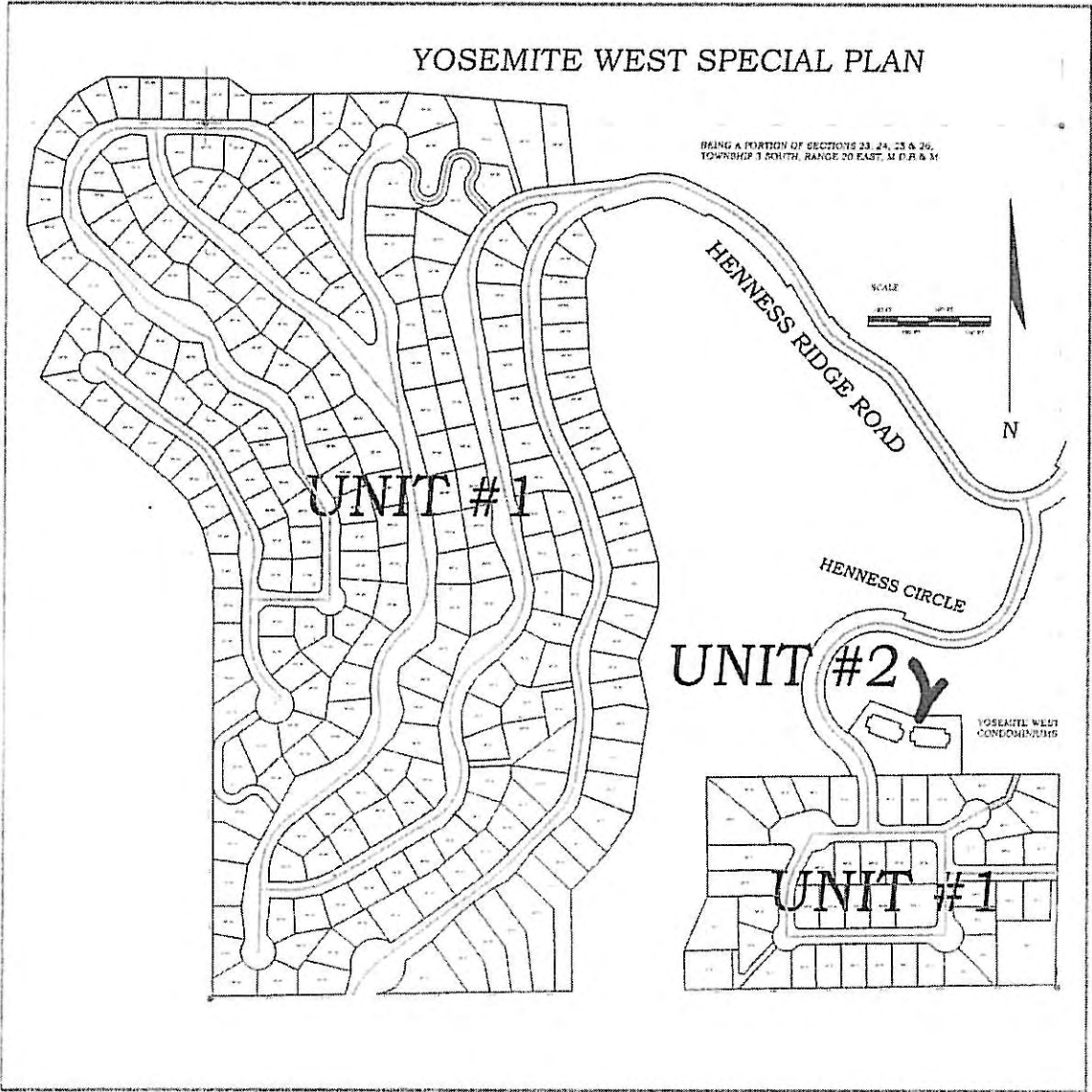




**Figure 1**  
**Yosemite West Location Map**



**Figure 2**  
**Yosemite West Special Plan Area Map**



**Section C**  
**ENVIRONMENTAL CHECKLIST**  
**EVALUATION OF ENVIRONMENTAL IMPACTS**

**B.1 AESTHETICS**

<b>1. AESTHETICS</b> Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Have a substantial adverse effect on a scenic vista?				√
b) Substantially damage scenic resources, including but not limited to: trees, rock outcroppings, and historic buildings within a state scenic highway?				√
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				√
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				√

