RECOMMENDED ACTION AND JUSTIFICATION: Approval of the proposed amendment to Section 17.44.010.A.1.a of Title 17, Mariposa County Zoning Code: to allow fire stations as permitted uses in the Timber Exclusive Zone provided they are located on timberland converted to non-timber use in accordance with Section 1104.1 of Title 14, California Code of Regulations. Following a public hearing, and review of the staff report and the initial study for the project, the Planning Commission recommended approval of the amendment.

The Board action is to adopt a resolution approving the Project and adopting a Mitigated Negative Declaration for environmental review purposes. The action includes waiving the First Reading and Introducing an Ordinance Amending Zoning Ordinance Text.

BACKGROUND AND CONTEXT OF BOARD ACTIONS: On August 7, 2007 County Counsel and the County Fire Department informed the Board of the opportunity to locate a new fire station on the Yosemite Mountain Ranch (YMR) property immediately adjacent to the community of Fish Camp. The fire station would be located on a 2.99-acre area of the ranch. The property is in the Timber Exclusive Zone and Title 17 does not list fire stations as permitted uses in this zone. On August 7, 2007 the Mariposa County Board of Supervisors authorized the Planning Director to initiate an amendment to Chapter 17.44, Timber Exclusive Zone, to allow fire stations as permitted uses in this zone. The amendment will bring Timber Exclusive Zone permitted uses into conformance with the Fish Camp Specific Plan General Forest designation and the General Plan Agriculture/Working Landscape land use classification, which both allow for a fire station in the proposed Fish Camp location. The amendment will also allow fire stations as permitted uses on other Timber Exclusive Zone property under the prescribed conditions.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION: The Board of Supervisors can amend the text as recommended by the Planning Commission, add additional text to the amendment, or refer the matter back to the Planning Department or the Planning Commission for further review and recommendations. If the Board denies the amendment, a fire station would not be permitted on the subject property adjacent to the community of Fish Camp or other Timber Exclusive Zone property in the County.

Financial Impact? ( ) Yes (X) No Current FY Cost: $ __________
Budgeted In Current FY? (X) Yes ( ) No ( ) Partially Funded
Amount in Budget: $ __________
Additional Funding Needed: $ __________
Source:
Internal Transfer
Transfer Between Funds
Contingency
____________________
4/5's vote
4/5's vote

CLERK'S USE ONLY:
Res. No.: 328
Vote - Ayes: 5
Absent: _____
Noes: ___

COUNTY ADMINISTRATIVE OFFICER:
Requested Action Recommended ( ) No Opinion
Comments: __________

Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California
By: Deputy

The foregoing instrument is a correct copy of the original on file in this office.

Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California
By: Deputy

Revised Dec. 2002
MARIPOSA COUNTY RESOLUTION NO. 2008-328

A RESOLUTION APPROVING ZONING AMENDMENT

NO. 2008-054

WHEREAS a proposal to amend the Mariposa County Zoning Ordinance was initiated by the Mariposa County Board of Supervisors on August 7, 2007; and

WHEREAS the Planning Department circulated the proposal among trustee and responsible agencies, interested public organizations, and others as appropriate; and

WHEREAS a duly noticed public hearing was scheduled before the Planning Commission for the 20th day of June, 2008; and

WHEREAS the Planning Department prepared environmental documents in accordance with the California Environmental Quality Act and local administrative procedures; and

WHEREAS a Staff Report and Initial Study were prepared pursuant to the California Government Code, Mariposa County Code, California Environmental Quality Act, and local administrative procedures; and

WHEREAS the Planning Commission did hold a public hearing on the noticed date and considered all of the information in the public record, including the Initial Study and Staff Report, testimony presented by the public concerning the proposal; and

WHEREAS the Planning Commission adopted Resolution No. 2008-022, recommending that the Board of Supervisors adopt a Mitigated Negative Declaration, and further recommending Board of Supervisors approve of the amendment with findings; and

WHEREAS a duly noticed Board of Supervisors public hearing was scheduled for the 15th day of July, 2008; and

WHEREAS a Staff Report packet for the Board of Supervisors was prepared pursuant to the California Government Code, Mariposa County Code, and local administrative procedures; and

WHEREAS the Board of Supervisors did hold a public hearing on the noticed date and considered all of the information in the public record, including the Staff Report packet, testimony presented by the public concerning the proposal, and comments and recommendations from the Planning Commission.

NOW BE IT THEREFORE RESOLVED THAT the Board of Supervisors of the County of Mariposa does hereby adopt a resolution adopting a Mitigated Negative Declaration for the project pursuant to the California Environmental Quality Act, Title 14, California Code of Regulations and approving Zoning Amendment No. 2008-054.

BE IT FURTHER RESOLVED THAT the approved amendment to the text of the Mariposa County Zoning Ordinance, Title 17, are described in Exhibit A.

BE IT FURTHER RESOLVED THAT the project approval action is based on the findings supported by substantial evidence in the public record as described in Exhibit B:
BE IT FURTHER RESOLVED THAT the mitigation measures for the Fish Camp fire station project, monitoring for the mitigation, and the additional condition of approval, are described in Exhibit C.

BE IT FINALLY RESOLVED THAT the effective date of this resolution shall be the effective date of the ordinance adopted in conjunction with this action.

ON MOTION BY Supervisor Pickard, seconded by Supervisor Aborn; this resolution is duly passed and adopted this 15th day of July, 2008 by the following vote:

AYES: Aborn, Turpin, Bibby, Fritz, Pickard

NOES: None

EXCUSED: None

ABSTAIN: None

Lyle Turpin, Chair
Mariposa County Board of Supervisors

ATTEST:

Margie Williams
Clerk of the Board of Supervisors

APPROVED AS TO FORM:

Thomas P. Guarino
County Counsel
COUNTY of MARIPOSA
P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

LYLE TURPIN, CHAIR
DIANNE A. FRITZ, VICE CHAIR
BRAD ABORN
JANET BIBBY
BOB PICKARD

DISTRICT II
DISTRICT IV
DISTRICT I
DISTRICT III
DISTRICT V

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: KRS SCHENK, Planning Director
FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: ZONING AMENDMENT No. 2008-054 TO ALLOW FIRE STATIONS AS PERMITTED USES IN THE TIMBER EXCLUSIVE ZONE

RESOLUTION 08-328

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on July 15, 2008

ACTION AND VOTE:

11:02 a.m. Kris Schenk, Planning Director;
PUBLIC HEARING to Consider Zoning Amendment 2008-054. Action Includes Adopting a Resolution Approving the Project, Adopting a Mitigated Negative Declaration, Waiving the First Reading and Introducing an Ordinance Amending Zoning Ordinance Text. The Project Proposes to Amend Section 17.44.010.A.1.a of Title 17, Mariposa County Zoning Code to Allow Fire Stations as Permitted Uses in the Timber Exclusive Zone Provided they are Located on Timberland Converted to Non-Timber Use in Accordance with Section 1104.1 of Title 14, California Code of Regulations. Mariposa County, Project Proponent

BOARD ACTION: Kris Schenk introduced the matter. Skip Strathearn, Senior Planner, presented the staff report. Staff responded to questions from the Board relative to clarifying that the project itself is a separate process and that this is for the zoning amendment; relative to the width of Laurel Lane and access to the property; relative to the conversion of timberland to non-timber use; whether there are any impacts on the Agriculture/Working Landscape; screening for the fire house structure; and relative to the requirements for the Silver Tip Resort to provide fire protection and the Fish Camp Fire Station project. Jim Wilson, Fire Chief, responded to questions from the Board relative to the Laurel Way and the Summit Road accesses and relative to the fire services to be provided by the Silver Tip Resort; and he advised that they are also working with Tenaya Lodge to help obtain volunteers for the station. Staff responded to questions from the Board relative to amending the logging plan; whether the Fish Camp station is included in the list to receive a new fire engine; what becomes of the existing fire station; and clarification that the fire house will not be used for community meetings.

The public portion of the hearing was opened and input was provided by the following:
Paul Chapman asked why the Silver Tip Resort doesn’t move their firehouse for this and provide engines.

Donn Harter, Chair of the Fish Camp Fire Association provided input on their fundraising efforts; and he advised that they plan to use the station for living space for the volunteer firefighters. Staff
responded to a question from the Board and clarified that the firefighters would just use the station while they are on-duty.

The public portion of the hearing was closed and the Board commenced with deliberations. (M)Pickard, (S)Aborn, Res. 08-328 was adopted approving the project, adopting a Mitigated Negative Declaration, and the first reading was waived and an Ordinance introduced amending Zoning Ordinance Text to allow fire stations as permitted uses in the Timber Exclusive Zone as recommended. The Clerk of the Board read the title of the Ordinance into the record. Ayes: Unanimous. The hearing was closed.

Cc: Jim Wilson, Fire Chief
    Dana Hertfelder, Public Works Director
    File
EXHIBIT A

Section 17.44.010.A.1.a. of Chapter 17.44, Timber Exclusive Zone, shall be amended to read as follows: (Proposed text is shown in **bold, italicized and underlined** type.)

A. Development standards for the TEZ. Development standards for the TEZ shall be as follows:

1. Uses.
   a. Permitted uses: Growing and harvesting of timber and forest products; uses and facilities appurtenant to timber growing and harvesting, including but not limited to roads, log landings, and log storage areas. Residential, grazing, wildlife preserves; management for watershed, fish and wildlife habitat; hunting, fishing, hiking and camping; forest fire lookout stations; **fire stations provided they are located on timberland converted to non-timber use in accordance with Section 1104.1 of Title 14, California Code of Regulations**; exploration or prospecting for minerals; portable saw mills and portable planing mills; gas, electric, water or communication transmission facilities; wholesale nurseries and similar horticultural enterprises; and those applicable uses listed under Chapter 17.108.
EXHIBIT B

Finding No. 1: The amendment is in the general public interest, and will not have a significant adverse effect on the general public health, safety, peace, and welfare. (Section 17.128.050, Zoning Ordinance)

The amendment is in the general public interest, and will not have a significant adverse effect on the general public health, safety, peace and welfare. The amendment will enhance the general public interest and public safety by allowing fire stations to be located in the Timber Exclusive Zone provided the station is located on timberland that is converted to non-timber use in accordance with Section 1104.1 of Title 14, California Code of Regulations. This provides an opportunity for fire stations to be located in areas that may not currently be adequately served with fire protection services and will allow a proposed fire station adjacent to the community of Fish Camp.

Finding No. 2: The amendment is desirable for the purpose of improving the Mariposa County General Plan with respect to providing a long term guide for county development and a short term basis for day-to-day decision making. (Section 17.128.050, Zoning Ordinance)

The amendment will improve the Mariposa County General Plan, because it brings county planning documents into consistency with one another as they relate to the proposed Fish Camp fire station site. The amendment, which establishes fire stations as permitted uses in the Timber Exclusive Zone, provides for a consistent process with respect to planning for the location of fire stations in Mariposa County. It provides a long term guide for county development with respect to providing public services and is beneficial for day-to-day decision making for the same reason.

Finding No. 3: The amendment conforms to the requirements of state law and county policy. (Section 17.128.050, Zoning Ordinance)

The amendment has been processed in accordance with all applicable requirements of state law and county policy.

Finding No. 4: The amendment is consistent with other guiding policies, goals, policies, and standards of the Mariposa County General Plan. (Section 17.128.050, Zoning Ordinance)

The amendment is consistent with applicable goals, policies and implementation measures contained in the Mariposa County General Plan.
Goal 9-9 in the Circulation, Infrastructure, and Services chapter of the general plan states the following:

"Maintain quality emergency service delivery."

Policy 9-9a states:

"Define acceptable service standards and create a comprehensive plan to attain and maintain service delivery."

Implementation Measure 9-9a(1) states:

"Prepare an emergency services plan."

Implementation Measure 9-9a(2) states:

"Implement the emergency services plan."