**B.1.a Scenic Vista**

A significant impact would be one that has a substantially adverse effect on a scenic vista. There are no Mariposa County ordinances, policies, resolutions or other documents that identify designated scenic vistas. The site is not within a potential Scenic Conservation Area as identified in the Scenic Highways Element of the Mariposa County General Plan. The project site is not visible to the touring public. *Adoption and implementation of this Special Plan will have no impact on a scenic vista.*

**B.1.b State Scenic Highway**

A significant impact would be one that substantially damages scenic resources such as trees, rock outcroppings and historic buildings along a state scenic highway. The project area is not located near nor will it be visible from a scenic highway. *Thus, the project will have no impact.*

**B.1.c Aesthetics**

A significant impact would be one that substantially degrades the existing visual character or quality of the site and its surroundings.

**The EIR prepared for the general plan found that build-out of the plan would result in substantial degradation of the county's visual character and quality. The impact is reduced to less than significant levels through the implementation of general plan Policy 5-1a requiring**



that new development maintain the county's rural character and Policy 5-2a, which encourages development in areas where services are located. In addition, general plan Implementation Measure 5-4c(2) requires development standards to protect visual character, including viewsheds, design, landform, site development, and lighting.

The intent of the Yosemite West Special Plan, which is a component of and implements the general plan, is to identify and implement goals, policies and standards to address localized needs. The Plan establishes land use controls to enhance the rural, rustic nature of the area. In addition, the Plan contains exterior lighting standards to protect the night sky in the area. The subdivision and condominiums are already approved and the condominiums are constructed. The single-family residential area is partially built out. The Special Plan will have the effect of enhancing community aesthetics through the establishment of additional standards relating to site development and parking. One of the Special Plan's guiding principles states: "To preserve the rural, rustic nature of Yosemite West." Land use regulations and standards are designed to implement this guiding principle. ~~Thus, the project will~~ The provisions of the Special Plan are designed to have a positive impact on community aesthetics.

Section 5.3.04 of the Special Plan addresses building height. This section states that the maximum building height shall be 35 feet, but allows greater building height on lots with a slope greater than 10%, up to a maximum of 45 feet. Title 17, the Mariposa County Zoning Ordinance places a height limit on structures of 35 feet, but the height may exceed 35 feet, up to 45 feet, due to the slope of the land on which the structure would be located. Existing text in Title 17 does not state that a slope must exceed 10% before the 35-foot height can be exceeded. The standard in the Special Plan is, therefore, more restrictive than Title 17.

*The project will have no negative impact on the visual character of the area and surroundings.*

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

A significant impact would be one that creates a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

The EIR prepared for the general plan found that build-out of the plan may result in significant impacts from the creation of substantial light and glare. Mitigation measures have been adopted to reduce these potentially significant impacts to less than significant levels. The build-out of the area governed by the Yosemite West Special Plan would occur irrespective of implementation of the general plan, since the subdivision maps allowing this development were approved many years prior to adoption of the general plan. Therefore, the general plan EIR's conclusion regarding impacting night time environment does not specifically apply to the Yosemite West Special Plan.

As noted above, the single-family residential area and the condominiums were approved 30+ years ago and have been or are being built out. Therefore, implementation of the Plan does not require approval of new land uses nor establish impediments to build-out of the single family residential subdivision. The creation of new light and glare sources will increase as the project area is built out. As noted above, the Special Plan, which includes standards for exterior lighting, improves the existing exterior lighting issue in Yosemite West. These standards



*provide specific adaptation of dark sky standards to the Yosemite West area.* The Plan’s standards regulating exterior lighting will have the effect of reducing nighttime light impacts that may have occurred if the Special Plan were not adopted. *Thus, the project will have no negative impact on the issue of light and glare.*

**B.2 AGRICULTURAL RESOURCES**

2. AGRICULTURE RESOURCES Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				√
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				√
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				√

**B.2.a, b, c Agricultural Resources**

A significant impact would be one that converts farmland designated as “prime,” “unique” or “farmland of statewide importance” to nonagricultural uses; conflict with existing zoning for agricultural use, or a Williamson Act contract; or involve other changes in the existing environment which could result in conversion of Farmland, to non-agricultural use.

The implementation of this Special Plan contemplates no new development or new subdivisions that have not already been approved. Yosemite West Unit #2, the condominium area, is built-out to the maximum approved density, and Yosemite West Unit #1, the single-family residential subdivision, is 39% built-out. The Special Plan area will be built-out whether or not this Special Plan is adopted and implemented, ***and whether or not the general plan was adopted and implemented.*** The Special Plan establishes ***allowable land uses*** and uses ***classifications of property*** and standards for those ~~classifications~~ ***uses***, site development standards, standards relating to non-conformities and vacation rental support businesses, and parking and lighting standards for businesses and home site development. Property owners have an existing entitlement to develop their home sites. The lots in the subdivision are part of a recorded subdivision map. *Adoption and implementation of the Yosemite West Special Plan will have no impact on agricultural resources.*

**B.3 AIR QUALITY**

3. AIR QUALITY – [Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.] Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Conflict with or obstruct implementation of the applicable air quality plan?				√
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			√	
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 which exceed quantitative thresholds for ozone precursors)?				√
d) Expose sensitive receptors to substantial pollutant concentrations?				√
e) Create objectionable odors affecting a substantial number of people?				√

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

A significant impact would be one that conflicts with or obstructs implementation of the applicable air quality plan. A significant impact would be one that violates any air quality standard or contributes substantially to an existing or projected air quality violation. Under the California Clean Air Act of 1988, districts designated as non-attainment for state Clean Ambient Air Quality Standards (CAAQS) must submit a plan for attaining or maintaining state standards for these pollutants.

**The EIR prepared for the general plan found a significant and unavoidable impact on air quality from emissions with general plan implementation. This countywide impact would not apply to the Yosemite West Special Plan because the plan does not allow for any new development entitlements. The single-family residential area, Yosemite West Unit 1, will build-out as has been previously approved. Implementation of general plan goals, policies, and implementation measures would not impact the Yosemite West areas governed by the Special Plan.**

The project site is located within the Mountain Counties Air Basin (MCAB) and is under the jurisdiction of the Mariposa County Air Pollution Control District (MCAPCD). The MCAPCD

has not yet adopted recommended significance thresholds for air quality review of development projects subject to the California Environmental Quality Act (CEQA) within district boundaries.

~~Mariposa County is classified as either attainment or unclassified for all federal air quality standards, except ozone. The Mariposa County Air Pollution Control District has not prepared an attainment plan; however, it is in the process of preparing such a plan. The plan is expected to be completed by April, 2007.~~ *Mariposa County is located within the Mountain Counties Air Basin (MCAB and is under the jurisdiction of the Mariposa County Air Pollution Control District (MCAPCD.) The MCAPCD has not yet adopted recommended significance thresholds for air quality review of development projects subject to the California Environmental Quality Act within its district boundaries. MCAPCD is currently preparing a New Source Review Rule that should contain some thresholds. Mariposa County is classified as either attainment or unclassified for all federal air quality standards, except ozone. MCAPCD was going to be required to prepare an attainment plan; however, air quality modeling has shown that the County will be in attainment by 2009, so the state is not now requiring such a plan be prepared.* The area governed by this Special Plan already contains approved subdivisions. The Special Plan merely contains standards for property development and other standards. The Special Plan includes standards allowing a property owner to operate a business providing check-in and management services to vacation rentals in the area, which could cause automobile idling while keys for vacation rentals are exchanged. However, this potential impact is not considered to be significant in the immediate vicinity, in light of the area's adjacency to Yosemite National Park with its attendant intensive automobile and bus traffic, nor in the general region. *Therefore, the project will have a less than significant impact on air quality.*

### **B.3.c Cumulative Impacts**

A significant impact would be one that results in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

Implementation of the Special Plan will not lead to a permanent cumulative increase in Ozone. The area would be built out whether or not the Special Plan is adopted. The Plan establishes guiding principles, and goals, policies, implementation measures and standards relating to operating businesses, non-conforming uses, site development, circulation and parking, and lighting. It does not contemplate approval of additional subdivision maps or development projects. The project does not contemplate the construction of new roadways. Home site development creates dust in the short-term when home sites are being constructed. Home sites will be developed whether or not this Special Plan is adopted. *Thus, the project will have no cumulative impact on the issue of criteria pollutants.*

### **B.3.d, e Sensitive Receptors to Pollutants/Creation of Objectionable Odors**

A significant impact would be one that exposes sensitive receptors to pollutant concentration or creates objectionable odors impacting a substantial number of people.