This amendment achieves the goal of maintaining quality emergency services delivery and the policy of defining acceptable service standards by allowing for fire stations in the Timber Exclusive Zone. It allows for the implementation of an upgraded fire station to serve the Fish Camp area. The amendment aids in the preparation and implementation of an emergency services plan because it will specifically identify areas where fire stations can be located in Mariposa County.
EXHIBIT C

AESTHETICS

1.c.1. The fire station structure shall not utilize bare metal nor bright colors on the siding, trim, or roof. Exterior colors for the fire station structure shall be compatible with the natural environment and the surrounding residential neighborhood to the maximum extent feasible. Final exterior elevations shall be submitted to the Mariposa County Planning Director for review and approval prior to the issuance of building permits for the project.

1.c.2. A landscaping plan designed to help screen the fire station facility from neighboring properties to the north shall be submitted to the Mariposa County Planning Director for review and approval prior to the issuance of construction permits for the project. Trees used as screen shall be native to the area and shall be 15 gallons in size at the time of planting and shall be planted prior to the issuance of a certificate of occupancy for the fire station structure. The landscaping plan shall show and/or describe the irrigation system to be used for watering the trees.

Monitoring for Mitigation Measures 1.c.1 and 1.c.2: These mitigation measures will be monitored by the Mariposa County Planning Department through the building permit process. Implementation of this measure will reduce the potentially significant impact associated with aesthetics to a less than significant level.

1.d.1. All exterior lighting including that attached to the fire station structure shall be hooded so as to direct light onto the object or area to be lighted to reduce the potential for light to present a nuisance to neighboring property owners to the maximum extent feasible. A final lighting plan shall be submitted to the Mariposa County Planning Director for review and approval prior to the issuance of building permits for the project.

Monitoring for Mitigation Measure 1.d.1: This mitigation measure will be monitored by the Mariposa County Planning Department through the building permit process. Implementation of this measure will reduce the potentially significant impact associated with light to a less than significant level.

CULTURAL RESOURCES

5.a.1. During site grading or any activity that involves ground disturbance necessary to implement the project, if any signs of prehistoric, historic, archaeological, paleontological resources are evident, all work activity within fifty feet of the find shall stop and the Mariposa County Planning Department shall be notified immediately. No work shall be done within fifty feet of the find until Planning has identified appropriate measures to protect the find and those measures have been implemented by the proponent. Protection measures for the site may include, but not be limited to, requiring the proponent to hire a qualified archaeologist who shall conduct necessary inspections and research, and who may supervise all further ground disturbance activities and make any such recommendations as necessary to ensure compliance with applicable regulations. In addition to the Planning Department, the Mariposa County Coroner and American Indian Council of Mariposa County shall be notified should human remains be discovered.
Representatives of the American Indian Council of Mariposa County shall be requested to be on-site during disturbance and/or removal of human remains.

Monitoring for Mitigation Measure 5.a.1: The Mariposa County Fire Department shall ensure that if cultural resources, as described above, are uncovered during grading or construction activities on the project site, all grading and/or construction work shall cease immediately and Mariposa County Planning notified. The Mariposa County Coroner and the American Indian Council of Mariposa County shall also be notified in the event human remains are discovered. This measure will be monitored by the Mariposa County Planning Department through the project construction process and the implementation of applicable protocol will ensure that potentially significant impacts to any cultural resources are mitigated to a less than significant level.

Condition of Approval

1. The removal of any tree on the project site of 24 or more inches in diameter at breast height shall occur between September 15 and January 31, the time-frame which is outside of the normal raptor breeding season. Should such tree removal occur between February 1 and September 15 a pre-construction survey for raptor nests shall be conducted by a qualified biologist/botanist no more than 15 days prior to disturbance activities. If such nests are found protocol established by applicable regulatory agencies shall be implemented. The Planning Department shall be provided a copy of the results of any survey conducted and evidence that any required protocol has been implemented prior to such tree removal on the site.
Attachment A – Memo to Board of Supervisors

MEMORANDUM

Date: July 3, 2008
To: Mariposa County Board of Supervisors
From: Skip Strathearn, Senior Planner
RE: Zoning Amendment 2008-054/Fish Camp Fire Station

Summary of Initial Study:
The Initial Study prepared for this project found that the zoning amendment itself would have a less than significant environmental impact. The study found that implementation of the specific Fish Camp fire station project has the potential to have significant aesthetics impacts on neighboring residential properties located just to the north of the project site along Laurel Way. The initial study proposes and the Planning Commission recommends adoption of mitigation measures that would reduce these potentially significant impacts to less than significant levels.

One mitigation measure requires that the fire station structure not use bare metal or bright colors on the siding, trim or roof so that the structure is compatible with the natural environment and surrounding residential neighborhood to the maximum extent feasible. The Planning Director must approve the final exterior elevations prior to issuance of building permits for the project. Additional measures require preparation of a landscaping plan to help screen the fire station structure from its neighbors to the north and an exterior lighting plan to ensure that lighting is directed onto the site and not onto neighboring properties to the maximum extent feasible. The Planning Director must review and approve the plans prior to building permit issuance and the landscaping plan must be implemented prior to the issuance of the certificate of occupancy for the structure. All of these measures would be monitored at the construction permit level.

An additional mitigation measure addresses the procedure to be followed in the event cultural resources or human remains are discovered during project construction.

(See Agency Input on the next page for a newly added condition of approval that will be applied to the project based upon input received from the Department of Fish and Game.)

Noticing
The public notices for the Planning Commission and Board hearings were sent directly to affected property owners within 600 feet of the proposed Fish Camp fire station site as well

Our Mission is to provide our clients with professional service and accurate information in a respectful, courteous, and enthusiastic manner resulting in a well-planned rural environment.
as the Fish Camp Planning Advisory Committee members and affected local, state, and federal agencies. The public noticing dates for the Planning Commission hearing are as shown on the first page of Attachment B on circle page 3 (Staff Report to Planning Commission.)

The notice to affected property owners for the Board of Supervisors hearing was mailed on June 20, 2008 and to other interested parties on June 26, 2008. The public hearing notice was posted at county locations on June 20, 2008 or mailed for posting on that date. The newspaper notice for the Board hearing appeared in the June 19, 2008 and July 3, 2008 issues of the Mariposa Gazette.

Public Input
No written correspondence was received during the Planning Commission hearing process for this project. The Planning Department received one phone call prior to the Planning Commission hearing on June 20, 2008 expressing support for the Fish Camp fire station. There was no oral testimony from members of the public given at the Planning Commission hearing.

Agency Input
On July 1, 2008 the Planning Department received a letter from the state Department of Fish and Game (DFG) regarding the Fish Camp fire station project. (See circle page 77). In the letter, DFG stated that removal of active bird nests could be considered a violation of Fish and Game Code Sections 3503 (regarding unlawful “take”, possession, or needless destruction of the nest or eggs of any bird), 3503.5 (regarding “take,” possession, or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful “take” or possession of any migratory bird). Tree removal or pruning to facilitate project construction should occur outside of the normal raptor breeding season (September through January); otherwise, the property should be surveyed by a qualified biologist for raptor nests no more than 15 days prior to disturbance activities. Mitigation would need to be undertaken in the event active raptor nests are found. The specific raptor of concern to DFG is the California spotted owl.

Trees have been removed from the site as part of the timber conversion. However, additional trees may need to be removed and, due to that, the following condition of approval will be applied to the project:

"The removal of any tree on the project site of 24 or more inches in diameter at breast height shall occur between September 15 and January 31, the time-frame which is outside of the normal raptor breeding season. Should such tree removal occur between February 1 and September 15 a pre-construction survey for raptor nests shall be conducted by a qualified biologist/botanist no more than 15 days prior to disturbance activities. If such nests are found protocol established by applicable regulatory agencies shall be implemented. The Planning Department shall be provided a copy of the results of any survey conducted and evidence that any required protocol has been implemented prior to such tree removal on the site."
PROJECT: Zoning Amendment 2008-054/Fish Camp Fire Station. The project proposes amending Chapter 17.44 of Mariposa County Zoning Code, Title 17 to allow for fire stations as permitted uses in the Timber Exclusive Zone countywide. If approved the amendment would allow for the construction of a Mariposa County fire station on a 2.99-acre area of the Yosemite Mountain Ranch property immediately adjacent to the boundary of the community of Fish Camp as identified in the Mariposa County General Plan. The proposed amendment would only allow fire stations in this zone provided they are located on timberland converted to non-timber use in accordance with Section 1104.1 of Title 14, California Code of Regulations.

PROPOSENT: Mariposa County

Mailed Notice: May 16, 2008
Site Posted: May 20, 2008

COMMISSION ACTION: Staff recommends the Planning Commission adopt a resolution:
A. Recommending that the Board of Supervisors adopt a Mitigated Negative Declaration for this project, and
B. Adopt an ordinance with findings amending the Mariposa County Zoning Code, Title 17, pursuant to Zoning Amendment 2008-054.

STAFF SUMMARY ANALYSIS & RECOMMENDATION:
The initial study prepared for the project, which analyzed both the environmental impacts of the zoning amendment and the specific impacts of the Fish Camp fire station, found that the zoning amendment itself allowing fire stations as permitted uses in the Timber Exclusive Zone would not have a significant effect on the environment. The study found that the proposed fire station in the community of Fish Camp has potentially significant impacts relating to aesthetics and cultural resources and mitigation is proposed to reduce these potentially significant impacts to less than significant levels. The initial study found that the fire station facility, due to lack of tree cover, will be very visible to some neighboring property owners to the north along Laurel Way and further west along Laurel Way between Pine and Cedar streets, as well as the property at the western corner of the intersection of Laurel Way and Cedar Street. Mitigation measures would require that the Planning Director review and
approve exterior building elevations and exterior lighting and landscaping plans prior to the issuance of construction permits for the project. Lighting will be required to be focused onto the project site to the maximum extent feasible to reduce the potential for light to become a nuisance to neighbors.

As stated previously, the Initial Study prepared for the project found that the zoning amendment itself would not have a significant impact on the environment. It is not known what other Timber Exclusive Zone property in the county would eventually be considered for a fire station, so a site specific analysis is not possible. The Study concluded that the implementation of the zoning amendment has the potential to have adverse environmental impacts depending upon where a future fire station would be located. However, new fire stations located on Timber Exclusive Zone property would be subject to environmental review, which will ensure that any potentially significant impacts are mitigated to less than significant levels. Therefore, overall, the zoning amendment would have a less than significant impact.

Location of Fish Camp Fire Station
The proposed fire station would be located between Summit Road and Laurel Way on a 2.99-acre portion of the 3,389-acre Yosemite Mountain Ranch property. The assessor’s parcel number for the Yosemite Mountain Ranch property is 010-410-001. The location of the fire station site and the project site plan are shown on pages 3 and 4, respectively. The addresses for the property are 7724 and 7742 Summit Road. The ranch operates under a state-approved Timber Harvesting Plan. The property is located in the northwest ¼ of Section 26, T. S., R.21E., MDB&M. The fire station site would be accessed from the north by Laurel Way, which is 15 feet wide and paved, and from the south by Summit Road, a 30-foot wide paved road in the vicinity of the project. Laurel Way and Summit Road are county-maintained. Summit Road is used to access the Yosemite Mountain Ranch property, residences in the community of Fish Camp, and forest areas. Summit intersects with Highway 41, and the access to the fire station from Summit Road is located roughly 500 feet from this intersection.
Fish Camp Fire Station

Project Vicinity Map

Fish Camp

Proposed Fire Station Site

Laurel Way

Summit Road

Highway 41

PROJECT NUMBER: Zoning Amendment 2008-054
PROJECT APN: 016-410-001 (Proposed fire station site)
PROJECT LOCATION: Summit Road/Laurel Way
Project Description for Zoning Amendment 2008-054/Fish Camp Fire Station

A. The project proposes an amendment to Title 17, the Mariposa County Zoning Code, to list fire stations as permitted uses in the Timber Exclusive Zone (TEZ). The Timber Exclusive Zone is an overlay zone for properties under a state approved Timber Harvesting Plan. Section 17.44.010.A.1.a. of Chapter 17.44, Timber Exclusive Zone, is proposed to be amended to read as follows: (Proposed text is shown in **bold, italicized and underlined** type.)

A. Development standards for the TEZ. Development standards for the TEZ shall be as follows:
   1. Uses.
      a. Permitted uses: Growing and harvesting of timber and forest products; uses and facilities appurtenant to timber growing and harvesting, including but not limited to roads, log landings, and log storage areas. Residential, grazing, wildlife preserves; management for watershed, fish and wildlife habitat; hunting, fishing, hiking and camping; forest fire lookout stations; **fire stations provided they are located on timberland converted to non-timber use in accordance with Section 1104.1 of Title 14, California Code of Regulations;** exploration or prospecting for minerals; portable saw mills and portable planing mills; gas, electric, water or communication transmission facilities; wholesale nurseries and similar horticultural enterprises; and those applicable uses listed under Chapter 17.108.

The amendment will allow for the construction of a fire station on property governed by TEZ overlay zoning adjacent to the community of Fish Camp as well as other TEZ overlay property in the county. This overlay must govern a piece of property in order for it to be considered for a fire station.

Fish Camp Fire Station
The 6-bay fire station would be constructed, operated and maintained by the Mariposa County Fire Department, which will house equipment and firefighters at the facility. Three of the bays will be made available to the United States Forest Service to house fire fighting equipment. The fire station will include living quarters for 15-20 county and Forest Service firefighters and a food preparation facility. The fire station would have a building footprint of 9,600 sq. ft. The site plan for the project shows 20, 8' by 20' paved parking spaces. The existing 1,184 sq. ft. fire station located at the
intersection of Forest Drive and Laurel Way will be converted to storage use. A 10' by
11' shed will remain next to this facility and will also be used for storage if retained.
The existing fire station will be located on a separate 0.88-acre piece of property
immediately adjacent to the 2.99-acre site.

Purpose of Project, General Plan/Zoning, and Timber Conversion Issues

A. Purpose of Zoning Amendment
The amendment is proposed to make county planning documents consistent with
respect to the location of fire stations in the Timber Exclusive Zone, specifically as
they relate to the proposed Fish Camp fire station site (see B. below); to limit the
location of fire stations to timber land that has been converted to non-timber use under
State Board of Forestry rules (see C. below); and to allow for the location of a
proposed Mariposa County fire station on property adjacent to the community of Fish
Camp.

Fire stations can only be located on Timber Exclusive Zone land when they are on a
property governed by a Timber Harvesting Plan and the site is permitted under the
Conversion Exemption process. (See C. below)

B. General Plan/Zoning Issues Regarding Fish Camp Fire Station Site
Prior to the adoption of the updated Mariposa County General Plan in December of
2006, the Mariposa County General Plan and the Fish Camp Specific Plan were
consistent in recognizing that the property proposed for the construction of the fire
station was located within the Fish Camp Town Planning Area and was governed by
the community’s adopted specific plan. The Specific Plan’s boundaries have not yet
been amended to reflect the fact that this property is no longer recognized as being a
part of the specific plan by the general plan. The property remains zoned General
Forest within the Fish Camp Specific Plan. Upon implementation of the Timber
Harvesting Plan for the ranch holding, the property was placed in an overlay zone
called Timber Preserve, which was subsequently retitled Timber Exclusive Zone within
the Mariposa County Zoning Code.

The Fish Camp Specific Plan states that land use regulations governing the General
Forest classification are as stated in Section 3.5.05 of the 1981 Mariposa County
General Plan. The general plan stated that permitted uses in the General Forest land
use classification included the following: "other facilities including volunteer fire
departments."

The new Mariposa County General Plan altered the boundaries of the Fish Camp
Town Planning Area and removed the subject property from these boundaries,
although the Fish Camp Specific Plan boundaries have not yet been changed to
reflect the general plan. The land use designation for the property in the new general
plan is Agriculture/Working Landscape. Section 5.3.04.C. of the general plan lists zoning districts that are consistent with this classification. This section of the general plan states the following:

"The Board of Supervisors has determined that for parcels within the Agriculture/Working Landscape land use designation on the Land Use Diagram, the existing zoning assigned to the parcel, as of December 1, 2006, is consistent with the Agriculture/Working Landscape land use classification."

Therefore, both the General Forest zoning as defined in the Fish Camp Specific Plan and Timber Exclusive Zone, which governed the property at the time of general plan adoption and still governs, are consistent with the new general plan. The General Forest zone as described in the Fish Camp Specific Plan, in accordance with the regulations that governed the property at the time of general plan adoption, allows fire stations as permitted uses. However, the TEZ does not list fire stations as permitted uses and that is why the zoning code needs to be amended to allow the fire station. With the implementation of this zoning amendment, the TEZ will be consistent with the General Forest zoning for the site at the time of general plan adoption as well as the new general plan itself. One of the purposes of the amendment is to bring the County's planning documents into consistency as they relate to the Fish Camp fire station site.

Although, eventually, the Fish Camp Specific Plan will no longer govern this property when the Plan's boundaries are amended, the proposed project was deemed appropriate for fire station use by the community's Specific Plan.

C. Conversion to Non-Timber Use
The property on which the fire station would be located, the Yosemite Mountain Ranch property, operates under a Timber Harvesting Plan as approved by the state Board of Forestry. Section 1104.1 under Division 1.5, Chapter 4, Subchapter 7, Article 7 of Title 14, California Code of Regulations, and Public Resources Code Section 4621 describe the circumstances under which timberland proposed to be converted to a non-timber use is exempt from timberland conversion permitting. Section 1104.1(a) allows that the one-time conversion of timberland to a non-timber use on less than three acres of property in one contiguous ownership is exempt from conversion permitting. The proposed fire station site qualifies for this conversion exemption in that the site is less than 2.99 acres in size and meets additional requirements as identified in this code section.

In the fall of 2007, Yosemite Mountain Ranch obtained authorization from the California Department of Forestry to remove timber on this 2.99-acre site under Section 1104.1 - Conversion Exemptions. Trees that would be located within the proposed building footprint and driveway/parking areas were removed under this conversion exemption. Select trees outside of these areas were removed to reduce the fire hazard, falling hazards to the building and roadways, and to improve aesthetics. The permit application and approval allowed for the removal of 25,000 board feet of lumber. Many large and small pine and cedar trees remain on the site.
Project Analysis for Zoning Amendment 2008-054/Fish Camp Fire Station

A. Agency Comments

The Initial Study was sent to the following agencies: Mariposa County Public Works, Mariposa County Health Department, Mariposa County Fire Department, California Department of Fish and Game, the American Indian Council of Mariposa County (Southern Sierra Miwok Nation), Cal Fire, Caltrans, United States Forest Service, Regional Water Quality Control Board, State Board of Forestry and Fire Protection, and North Fork Rancheria. No responses have been received as of the date of the preparation of this staff report.

B. Public Comments

None have been received as of the date of the preparation of this staff report.

C. Practical Concerns

Planning evaluated the project for the following issues:

Aesthetics: As noted, some neighbors to the north in the general vicinity of Laurel Way will be able to see the fire station facility very clearly due to a lack of tree cover in the area where the project site takes access from Laurel Way. These neighbors have the potential to be impacted by the new fire station structure and exterior lighting at the facility. The initial study prepared for the project proposes mitigation measures to reduce potentially significant aesthetics impacts on these neighbors to less than significant levels. Under these measures the Mariposa County Planning Director will be required to review and approve the exterior building elevations and the exterior lighting and landscaping plan. Mitigation requires that the facility not use bare metal or bright colors and that the facility be compatible with the natural environment and surrounding residential area. Exterior lighting will be required to be hooded to reduce light impacts on neighbors to the maximum extent feasible, and a landscaping plan, which is designed to help screen the fire station facility from the neighbors, will be required to be reviewed and approved by the Planning Director prior to the issuance of construction permits and the landscaping is required to be in place prior to the issuance of a certificate of occupancy for the structure. Following are the mitigation measures for the issue of aesthetics proposed for the Fish Camp fire station project as numbered in the Initial Study:

1.c.1 The fire station structure shall not utilize bare metal nor bright colors on the siding, trim, or roof. Exterior colors for the fire station structure shall be compatible with the natural environment and the surrounding residential neighborhood to the maximum extent feasible. Final exterior elevations shall be submitted to the Mariposa County
Planning Director for review and approval prior to the issuance of building permits for the project.

1.c.2
A landscaping plan designed to help screen the fire station facility from neighboring properties to the north shall be submitted to the Mariposa County Planning Director for review and approval prior to the issuance of construction permits for the project. Trees used as screen shall be native to the area and shall be 15 gallons in size at the time of planting and shall be planted prior to the issuance of a certificate of occupancy for the fire station structure. The landscaping plan shall show and/or describe the irrigation system to be used for watering the trees.

1.d.1
All exterior lighting including that attached to the fire station structure shall be hooded so as to direct light onto the object or area to be lighted to reduce the potential for light to present a nuisance to neighboring property owners to the maximum extent feasible. A final lighting plan shall be submitted to the Mariposa County Planning Director for review and approval prior to the issuance of building permits for the project.

Cultural Resources: The Initial Study prepared for the project found that there are no observable cultural resources on the fire station site. However, the study also concluded that construction at the site could impact cultural resources and mitigation that establishes a process by which cultural resources are adequately protected should any be found on the site during construction is proposed to be implemented to reduce potentially significant impacts to less than significant levels. Following is the mitigation measure for the issue of cultural resources proposed for the Fish Camp fire station project as numbered in the Initial Study:

5.a.1
During site grading or any activity that involves ground disturbance necessary to implement the project, if any signs of prehistoric, historic, archaeological, paleontological resources are evident, all work activity within fifty feet of the find shall stop and the Mariposa County Planning Department shall be notified immediately. No work shall be done within fifty feet of the find until Planning has identified appropriate measures to protect the find and those measures have been implemented by the proponent. Protection measures for the site may include, but not be limited to, requiring the proponent to hire a qualified archaeologist who shall conduct necessary inspections and research, and who may supervise all further ground disturbance activities and make any such recommendations as necessary to ensure compliance with applicable regulations. In addition to the Planning Department, the Mariposa County Coroner and American Indian Council of Mariposa County shall be notified should human remains be discovered. Representatives of the American Indian Council of Mariposa County shall be requested to be on-site during disturbance and/or removal of human remains.
Water Supply: The fire station will be supplied domestic water by the Fish Camp Mutual Water Company. This system serves 40 connections within the Fish Camp Subdivision. This system is supplied water by two wells that produce a total of 40 gallons per minute. The water is held in two 35,000 gallon storage tanks for distribution. The water company has plans to expand storage capacity. Currently there is a three-inch water line that serves the immediate area of the proposed fire station. This line does not provide enough water to serve the water hydrant located at the existing fire station at the intersection of Forest Drive and Summit Road, and the water company plans to put in a 4-inch line to better serve the hydrant. Although the water company has committed to serving the domestic needs of the fire station, it has not committed to serving the station with respect to filling fire fighting equipment and/or water storage tanks. The fire station will be required to obtain water from another source for these purposes.

Septic Disposal: The fire station will utilize on-site septic disposal. The station is proposed for an area that can be covered in snow during much of the winter and spring seasons. The soils on the site are subject to saturation during a significant portion of the year. Project implementation will require soil and percolation testing to determine what type of system will be required to be installed. The project will be required to comply with all Mariposa County Health Department regulations, standards and requirements regarding the permitting and construction of the septic system, which will result in a less than significant impact on this issue.

Proposed Findings for Zoning Amendment No. 2008-054

Section 17.128.050 of the Mariposa County Zoning Ordinance establishes four (4) mandatory findings that must be made prior to approval of this Zoning Amendment. There are two (2) additional findings established by the zoning ordinance, which apply only to proposed amendments to the county zoning map. The two additional findings do not apply to Zoning Amendment No. 2008-054; the amendment does not propose the rezone of property.