The implementation of this Special Plan contemplates no new development or new subdivisions that have not already been approved. Yosemite West Unit #2, the condominium area, is built-out to the maximum approved density, and Yosemite West Unit #1, the single-family residential subdivision, is 39% built-out. The Special Plan area will be built-out whether or not this Special Plan is adopted and implemented, ***and whether or not the general plan was adopted and implemented.*** The Special Plan establishes allowable ~~land~~ ~~uses~~ classifications of property and standards for those ~~classifications~~ uses, site development standards, standards relating to non-conformities and vacation rental support businesses, and parking and lighting standards for businesses and home site development. Property owners have an existing entitlement to develop their home sites. The lots in the subdivision are part of a recorded subdivision map. *Adoption and implementation of the Yosemite West Special Plan will not expose sensitive receptors to pollutant concentrations or create objectionable odors and will have no impact on these two issues.*

#### B.4 BIOLOGICAL RESOURCES

4. BIOLOGICAL RESOURCES Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				√
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and 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?				√
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or				√



migratory wildlife corridors, or impede the use of native wildlife nursery sites?				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				√
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				√

**B.4.a, b, c, d, e, and f Biological Resources**

A significant impact would be one that has a substantial adverse effect on any of the biological resources cited in the checklist above.

*The EIR prepared for the general plan found that general plan implementation could cause significant impact to special status species, plant species on the CNPS lists, nesting raptors and migratory birds, habitat for sensitive wildlife species, sensitive native plant communities, wildlife migration or travel corridors, and wetlands, vernal pools or other Waters of the U.S. Mitigation measures have been adopted to reduce these potentially significant impacts to less than significant levels.*

*The general plan EIR's conclusions regarding significant impacts to biological resources does not specifically apply to the Yosemite West Special Plan.* The implementation of this Special Plan contemplates no new development or new subdivisions that have not already been approved. Yosemite West Unit #2, the condominium area, is built-out to the maximum approved density, and Yosemite West Unit #1, the single-family residential subdivision, is 39% built-out. The Special Plan area will be built-out whether or not this Special Plan is adopted and implemented, *and whether or not the general plan was adopted and implemented.* The Special Plan establishes *allowable* and uses *classifications of property* and standards for those ~~classifications~~, site development standards, standards relating to non-conformities and vacation rental support businesses, and parking and lighting standards for businesses and home site development. Property owners have an existing entitlement to develop their home sites. The lots in the subdivision are part of a recorded subdivision map. *Adoption and implementation of the Yosemite West Special Plan will have no impact on biological resources.*

**B.5 CULTURAL RESOURCES**

<b>5. CULTURAL RESOURCES</b> Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				√



b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?				√
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				√
d) Disturb any human remains, including those interred outside of formal cemeteries?				√

**B.5.a. b, c, and d Cultural Resources**

A significant impact would be one that would cause a substantial adverse change in historic, archaeological, or paleontological resources, or cause the disturbance of human remains.

The EIR prepared for the general plan found that general plan implementation could result in the disturbance of unknown archaeological and paleontologic resources, and human remains. Measures have been adopted to reduce these potentially significant impacts to less than significant levels.

The general plan EIR's conclusions regarding potential impacts to cultural resources or human remains do not specifically apply to the Yosemite West Special Plan. The implementation of this Special Plan contemplates no new development or new subdivisions that have not already been approved. Yosemite West Unit #2, the condominium area, is built-out to the maximum approved density, and Yosemite West Unit #1, the single-family residential subdivision, is 39% built-out. The Special Plan area will be built-out whether or not this Special Plan is adopted and implemented, and whether or not the general plan was adopted and implemented. The Special Plan establishes allowable and uses classifications of property and standards for those classifications uses, site development standards, standards relating to non-conformities and vacation rental support businesses, and parking and lighting standards for businesses and home site development. Property owners have an existing entitlement to develop their home sites. The lots in the subdivision are part of a recorded subdivision map. Adoption and implementation of the Yosemite West Special Plan will have no impact on cultural resources.

**B.6 GEOLOGY AND SOILS**

<b>6. GEOLOGY AND SOILS --</b> Would the project:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	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				√