Finding No. 1: The amendment is in the general public interest, and will not have a significant adverse effect on the general public health, safety, peace, and welfare. (Section 17.128.050, Zoning Ordinance)

The amendment is in the general public interest, and will not have a significant adverse effect on the general public health, safety, peace and welfare. The amendment will enhance the general public interest and public safety by allowing fire stations to be located in the Timber Exclusive Zone provided the station is located on timberland that is converted to non-timber use in accordance with Section 1104.1 of Title 14, California Code of Regulations. This provides an opportunity for fire stations to be located in areas that may not currently be adequately
served with fire protection services and will allow a proposed fire station adjacent to the community of Fish Camp.

Finding No. 2: The amendment is desirable for the purpose of improving the Mariposa County General Plan with respect to providing a long term guide for county development and a short term basis for day-to-day decision making. (Section 17.128.050, Zoning Ordinance)

The amendment will improve the Mariposa County General Plan, because it brings county planning documents into consistency with one another as they relate to the proposed Fish Camp fire station site. The amendment, which establishes fire stations as permitted uses in the Timber Exclusive Zone, provides for a consistent process with respect to planning for the location of fire stations in Mariposa County. It provides a long term guide for county development with respect to providing public services and is beneficial for day-to-day decision making for the same reason.

Finding No. 3: The amendment conforms to the requirements of state law and county policy. (Section 17.128.050, Zoning Ordinance)

The application has been processed in accordance with all applicable requirements of state law and county policy.

Finding No. 4: The amendment is consistent with other guiding policies, goals, policies, and standards of the Mariposa County General Plan. (Section 17.128.050, Zoning Ordinance)

The amendment is consistent with applicable goals, policies and implementation measures contained in the Mariposa County General Plan. Goal 9-9 in the Circulation, Infrastructure, and Services chapter of the general plan states the following:

"Maintain quality emergency service delivery."

Policy 9-9a states:

"Define acceptable service standards and create a comprehensive plan to attain and maintain service delivery."

Implementation Measure 9-9a(1) states:

"Prepare an emergency services plan."

Implementation Measure 9-9a(2) states:

"Implement the emergency services plan."
This amendment achieves the goal of maintaining quality emergency services delivery and the policy of defining acceptable service standards by allowing for fire stations in the Timber Exclusive Zone. It allows for the implementation of an upgraded fire station to serve the Fish Camp area. The amendment aids in the preparation and implementation of an emergency services plan because it will specifically identify areas where fire stations can be located in Mariposa County.

Finding No. 5:  The subject parcels are physically suitable (including, but not limited to access, provision of utilities and infrastructure, compatibility with adjoining land uses, and absence of physical constraints) for the requested land use designated and the anticipated land use development. (Section 17.128.050, Zoning Ordinance.)

This finding is not applicable to Zoning Amendment No. 2008-054.

Finding No. 6:  The proposed zoning is logical and desirable to provide expanded employment opportunities, or basic services to the immediate residential population or touring public. (Section 17.128.050, Zoning Ordinance.)

This finding is not applicable to Zoning Amendment No. 2008-054.

Attachments:
1. Initial Study – Circle Page 13
2. Draft Planning Commission Resolution – Circle Page 53 (Not in Board packet)
3. Mitigated Negative Declaration – Circle Page 60
Attachment 1

Project Initial Study
A. PROJECT INFORMATION:

Project Title: Zoning Amendment 2008-054; Fish Camp Fire Station

Lead Agency: County of Mariposa

Comments Due By: June 9, 2008

Contact Person: Skip Strathearn, Senior Planner
                County of Mariposa Planning Department
                5100 Bullion Street, Mariposa CA 95338
                Phone: (209) 742-1247  Fax: (209) 742-5024
                Email: sstrathearn@mariposacounty.org

Project Proponent: County of Mariposa

Project Description: The project proposes an amendment to Title 17, the Mariposa County Zoning Code, to list fire stations as a permitted use in the Timber Exclusive Zone (TEZ). The Timber Exclusive Zone is an overlay zone for properties under a state approved Timber Harvesting Plan. Section 17.44.010.A.1.a. of Chapter 17.44, Timber Exclusive Zone, shall be amended to read as follows: (Proposed text is shown in **bold, italicized and underlined** type.)

A. Development standards for the TEZ. Development standards for the TEZ shall be as follows:

1. Uses.
   a. Permitted uses: Growing and harvesting of timber and forest products; uses and facilities appurtenant to timber growing and harvesting, including but not limited to roads, log landings, and log storage areas. Residential, grazing, wildlife preserves; management for watershed, fish and wildlife habitat; hunting, fishing, hiking and camping; forest fire lookout stations; **fire stations provided they are located on timberland converted to non-timber use in accordance with Section 1104.1 of Title 14, California Code of Regulations**; exploration or prospecting for minerals; portable saw mills and portable planing mills; gas, electric, water or communication transmission facilities; wholesale nurseries and similar horticultural enterprises; and those applicable uses listed under Chapter 17.108.

   The amendment will allow for the construction of a fire station on property governed by TEZ overlay zoning adjacent to the community of Fish Camp as well as other TEZ overlay property in the county. This overlay must govern a piece of property in order for it to be considered for a fire station.

   This study will analyze the potential environmental impacts of the zoning amendment in general and, specifically, potential impacts
associated with the construction of the fire station adjacent to the community of Fish Camp. The 6-bay fire station would be constructed, operated and maintained by the Mariposa County Fire Department, which will house equipment and firefighters at the facility. Three of the bays will be made available to the United States Forest Service to house fire fighting equipment. The fire station will include living quarters for 15-20 county and Forest Service firefighters and a food preparation facility. The fire station would have a building footprint of 9,600 sq. ft. The site plan for the project shows 20, 8' by 20' paved parking spaces. Mariposa County will lease the 2.99-acre site from the owners of the property near Fish Camp. The existing 1,184 sq. ft. fire station located at the intersection of Forest Drive and Laurel Way will be converted to storage use. A 10' by 11' shed will remain next to this facility and will also be used for storage. The existing fire station will be located on a separately leased 0.88-acre piece of property immediately adjacent to the 2.99-acre site.

*Project Location:*

The 2.99-acre fire station site is located in the northeast corner of a private 3,389-acre property holding, which lies adjacent to the southern and western boundaries of the community of Fish Camp. This community is located at the eastern boundary of Mariposa County near Yosemite National Park. The property is known as Yosemite Mountain Ranch. The assessor's parcel number for the property is 010-410-001 and the addresses for the property are 7724 and 7742 Summit Road. The ranch operates under a state-approved Timber Harvesting Plan. The property is located in the northwest ¼ of Section 26, T. S.,R.21E., MDB&M. The fire station site would be accessed from the north by Laurel Way, which is 15 feet wide and paved, and from the south by Summit Road, a 30-foot wide paved road. Laurel Way is a county-maintained road, and Summit Road is used to access the Yosemite Mountain Ranch property, residences in the community of Fish Camp, and forest areas. Summit intersects with Highway 41, and the access to the fire station from Summit Road is located roughly 500 feet from this intersection. The road can be used by the United States Forest Service through an easement granted to the Service by Yosemite Mountain Ranch in 1971.

*Site Characteristics:*

Trees have been removed from the proposed developed area of the site in accordance with the Conversion Exemption Permit approved by the California Department of Forestry as described in "Conversion to Timber Use" below. The site slopes generally to the east and maximum slopes on the site where the fire station would be located are roughly 10%. A seasonal drainage runs through the southern portion of the site and the water it carries empties into the Big Creek drainage system. Storm water from the impervious surfaces on the site will empty into this drainage. There will be roughly 40,000 square feet of impervious surfaces on the project site. Trees on the site, and in this general area of the Yosemite Mountain Ranch property, are roughly 50% ponderosa/sugar pine and 50% cedar.
Prior to the adoption of the updated Mariposa County General Plan in December of 2006, the property proposed for the construction of the fire station was located within the Fish Camp Town Planning Area and was governed by the community’s adopted Specific Plan. The property was zoned General Forest within this plan. Upon implementation of the Timber Harvesting Plan for the ranch holding, the property was placed in an overlay zone called Timber Preserve, which was subsequently retitled Timber Exclusive Zone within the Mariposa County Zoning Code.

The Fish Camp Specific Plan states that land use regulations governing the General Forest zone are as stated in Section 3.5.05 of the Mariposa County General Plan that was operative at that time. Permitted uses in the General Plan’s General Forest land use classification included the following: “other facilities including volunteer fire departments.”

The new Mariposa County General Plan altered the boundaries of the Fish Camp Town Planning Area and removed the subject property from these boundaries. The new General Plan land use designation for the property is Agriculture/Working Landscape. Section 5.3.04.C. of the General Plan lists zoning districts that are consistent with this classification. This section of the General Plan states the following:

“The Board of Supervisors has determined that for parcels within the Agriculture/Working Landscape land use designation on the Land Use Diagram, the existing zoning assigned to the parcel, as of December 1, 2006, is consistent with the Agriculture/Working Landscape land use classification.”

Therefore, both the General Forest zoning as defined in the Fish Camp Specific Plan and Timber Exclusive Zone, which governed the property at the time of General Plan adoption, are consistent with the new General Plan. The General Forest zone as described in the Fish Camp Specific Plan, in accordance with the regulations that governed the property at the time of General Plan adoption, allows fire stations as permitted uses. However, the TEZ does not list fire stations as permitted uses and that is why the zoning code needs to be amended to allow the fire station. With the implementation of this zoning amendment, the TEZ will be consistent with the General Forest zoning for the site at the time of General Plan adoption as well as the new General Plan itself. Although the Fish Camp Specific Plan no longer governs this property, the proposed project was deemed appropriate for fire station use by the community’s Specific Plan.

As noted, the property on which the fire station would be located, the Yosemite Mountain Ranch property, operates under a Timber Harvesting Plan as approved by the state Board of Forestry. Section 1104.1 under Division 1.5, Chapter 4, Subchapter 7, Article 7 of Title 14, California Code of Regulations, and Public Resources Code Section 4621 describe
the circumstances under which timberland proposed to be converted to a non-timber use is exempt from timberland conversion permitting. Section 1104.1(a) allows that the one-time conversion of timberland to a non-timber use on less than three acres of property in one contiguous ownership is exempt from conversion permitting. The proposed fire station site qualifies for this conversion exemption in that the site is less than 2.99 acres in size and meets additional requirements as identified in this code section.

In the fall of 2007, Yosemite Mountain Ranch obtained authorization from the California Department of Forestry to remove timber on this 2.99-acre site under Section 1104.1 - Conversion Exemptions. Trees that would be located within the proposed building footprint and driveway/parking areas were removed under this conversion exemption. Select trees outside of these areas were removed to reduce the fire hazard, falling hazards to the building and roadways, and to improve aesthetics. The permit application and approval allowed for the removal of 25,000 board feet of lumber. Many large and small pine and cedar trees remain on the site.

Additional Documents

All of the documents cited and relied upon in the preparation of this Initial Study are available at the Mariposa County 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 1981, Fish Camp Specific Plan, Title 17, Mariposa County Zoning Code, the Mariposa County General Plan 2006, and the Department of Forestry and Fire Protection Conversion Exemption Permit, November 15, 2007.

B. PROJECT IMPACT TO ENVIRONMENTAL FACTORS:

(blank): no impact
L: Less than Significant Impact
M: Less than Significant Impact with Mitigation
PS: Potentially Significant

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<td>Mandatory Findings of Significance</td>
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<tr>
<td>L</td>
<td>M</td>
<td>Transportation/Traffic</td>
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This study found potentially significant impacts relating to the issues of Aesthetics and Cultural Resources. Mitigation measures are proposed to reduce these potentially significant impacts to less than significant levels. These measures are stated in the individual Aesthetics and Cultural Resources section as well as Section D – Proponent's Agreement to Mitigation.
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Figure 2
Fire Station Project Site Plan
Section A
CEQA DETERMINATION OF IMPACT

On the basis of this initial evaluation:

☐ 1) I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ 2) I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ 3) I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ 4) I find the proposed project MAY have a “potentially significant impact” or “Less Than Significant With Mitigation” 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.

☐ 5) 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.

By:  
Skip Strathearn  
Date:  
5/8/08

Title:  
Senior Planner  
Representing:  
County of Mariposa

Signature:  
[Signature]
Section B
ENVIRONMENTAL CHECKLIST
EVALUATION OF ENVIRONMENTAL IMPACTS

B.1 AESTHETICS

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<th>1. AESTHETICS</th>
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<th>Less than significant impact</th>
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<td>Would the project:</td>
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<tr>
<td>a) Have a substantial adverse effect on a scenic vista?</td>
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<tr>
<td>b) Substantially damage scenic resources, including but not limited to: trees, rock outcroppings, and historic buildings within a state scenic highway?</td>
<td></td>
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<td>✓</td>
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<tr>
<td>c) Substantially degrade the existing visual character or quality of the site and its surroundings?</td>
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<td>✓</td>
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<tr>
<td>d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</td>
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<td>✓</td>
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Implementation of this zoning amendment will allow for fire stations to be located in the Timber Exclusive Zone (TEZ). In addition to the specific Fish Camp project, it is not known what other Timber Exclusive property in the county may be proposed for fire station use. Therefore, it is not possible to assess site specific impacts of future stations. Fire station projects are public projects and are subject to site specific environmental review, which will ensure that mitigation is adopted for any significant impacts associated with impacts to scenic vistas to reduce potentially significant impacts to less than significant levels. This process will ensure that impacts from a future and, as yet, unknown project are fully addressed. **The zoning amendment will have a less than significant impact.**

(The analysis that follows will focus on the potential site specific impacts from the Fish Camp fire station project. [This format of describing the potential impact of the zoning amendment generally in the opening paragraph under each checklist issue followed by an analysis of the specific impact of the Fish Camp fire station project will be carried through the remainder of this document.])

B.1.a Scenic Vista
A significant impact would be one that has a substantially adverse effect on a scenic vista.

The Fish Camp project site and general area are heavily wooded and the project will be shielded from broad view sheds due to this tree cover and terrain. The project will not interfere with an open, scenic vista in and adjacent to the community of Fish Camp. **The project 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 state 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. Due to breaks in tree cover the proposed fire station will be visible from Summit Road. Likewise, the station will be visible from the intersection of Forest Drive and Summit Road due to a break in tree cover on the south side of the existing station. It will also be visible for a very short distance from Highway 41 in this area. However, the project will be located in an area that has been developed with residential and commercial uses and will be setback from these roadways. Therefore, the visual impact on area roadways is not considered to be significant.

The proposed fire station will be substantially shielded from a residential property that borders the project site on the north due to extensive tree cover on both properties. This property is located along Laurel Way. Of greater concern from an aesthetics perspective is the visual impact of the project on residences further west along Laurel Way between Pine and Cedar streets as well as the property at the western corner of the intersection of Laurel Way and Cedar Street. There is a lack of tree cover in this area of the project property and an ingress/egress point for the project will be located off of Laurel Way. These property owners will have a direct line of sight onto the project site and the fire station will be clearly visible. This is considered to be a potentially significant impact requiring mitigation to reduce these impacts to a less than significant level.

**MITIGATION MEASURE 1.c.1**
The fire station structure shall not utilize bare metal nor bright colors on the siding, trim, or roof. Exterior colors for the fire station structure shall be compatible with the natural environment and the surrounding residential neighborhood to the maximum extent feasible. Final exterior elevations shall be submitted to the Mariposa County Planning Director for review and approval prior to the issuance of building permits for the project.

**MITIGATION MEASURE 1.c.2**
A landscaping plan designed to help screen the fire station facility from neighboring properties to the north shall be submitted to the Mariposa County Planning Director for review and approval prior to the issuance of construction permits for the project. Trees used as screen shall be native to the area and shall be 15 gallons in size at the time of planting and shall be planted prior to the issuance of a certificate of occupancy for the fire station structure. The landscaping plan shall show and/or describe the irrigation system to be used for watering the trees.

**Monitoring for Mitigation Measures 1.c.1 and 1.c.2:** These mitigation measures will be monitored by the Mariposa County Planning Department through the building permit process. Implementation of this measure will reduce the potentially significant impact associated with aesthetics to a less than significant level.

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.
As noted in B.1.c above the proposed fire station will be visible from adjacent roadways in the area. However, tree cover will serve to shield the station from much of the surrounding area. Properties that have the potential to be impacted by light and glare emanating from the facility are those residential properties located along Laurel Way between Pine and Cedar streets and the western side of the Laurel Way/Cedar Street intersection. The project will introduce a new source of light and glare to these properties that does not currently exist. Except for the existing fire station, this area of Yosemite Mountain Ranch has no light sources. Exterior lighting will be needed for areas outside of the building as well as the parking area. Preliminary plans for the fire station structure propose a metal building, utilizing natural colors, such as green, brown and beige. The existing fire station is light green with a darker green metal roof.

The Conservation and Open Space chapter of the Mariposa County General Plan contains a policy and implementation measure relating to limiting light and glare impacts from new development.

Policy 11-1d states the following:

"Ensure that light sources in new development are compatible with rural character and that the light sources do not produce glare that interferes with vision."

This policy is followed by Implementation Measure 11-1d(1) that states:

"Include as part of the comprehensive development standards:

- Lighting standards established by the International Dark Sky Association; and
- Require that building materials have a low reflective index."

Impacts related to light and glare are considered to be a potentially significant impact requiring mitigation to reduce the impact to a less than significant level. The following is proposed as a mitigation measure to reduce this potentially significant impact to a less than significant level.

**MITIGATION MEASURE 1.d.1**

All exterior lighting including that attached to the fire station structure shall be hooded so as to direct light onto the object or area to be lighted to reduce the potential for light to present a nuisance to neighboring property owners to the maximum extent feasible. A final lighting plan shall be submitted to the Mariposa County Planning Director for review and approval prior to the issuance of building permits for the project.

**Monitoring for Mitigation Measure 1.d.1:** This mitigation measure will be monitored by the Mariposa County Planning Department through the building permit process. Implementation of this measure will reduce the potentially significant impact associated with light to a less than significant level.

(See Mitigation Measure 1.c.1 for the measure that will reduce potential impacts associated with glare from the building to a less than significant level.)
B.2 AGRICULTURAL RESOURCES

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<tbody>
<tr>
<td>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?</td>
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<tr>
<td>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</td>
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<tr>
<td>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?</td>
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</tbody>
</table>

Implementation of the zoning amendment will allow for the construction of fire stations in the TEZ under the prescribed conditions when the property proposed for a station is under a state-approved timber harvesting plan and the property is converted under an approved “Conversion Exemption.” It is not known where future stations may be located, so it is not possible to determine site specific impacts on agricultural resources. The construction of future fire stations will require environmental review, which will address impacts on agricultural resources. It is unlikely that the proposed zoning amendment will lead to the conversion of agricultural land to nonagricultural use on a county-wide basis. Land under a timber harvesting plan is generally not land that is used primarily for an agricultural use, nor is it on land of high agricultural value. In addition, timber harvesting is not necessarily inconsistent with certain agricultural activities, such as grazing, which is listed as a permitted use in the TEZ. Land upon which a fire station is permitted under this amendment, is, by nature and zoning, a timber use area, not a primarily agricultural use. Development of property governed by a Williamson Act Contract must comply with the provisions of that contract. Therefore, allowing fire stations in the TEZ under the prescribed conditions will not conflict with Williamson Act contracts, nor will it lead to the premature conversion of important farmland and convert farmland to non-agricultural use. *The zoning amendment will have no impact on agricultural resources.*

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. Section 5.3.04.A. of the General Plan states that the Agriculture/Working Landscape Land Use Classification "identifies lands where the primary use is the production of agriculture, timber, or mining for economic benefit." General Forest, the underlying zoning for the fire station site under the Fish Camp Specific Plan, is listed as a consistent zoning district in the Agriculture/Working Landscape Land Use Classification. The Fish Camp fire station site is not
located on Prime, Unique, or Local Important farmland, according to the Mariposa County Important Farmland Map, 2004, prepared by the state Department of Conservation.

The location of the fire station on the proposed Yosemite Mountain Ranch site will have no impact on farmland or a Williamson Act contract. The project will not be inconsistent with any goals, policies and implementation measures in the General Plan relating to protecting agricultural land. *The project will have no impact on agricultural resources.*

### B.3 AIR QUALITY

<table>
<thead>
<tr>
<th>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:</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Conflict with or obstruct implementation of the applicable air quality plan?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>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)?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>d) Expose sensitive receptors to substantial pollutant concentrations?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>e) Create objectionable odors affecting a substantial number of people?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
</tbody>
</table>

Implementation of the zoning amendment will allow for the construction of fire stations in the TEZ under the prescribed conditions. The construction of future fire stations in the TEZ will require environmental review, which will address impacts on air quality. However, fire stations are unlikely to have any noticeable impact on overall air quality. *The zoning amendment will have no impact on this issue.*

**B.3.a, b, c, d, e. Air Quality**

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.
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 status 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.

Actions taken by the State of California to reduce greenhouse gas emissions in the state, including AB 32, the California Global Warming Solutions Act of 2006, do not include methods for determining cumulatively considerable increases in greenhouse gases generated by individual projects. However, it can be determined that this fire station project's contribution to greenhouse gas emissions in California will be so minimal as to be non-existent.

*Impact Air Quality-2* in the environmental impact report prepared for the Mariposa County General Plan found that build-out of the proposed General Plan could create significant impacts to air quality from emissions greater than the listed significance thresholds. The implementation of the fire station site does not have the potential to have any noticeable impact on overall air quality. Fire stations house firefighting equipment that is utilized on an intermittent and limited basis, even during the fire season. Vehicular traffic is limited with these facilities, and the use generates negligible air emissions within the context of the overall air basin. Fire stations are not the type of use that will expose sensitive receptors to pollutant concentrations or objectionable odors. *Therefore, the project will not have an impact on air quality.*

### B.4 BIOLOGICAL RESOURCES

<table>
<thead>
<tr>
<th></th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>c) Have a substantial adverse effect on</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Question</td>
<td>Yes/No</td>
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<tr>
<td>--------------------------------------------------------------------------</td>
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<tr>
<td>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?</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>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?</td>
<td>√</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</td>
<td>√</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td>√</td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

Implementation of the zoning amendment will allow for the construction of fire stations in the TEZ under the prescribed conditions. It is not known where additional fire stations may be constructed in the future under this zoning amendment, so site specific analysis is not possible. The construction of fire stations in the future has the potential to impact biological resources. However, such construction in the TEZ will require environmental review, which will address impacts on biological resources. Potentially significant impacts on biological resources would be required to be reduced to less than significant levels. The zoning amendment only allows fire stations on property that is governed by a timber harvesting plan and where a less than 3-acre conversion exemption from timber harvesting requirements has been approved by the California Department of Forestry and Fire Protection. Section 1104.1(a)(2)(H) of Title 14, (relating to conversion exemptions, Forest Practice Rules), California Code of Regulations, requires that in order for a conversion exemption to be granted, no sites of rare, threatened, or endangered plants or animals shall be disturbed, threatened or damaged. This is an additional review layer that protects biological resources. Due to these factors, the zoning amendment will have a less than significant impact on biological resources.

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 conversion exemption permit for the 2.99-acre site located at the northeastern tip of the Yosemite Mountain Ranch property was prepared by Matthew T. Bissell, a registered professional forester. As part of the exemption permitting relating to biological resources, Mr. Bissell reviewed the California Natural Diversity Database for the USGS Fish Camp Quadrangle Map area and the nine surrounding quad maps for listed birds, plants and animals. He has experience conducting surveys for birds and has mitigated for occupied nests in the past. Using CalFlora photographic information he familiarized himself with listed plants and found none to be present on the site. The Department of Fish and Game stated to Mr. Bissell that their main concern with the conversion exemption plan related to impacts on birds of prey. He spent
several hours over three days in and around the exemption area and found no evidence that the area contained nests (active or inactive.)

There are no wetlands on the project site and the small project will not substantially interfere with wildlife movement, nor will it conflict with any local policies or ordinances protecting biological resources. There are no habitat conservation plans or other such plans governing this project site. *The project will have a less than significant impact on biological resources.*

### B.5 CULTURAL RESOURCES

<table>
<thead>
<tr>
<th>5. CULTURAL RESOURCES</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?</td>
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</tr>
<tr>
<td>c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>d) Disturb any human remains, including those interred outside of formal cemeteries?</td>
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</tbody>
</table>

Implementation of the zoning amendment has the potential to impact cultural resources, depending upon where a fire station may be located. However, the construction of a fire station in the Timber Exclusive Zone will require environmental review, which will consider potential impacts on cultural resources. Potentially significant impacts to cultural resources that may be found on a potential site will be required to be mitigated to less than significant levels. The zoning amendment only allows fire stations on property that is governed by a timber harvesting plan and where a less than 3-acre conversion exemption from timber harvesting requirements has been approved by the California Department of Forestry and Fire Protection. Section 1104.1(a)(2)(l) of Title 14, (relating to conversion exemptions, Forest Practice Rules), California Code of Regulations, requires that in order for a conversion exemption to be granted no timber operations can be conducted on significant historical or archaeological sites. This is an additional review layer that protects cultural resources. Due to these factors, *the zoning amendment will have a less than significant impact on cultural resources.*

### B.5.a, b, c, 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 environmental impact report prepared for the Fish Camp Specific Plan includes the following in *Section XIV.B. Historic – Effects Found Not to be Significant:*

*"The area has been inhabited by native Americans and early settlers of Mariposa County. The known historical structures in the Fish Camp area have, unfortunately, been*
destroyed by past fires. Native American sites have been identified, however, they do not appear to represent unique historical resources. For the above reasons, implementation of the proposed plan should not create significant impacts on historical or archaeological resources. If unique historical or archaeological sites are identified in the future, they should be evaluated and protected if necessary."

Further site specific surveys for cultural resources have resulted in finds of resources. The environmental impact report dated July 2001 prepared for the SilverTip Resort Village project found potential impact to resources located on that project site. The SilverTip project site is located to the north of the project site within the Fish Camp Town Planning Area. Big Creek traverses the southeastern portion of that site.

The cultural resources survey conducted on the site in 1999 and included in the SilverTip Resort EIR describes features found on that site. These features include prehistoric milling stations, prehistoric occupation site, additional occupation evidence, and the railroad grade of the Madera Sugar Pine Railroad. The EIR, which was certified as part of the SilverTip Resort village project approval, proposed mitigation for those features that are of historical or cultural significance or have that potential, and implementation of these measures will reduce potential project impacts to less than significant levels.

The proposed fire station site does not contain a named creek or a blue line drainage feature, according to the USGS Fish Camp 7.5 minute quadrangle map. The site is drained by a seasonal drainage traversing the southern portion of the site. The site does not contain historic structures or remnants of historic structures. These are the types of features that would typically cause a project site to be considered sensitive with respect to containing significant cultural resources.

It is also noted that Yosemite Mountain Ranch (YMR) contacted the Native American Heritage Commission and North Fork Rancheria to determine any impacts from the conversion exemption on Native American resources. YMR did not receive any correspondence from either of these parties. As noted above, timber operations under a conversion exemption cannot occur on significant historical or archaeological sites. No such sites are known to occur on the site and the exemption was approved.

These factors do not preclude the potential that resources described in CEQA Guideline section 15064.5 or a paleontological resource or human remains may be uncovered during construction of facilities, especially in light of the fact that the general area is known to have been inhabited by Native Americans. Potential impacts to these resources and/or human remains are considered to be potentially significant requiring mitigation to reduce the potential impacts to less than significant levels. This mitigation is presented below:

**MITIGATION MEASURE 5.a.1.**
During site grading or any activity that involves ground disturbance necessary to implement the project, if any signs of prehistoric, historic, archaeological, paleontological resources are evident, all work activity within fifty feet of the find shall stop and the Mariposa County Planning Department shall be notified immediately. No work shall be done within fifty feet of the find until Planning has identified appropriate measures to protect the find and those measures have been implemented by the proponent. Protection measures for the site may include, but not be limited to, requiring the proponent to hire a qualified archaeologist who shall conduct necessary inspections and research, and who may supervise all further ground disturbance activities and make any such recommendations as necessary to ensure compliance with applicable regulations. In addition to the Planning Department, the Mariposa County
Coroner and American Indian Council of Mariposa County shall be notified should human remains be discovered. Representatives of the American Indian Council of Mariposa County shall be requested to be on-site during disturbance and/or removal of human remains.

**Monitoring for Mitigation Measure 5.a.1:** The Mariposa County Fire Department shall ensure that if cultural resources, as described above, are uncovered during grading or construction activities on the project site, all grading and/or construction work shall cease immediately and Mariposa County Planning notified. The Mariposa County Coroner and the American Indian Council of Mariposa County shall also be notified in the event human remains are discovered. This measure will be monitored by the Mariposa County Planning Department through the project construction process and the implementation of applicable protocol will ensure that potentially significant impacts to any cultural resources are mitigated to a less than significant level.

### B.6 GEOLGY AND SOILS

<table>
<thead>
<tr>
<th>6. GEOLGY AND SOILS — Would the project:</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</td>
<td></td>
<td></td>
<td>✓</td>
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</tr>
<tr>
<td>ii) Strong seismic ground shaking?</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>iii) Seismic-related ground failure, including liquefaction?</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
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<tr>
<td>iv) Landslides?</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Result in substantial soil erosion or the loss of topsoil?</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? √

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? √

Implementation of the zoning amendment will allow for the construction of fire stations in the Timber Exclusive Zone under the prescribed conditions. It is not known where future stations may be located so it is not possible to determine site specific impacts on geology and soils. The construction of future fire stations will require environmental review, which will address impacts on geology and soils. Potentially significant impacts on the issues described above will be required to be reduced to less than significant levels. The zoning amendment will have a less than significant impact on geology and soils.

B.6.a Faults, Ground Shaking, Ground Failure and Landslides

A significant impact would be one that exposes people or structures to loss, injury or death.

Earthquake Faults: The Seismic Hazards Act of 1990 directs the California Department of Conservation to map the state’s most prominent earthquake hazard area in California. These areas are called “Special Study Zones” and appear on a set of maps named the Alquist-Priolo Earthquake Fault Zone maps. Mariposa County is not a Special Study Zone and a map has not been created for Mariposa. The majority of the county falls within the lowest earthquake hazard zone of 10-20% probability. However, the potential for earthquakes and related hazards does exist in Mariposa County. A Five County Seismic Safety Study completed in 1974 by the Counties of Fresno, Kings, Madera, Mariposa, and Tulare found that fault zones do exist within and around Mariposa County and contribute to earthquake activity experienced within the county. The two fault zones within Mariposa making up the Foothill Fault System include the Bear Mountain Zone and the Melones Zone, both of which are located on the western side of the county. The Foothill Fault System is considered active. Additionally, three other faults known to be active near Mariposa include the San Andreas Fault to the west, the Owens Valley Fault to the east and the White Wolf fault to the south. According to the Five County Study, the three faults may cause small periodic local earthquakes.

Almost all of Mariposa County falls within the lowest earthquake hazard zone of 10-20 percent probability. No earthquake with a magnitude above 5 has occurred in Mariposa County since 1800. When earthquakes do occur in Mariposa County, records show they occur at around magnitude 2.7 or less. Section 8.2.02 – Physical Geology in Volume III of the Mariposa County General Plan states that the probability of earthquake occurrence on the Foothills Fault System is rated as low. Thus, the project will have less than significant impacts.

Ground Shaking: All construction in California is required to comply with all California Building Code standards with respect to a seismic design category applicable to a specific area. Fire stations will be required to be constructed to these standards. Thus, the project will have less than significant impact.
Ground Failure: Liquefaction hazard areas have not been identified in Mariposa County. The State's Seismic Hazard Mapping Program has not yet mapped the County of Mariposa to determine the probability of various types of ground failure likely to occur as a result of earthquake activity. The County of Mariposa is not considered a priority area within the state and no schedule exists as to when Mariposa County will be mapped. New California Building Code standards that went into effect on January 1, 2008 require the preparation of a "soils investigation" report for all new building construction. These reports are required to provide complete evaluations of the foundation conditions of the site including design criteria related to the nature and extent of foundations materials, groundwater conditions, liquefaction potential, settlement potential and slope stability. The soils report must be prepared by a California-Registered Engineer. The building permit process will ensure that this report is properly prepared and reviewed. Thus, the project will have less than significant impact.

Landslides: The State's Seismic Hazard Mapping Program has not yet mapped Mariposa County to determine the probability of landslide occurrence as a result of earthquake activity. The Five County Seismic Safety Study performed a generalized landslide risk appraisal and found that there was minimal risk of landslides caused by earthquakes in areas of low relief and moderate to high risk found in the remaining mountainous areas of the county. The project site is not steep and has a low risk for landslide. The impact is less than significant.

Many other factors can play a role in the development of landslides, including rock types susceptible to sliding, steep slopes, heavy rainfall during winter months, and slopes that have been modified by development activity. Landslides generally occur on slopes of 15 percent or greater. The project site's topography is generally of slopes not exceeding 10 percent. A grading plan in accordance with Mariposa County's Grading Ordinance, will be required for grading for future fire station development. Thus, the project will have less than significant impact.

Fire Station Construction:
Construction of the fire station will require a slab that can carry a 50,000 lb. load. A geotechnical report will be required to be prepared to ensure that soils on the site are adequate for fire station construction. The type of building to be constructed for fire station purposes will be required to meet the more intensive "Essential Services" structure standards.

B.6.b, c Soil Erosion/Unstable Soils
A significant impact would be one that results in substantial soil erosion or loss of topsoil. Construction of the fire station could increase erosion and loss of topsoil. About one acre of the site will be disturbed by construction of driveways, parking areas and the fire station itself. The parking area, proposed to be located just to the east of the station, will be 7- to 8 feet below the building grade. A walkway will connect the parking area to the station building. This type of terraced construction will limit the size of the area to be graded and will reduce erosion potential. The standards of the county's Grading Ordinance will apply to site grading work done for the fire station. This ordinance contains requirements for soil compaction and sediment control during construction, and permanent re-vegetation following construction. Onsite inspections by the Building Department are conducted to ensure compliance with these requirements. These adopted policies and ordinance requirements, and the required permits and onsite inspections, will ensure a less than significant impact from future grading activities associated with the project.

B.6.d Expansive Soils
A significant impact would occur if the project is placed on expansive soils and creates substantial risk to life or property. Fire station construction will require compliance with the California Building Code standards for the construction of the slab. The California Building Code standards are implemented
through the building permit process. Onsite inspections by building inspectors are conducted to ensure construction is in compliance with these standards. Based upon the existing permit requirements in place, the implementation of Uniform Building Code standards, and the onsite inspections, the project will have a less than significant impact on this issue.

**B.6.e Septic Systems**

A significant impact would occur if septic tanks or systems are utilized for the project and the soil is unable to support their use. The fire station will utilize on-site septic disposal. The station is proposed for an area that can be covered in snow during much of the winter and spring seasons. The soils on the site are subject to saturation during a significant portion of the year. Project implementation will require soil and percolation testing to determine what type of system will be required to be installed. The project will be required to comply with all Mariposa County Health Department regulations, standards and requirements regarding the permitting and construction of the septic system, which will result in a less than significant impact on this issue.

### B.7 HAZARDS & HAZARDOUS MATERIALS

<table>
<thead>
<tr>
<th>7. HAZARDS AND HAZARDOUS MATERIALS</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
<td></td>
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</tr>
<tr>
<td>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>d) Be located on a site which 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?</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
</tbody>
</table>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

| g) | Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

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?

Implementation of the zoning amendment will allow for the construction of fire stations in the TEZ under the prescribed conditions. It is not known where future stations may be located elsewhere in the county. The construction of future fire stations will require environmental review, which will consider impacts on hazards and hazardous materials. Typically, fire stations only use the normal amounts of household hazardous substances, such as cleaners and motor oil, according to the Mariposa County Fire Department. It is not expected that there would be any reportable quantities for storage of such materials. It is highly unlikely that fire stations would create any impacts on this environmental issue. The zoning amendment will have no impact on hazardous and hazardous materials.

B.7.a, b, c Transport, Use, Disposal, Release, or Emission of Hazardous Materials

A significant impact would be one that produces a substantial risk to the public from routine transportation, use, or disposal of hazardous material, or from reasonably foreseeable accidental release of such material. There would also be an impact if there would be hazardous emissions or substances within one-quarter mile of a school or proposed school. The project does not involve the transport, use or disposal of any hazardous materials other than the types used in households. Typically, fire stations only use the normal amounts of household hazardous substances, such as cleaners and motor oil, according to the Mariposa County Fire Department. It is not expected that there would be any reportable quantities for storage of such materials. Thus, the project will have no impact on these issues.

B.7.d Exposure from Existing Contaminated Sites

A significant impact would be where a project is located on a listed contamination site and would expose the public or the environment to the hazard. The project site is not listed on the Mariposa County Health Department list of hazardous sites. Thus, there will be no impact on this issue.

B.7.e and f Hazards Near Airports and Airstrips

A significant impact would be one that results in a safety hazard for people residing or working in the vicinity of a public airport or private airstrip. The project site is not within two miles of a public airport. No private airstrips are known to exist within the area of the project site. Thus, there will be no impact on these issues.
B.7.g  Emergency Response Plans
A significant impact would be one that impairs the implementation of or interferes with an emergency response or evacuation plan. The location of the fire station will place firefighters in a position to assist with emergency response and evacuation in the general area. Thus, there will be no impact on this issue.

B.7.h  Risk of Wildland Fires
A significant impact would be one that exposes people or structures to a significant risk of wildland fires. The placement of the fire station will assist with fighting wildland fires in the general area. Three of the equipment bays will be utilized by the United States Forest Service. Fire fighting agencies have entered into mutual aid agreements to assist each other in fighting fires. The location of the station on this site will provide the community of Fish Camp and the surrounding area with expanded fire protection services. Thus, there will be no impact on this issue.

B.8  HYDROLOGY & WATER QUALITY

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Violate any water quality standards or waste discharge requirements?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>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 which would not support existing land uses or planned uses for which permits have been granted)?</td>
<td></td>
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<td>√</td>
</tr>
<tr>
<td>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 which would result in substantial erosion or sillation on- or off-site?</td>
<td></td>
<td></td>
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<td>√</td>
</tr>
<tr>
<td>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 which would result in flooding on- or off-site?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</td>
<td>√</td>
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<tr>
<td>---------------</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>f) Otherwise substantially degrade water quality?</td>
<td>√</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?</td>
<td>√</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</td>
<td>√</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td>√</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>j) Inundation by seiche, tsunami, or mudflow?</td>
<td>√</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The purpose of the zoning amendment is to allow for fire stations in the TEZ as a permitted use under prescribed conditions. The adoption of this amendment will ensure that fire stations are consistent with the TEZ. It is not known where future stations may be located elsewhere in the county, so it is not possible to determine site specific impacts to hydrology and water quality. The construction of future fire stations will require environmental review, which will consider impacts on hydrology and water quality. By definition, this TEZ is used primarily for the growing and harvesting of timber. However, this does not preclude the potential for a future fire station site in the TEZ to be proposed for an area that could impact hydrology and water quality issues. Any impacts to these issues would be addressed under environmental review for a specific site. Any potentially significant impacts from the construction of a fire station in the future will be required to be reduced to less than significant levels. Therefore, the zoning amendment will have a less than significant impact on hydrology and water quality.

### Water Quality Standards

A significant impact would occur if the project degraded surface or subsurface water quality in the area.

The tentative site plan for the Fish Camp fire station shows that there will be roughly one-acre of impermeable surfaces such as paved driveways, paved parking area, and the structure developed on the 2.99-acre site. Grading will be required to implement the project. Permits are required for this work and grading must be undertaken in accordance with the Mariposa County Grading Ordinance. Grading requires inspection and approval by the county’s Building Department. The project may also be subject to National Pollutant Discharge Elimination System (NPDES) permitting by the Regional Quality Control Board. Based upon these existing codes and policies, the permit requirements for future grading work, and the onsite inspections necessary for approval of the grading work, as well as potential NPDES permitting, it is found that the project will have a less than significant impact on surface water quality.
from future grading activities associated with the project. Adherence to grading standards will ensure that any potential impacts to the drainage on the site will be reduced to less than significant levels. This drainage empties into the Big Creek drainage system.

(See B.6.e in the Geology and Soils section of this study for a discussion of potential impacts associated with the installation of a septic system on the site.)

B.8.b Changes in Groundwater Resources
A significant impact would be one that substantially depletes groundwater quantities or interferes with groundwater recharge. The fire station will be supplied domestic water by the Fish Camp Mutual Water Company. This system serves 40 connections within the Fish Camp Subdivision. This system is supplied water by two wells that produce a total of 40 gallons per minute. The water is held in two 35,000 gallon storage tanks for distribution. The water company has plans to expand storage capacity. Currently there is a three-inch water line that serves the immediate area of the proposed fire station. This line does not provide enough water to serve the water hydrant located at the existing fire station at the intersection of Forest Drive and Summit Road, and the water company plans to put in a 4-inch line to better serve the hydrant. Although the water company has committed to serving the domestic needs of the fire station, it has not committed to serving the station with respect to filling fire fighting equipment and/or water storage tanks. The fire station will be required to obtain water from another source for these purposes. Since the water company has committed to serving the fire station's domestic needs without having to expand its facilities, the project will not have a significant impact on the system. The domestic water needs of a fire station are not significant. Therefore, the project will not have a significant impact on groundwater resources. The filling of fire fighting equipment and storage tanks with water will not have a significant impact on groundwater resources if another well is used for these purposes. Water use would be intermittent and groundwater extraction would be limited. Given the factors listed in this paragraph, it is found that the project will have a less than significant impact on groundwater resources.

B.8.c, d. Changes in Course or Direction of Water/Flooding/Storm Water Runoff
A significant impact would be one that substantially alters drainage and surface flows in a manner that result in substantial erosion, siltation or flooding. Development of the fire station on the site will result in the construction of roughly one-acre of impermeable surfaces in the form of the structure, paved driveways and a paved parking area. The site will generate more storm runoff than does the site currently in its undeveloped state. Downward sloping on the site trends to the east and southeast and storm water runoff on the site will empty into the existing drainage system in the area. There is a minor drainage on the southern portion of the site that will collect runoff which will eventually empty into the Big Creek drainage system. This creek drains a significant area and the amount of runoff generated by the fire station project would be minimal in relation to the amount of storm water carried by the creek. The project will not result in flooding. As noted in B.8.a, f above, grading requirements will be implemented when the project is constructed and this permitting process will ensure that potential erosion and siltation impacts on area drainages are less than significant. The project will have a less than significant impact on these issues.

B.8.e Stormwater
A significant impact would result if the capacity of storm drainage facilities are caused to be exceeded or the project provides additional sources of polluted runoff. As noted in B.8.c, d above the project will not generate substantial amounts of storm water runoff and grading requirements will ensure that impacts from that grading are less than significant. The fire station will have six bays to house fire fighting equipment, and there will be vehicles parked within the parking area. These vehicles could leak fuel and oil, which could find its way into the storm water drainage system, including Big Creek, which drains the general Fish Camp area. However, the amount of polluted runoff generated by this project in relation to
the entirety of the community of Fish Camp is not significant. Thus, the project will have a less than significant impact on this issue.

**B.8.g. h. i**  
**Housing in 100-year Flood Hazard Area/Impeded or Redirected Flood Flows/Dam Failure**

A significant impact would occur if houses were put in a flood hazard area, or structures impeded flood waters, or people or structures were exposed to flooding. The project site is located in an area outside the 500-year floodplain (FIRM Map No. 060430C0400 B, effective date September 5, 1990). The project is not in a location so as to impede or redirect flood waters. The project site is not located in a dam failure inundation area. Thus, the project will have no impact on these issues.

**B.8.j**  
**Seiche, Tsunami and Mud Flow Hazards**

A significant impact would occur from inundation by seiche, tsunami or mudflow. Mariposa County is not subject to inundation by tsunami. The project site is not subject to mudflow. “Seiche” is the overtopping of a dam caused by an earthquake. See the discussion on dam failure above. Thus, there are no impacts on this issue.

### B.9 LAND USE & PLANNING

<table>
<thead>
<tr>
<th><strong>9. LAND USE AND PLANNING</strong></th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Would the project:</strong></td>
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</tr>
<tr>
<td>a) Physically divide an established community?</td>
<td></td>
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<td>√</td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td></td>
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</tr>
<tr>
<td>c) Conflict with any applicable habitat conservation plan or natural community conservation plan?</td>
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</tbody>
</table>

The purpose of the zoning amendment is to allow for fire stations in the TEZ as a permitted use under prescribed conditions. The adoption of this amendment will ensure that fire stations are consistent with the TEZ. There would be no conflict with Item b) of this issue. An effort to place a future fire station in property within the TEZ would require environmental review, which will address any impacts associated with items a) and c) of this issue. Any impacts on these issues would be required to be addressed as part of environmental review and any potentially significant impacts would be required to be reduced to less than significant levels. The zoning amendment would have a less than significant impact on land use and planning.
B.9.a, c **Physically Divide an Existing Community/Conflict With Conservation Plans**
A significant impact would occur if the project physically divided an established community or conflicts with a conservation plan. The project is located immediately adjacent to the community of Fish Camp. This is a site that has been considered suitable for the construction of a fire station. The zoning for the site, when it was within the boundaries of the Fish Camp Town Planning Area, allowed for fire stations as a permitted use. A fire station will not divide an existing community or conflict with a conservation plan. *The project would have no impact on these issues.*

B.9.b **Conformance with General Plan Designation, Zoning and Other Environmental Policies**
A significant impact would occur if the project conflicted with an applicable General Plan policy or regulation of an agency with jurisdiction over the project.

Currently, fire stations are not listed as a permitted use in the TEZ, the overlay zoning covering the fire station site. The amendment will make the TEZ consistent with the Agriculture/Working Landscape land use classification and General Forest zoning covering the proposed Fish Camp fire station site as of the date of General Plan adoption. The purpose of the amendment is to bring county documents into conformance. *Thus, the project will not conflict with the Mariposa County General Plan and Mariposa County Zoning Ordinance and will have no impact on this issue.*

**B.10 MINERAL RESOURCES**

<table>
<thead>
<tr>
<th>10. MINERAL RESOURCES Would the project:</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>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†</td>
<td></td>
<td></td>
<td>✓</td>
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</tr>
</tbody>
</table>

Implementation of the zoning amendment will allow for the construction of fire stations in the TEZ under the prescribed conditions. It is not known where future stations may be located elsewhere in the county, so it is not possible to determine site specific impacts. The construction of future fire stations will require environmental review, which will consider impacts on mineral resources. By its very nature, this zone is used primarily for the growing and harvesting of timber. However, this does not preclude the potential for a future fire station site in the TEZ to be proposed for an area that could impact mineral resources. Mineral extraction is a permitted use in the TEZ. Any impacts to mineral resources would be addressed under environmental review for a specific site and any potentially significant impacts would be required to be reduced to a less than significant level. *The zoning amendment will have a less than significant impact on mineral resources.*
**B.10 a, b  Mineral Resources**

A significant impact would occur if the project resulted in the loss of availability of a mineral resource of value to the region and state, or result in a loss of availability of a locally important mineral resource recovery site delineated on a local General Plan, specific plan, or other land use plan.

The EIR prepared for the Fish Camp Specific Plan found no potential impacts to mineral resources. The Specific Plan and its EIR contemplated that the proposed fire station site would be used for fire station purposes. Fish Camp is not a known area of important mineral resources. Therefore, the construction of the fire station would have no impact on mineral resources.

**B.11 NOISE**

<table>
<thead>
<tr>
<th>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?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Potentially significant impact</td>
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<td>√</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Potentially significant impact</td>
</tr>
<tr>
<td>√</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Potentially significant impact</td>
</tr>
<tr>
<td>√</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Potentially significant impact</td>
</tr>
<tr>
<td>√</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Potentially significant impact</td>
</tr>
<tr>
<td>√</td>
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</table>

<table>
<thead>
<tr>
<th>f) For a project within the</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>√</td>
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</tbody>
</table>
Implementation of the zoning amendment will allow for the construction of fire stations in the TEZ under the prescribed conditions. It is not known where future stations may be located elsewhere in the county, so it is not possible to determine site specific impacts. The construction of future fire stations will require environmental review, which will consider noise impacts. By definition, this zone is used primarily for the growing and harvesting of timber. However, this does not preclude the potential for a future fire station site in the Timber Exclusive Zone to be proposed for an area that could have noise impacts. Any noise impacts would be addressed under environmental review for a specific site and any impacts would be required to be reduced to less than significant levels. The zoning amendment would have a less than significant impact on noise issues.

B.11.a Noise
A significant impact would occur if the project resulted in exposure of persons to or generation of noise levels in excess of standards. The 2.99-acre project site is currently vacant. The fire station will generate noise from fire fighting vehicles and related equipment incurring and egressing the site in emergency situations. The station will also be staffed with firefighters and there will be noise relating to human habitation of the site. There are no residences located immediately to the west, east, and south of the site. However, there are residences located immediately to the north, northwest and northeast. The Mariposa County Noise-Land Use Compatibility Chart, shown as Figure 12-1 in Volume III, Technical Background Reports of the Mariposa County General Plan, shows that Ldn or CNEL decibel levels of 60 are normally acceptable for low density residential development. Up to 70 decibels is conditionally acceptable.

There may be instances when the sounds of sirens and engines will cause the decibel level to exceed these standards. According to Table 12-1 in Volume III of the Mariposa County General Plan, a typical A-weighted maximum sound level of a diesel locomotive at 300 feet is 80 decibels. There are a few residences that would be in this decibel range due to sirens and engines. However, such noise will be generated on an extremely limited basis; only when there is an emergency. Therefore, the impact on this issue is considered to be less than significant.

B.11.b Ground Borne Noise Impacts
A significant impact would occur if the project resulted in exposure of persons to excessive ground borne noise or vibration. There is the potential for ground borne vibration resulting from heavy vehicle movement to impact neighboring residences. However, the impact would be of a short duration and would not be excessive. Therefore, the impact on this issue is considered to be less than significant.

B.11.c Permanent Increase in Ambient Noise
A significant impact would occur if the project resulted in a substantial permanent increase in noise. As noted in B.11.a above, the fire station would be located on a site that is currently vacant. The fire station will result in a permanent increase in ambient noise levels that will be noticeable primarily during fire season. However, fire stations are typically located in residential areas in more urban areas and are compatible with these uses. Therefore, the impact on this issue is considered to be less than significant.
B.11.d Temporary Increase in Ambient Noise
A significant impact would occur if the project resulted in a substantial temporary increase in noise. Short-term noise impacts associated with construction activity may be higher than the existing ambient noise levels currently experienced in the project area. However, these impacts will be of short duration and will typically occur during the daytime. Therefore, the impact on this issue is considered to be less than significant.

B.11.e, f Exposure to Airport Noise
A significant impact would occur if there is exposure of people to excessive noise from public or private airports. There are no airports or airstrips located in the vicinity of the fire station site. Thus, there will be no impact on this issue.

B.12 POPULATION & HOUSING

<table>
<thead>
<tr>
<th>12. POPULATION AND HOUSING</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
<td></td>
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</tr>
<tr>
<td>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)?</td>
<td></td>
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<td>✓</td>
</tr>
<tr>
<td>b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?</td>
<td></td>
<td></td>
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<td>✓</td>
</tr>
<tr>
<td>c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</td>
<td></td>
<td></td>
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<td>✓</td>
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</tbody>
</table>

Implementation of the zoning amendment will allow for the construction of fire stations in the TEZ under the prescribed conditions. It is not known where future stations may be located elsewhere in the county so it is not possible to determine site specific impacts. The construction of future fire stations will require environmental review, which will consider impacts on population and housing. By definition, this zone is used primarily for the growing and harvesting of timber and it is highly unlikely that construction of a fire station in this zone in Mariposa County would displace housing or people. Projects such as this are unlikely to induce substantial population growth. The zoning amendment would have no impact on population and housing.

B.12.a, b, c Population and Housing
A significant impact would result if the project induces substantial population growth in an area, displaces substantial numbers of existing housing or people necessitating the construction of replacement housing elsewhere. The fire station project has no potential to induce substantial population growth, displace housing, or displace people. The project will have no impact on population and housing.
### B.13 PUBLIC SERVICES

<table>
<thead>
<tr>
<th>13. PUBLIC SERVICES</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</td>
<td>√</td>
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</tr>
<tr>
<td>a) Fire protection?</td>
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<td>√</td>
</tr>
<tr>
<td>b) Police protection?</td>
<td></td>
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<td>√</td>
</tr>
<tr>
<td>c) Schools?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>d) Parks?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>e) Other public facilities?</td>
<td></td>
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<td>√</td>
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</tbody>
</table>

Implementation of the zoning amendment will allow for the construction of fire stations in the TEZ under the prescribed conditions. Fire stations expand public services and would augment existing provision of fire protection services. Fire stations are public facilities that are required to meet all applicable environmental regulations when constructed. *The zoning amendment would have no impact on public services.*

### B.13.a, b, c, d, e. Public Services

The proposed project would have a significant environmental impact if the project necessitates construction of new public service facilities, or expansion of such services facilities to maintain acceptable service ratios, response times or other performance objectives, and where that construction creates significant environmental impacts. The fire station project is designed to expand fire protection services in Mariposa County. Construction of the fire station will be required to meet all applicable environmental regulations. *The project will have no impact on public services.*
### B.14 RECREATION

<table>
<thead>
<tr>
<th>14. RECREATION</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Would the project increase the use of existing neighborhood and regional parks or recreational facilities such that substantial deterioration of the facility would occur or accelerated?</td>
<td></td>
<td></td>
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<td>✓</td>
</tr>
<tr>
<td>b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?</td>
<td></td>
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<td>✓</td>
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</table>

Implementation of the zoning amendment will allow for the construction of fire stations in the Timber Exclusive Zone under the prescribed conditions. Fire stations have no potential to have an impact on recreational facilities. The zoning amendment will have no impact on recreation.

**B.14.a, b Use of Existing Recreational Facilities/Requirement for New Recreational Facilities**

A significant impact would result if the project substantially increased the use of existing recreational facilities, cause substantial physical deterioration, or require construction of such facilities that could cause an adverse physical effect on the environment. The project will not result in the use of recreational facilities, and such facilities will not be required to be expanded or new ones built as a result of this project. There will be no impact from this project on recreational facilities.

### B.15 TRANSPORTATION & TRAFFIC

<table>
<thead>
<tr>
<th>15.TRANSPORTATION/TRAFFIC</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?</td>
<td></td>
<td></td>
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<td>✓</td>
</tr>
<tr>
<td>b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?</td>
<td></td>
<td></td>
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<td>✓</td>
</tr>
<tr>
<td>c) Result in a change in air traffic patterns.</td>
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<td>✓</td>
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<tr>
<td>Question</td>
<td>Yes</td>
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<tr>
<td>including either an increase in traffic levels or a change in location that results in substantial safety risks?</td>
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<td></td>
</tr>
<tr>
<td>d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e) Result in inadequate emergency access?</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>f) Result in inadequate parking capacity?</td>
<td>✓</td>
<td></td>
<td></td>
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<tr>
<td>g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?</td>
<td>✓</td>
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</tbody>
</table>

Implementation of the zoning amendment will allow for the construction of fire stations in the TEZ under the prescribed conditions. It is not known where future stations may be located elsewhere in the county, so it is not possible to determine site specific impacts. The construction of future fire stations will require environmental review, which will consider impacts on transportation and traffic. By definition, this zone is used primarily for the growing and harvesting of timber and fire stations would not create traffic at a level that would significantly impact traffic levels. Ingress/egress points for fire stations are required to meet all applicable standards with respect to sight distance and related issues and it is unlikely that unsafe traffic conditions would result from their implementation. Any potentially significant impacts relating to transportation and traffic issues would be required to be reduced to less than significant levels. The zoning amendment will have a less than significant impact on transportation and traffic.

B.15.a, b Substantial Increase in Traffic Levels/Impact to Levels of Service
A significant impact would result if the project caused an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system or cause levels of service to be exceeded. The fire station project will not substantially increase traffic levels nor cause a level of service of a roadway to be exceeded. Traffic generated by emergency events and the use of the facility for habitation by firefighters during the fire season will not be significant. Thus, the project will have a less than significant impact on these issues.

B.15.c Change in Air Traffic Patterns
A significant impact would result if the project resulted in substantial safety risks due to changes in air traffic patterns. The project does not change air traffic patterns. Thus, the project will have no impact on this issue.

B.15.d, e Creation of Hazards (by Design or Use)/Emergency Access
A significant impact would result if the project produced hazards to safety from design features or incompatible uses. The Summit Road/Laurel Way ingress/egress points for the fire station will be designed to meet all applicable encroachment standards that are designed to provide for maximum safety on affected roadways. Laurel Way is narrow with a paved width of 15 feet. However, there are turnouts in the form of shoulders and private driveways that can be used to allow for passage of fire fighting equipment. Summit Road has a paved width of 30 feet and is center lined and is safe for travel by emergency vehicles. Thus, the project will have a less than significant impact on these issues.
B.15.f Impacts to Parking
A significant impact would result if the project resulted in inadequate parking. The project will be required to meet parking standards for this type of use. Fire engines will be parked inside the fire station within the bays. The preliminary site plan shows 20 parking spaces. The Mariposa County Fire Department based the total number of parking spaces on the number needed to park the vehicles of firefighters that will be on duty at one time, and the spaces needed for administrative personnel and visitors. The number of spaces was determined by applying the standards used for fire stations of this size and type. Adherence to prevailing parking standards for fire station use will ensure that adequate on-site parking is provided. Therefore, there will be no impact.

B.15.g Impacts to Alternative Transportation
A significant impact would result if the project conflicted with alternative transportation policies, plans or programs. The project will not interfere with alternative transportation policies. Thus the project will have no impact.

B.16 UTILITIES & SERVICE SYSTEMS

<table>
<thead>
<tr>
<th>16. UTILITIES AND SERVICE SYSTEMS</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</td>
<td></td>
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</tr>
<tr>
<td>b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
<td></td>
<td></td>
<td>√</td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td></td>
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<td>√</td>
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<tr>
<td>d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</td>
<td></td>
<td></td>
<td>√</td>
<td></td>
</tr>
<tr>
<td>e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
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<tr>
<td>f) Be served by a landfill with sufficient</td>
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<td></td>
<td>√</td>
</tr>
</tbody>
</table>
Implementation of the zoning amendment will allow for the construction of fire stations in the Timber Exclusive Zone under the prescribed conditions. It is not known where future stations may be located elsewhere in the county, so it is not possible to determine site specific impacts. The construction of future fire stations will require environmental review, which will consider impacts on Utilities and Service Systems. There is a potential for future fire stations to be served by community water and sewer systems. Any potentially significant impacts relating to impacts to these systems, water treatment issues, and storm drainage would be required to be reduced to less than significant levels. Fire stations produce a minimal amount of solid waste in relation to overall waste generated in the county, and there would be virtually no impact on the county’s waste disposal system. The county has sufficient land fill capacity to handle waste generated by fire stations. **The zoning amendment will have a less than significant impact on Utilities and Service Systems.**

**B.16.a, b Water Treatment Requirements/Water and Sewer Systems**
A significant impact would result if the project caused water treatment requirements to be exceeded, or require the construction of water or wastewater systems that could cause a significant effect on the environment. The Fish Camp fire station would be served by an on-site septic disposal system. As noted in B.6.e in the Geology and Soils section, the project will be required to meet all applicable standards of the Mariposa County Health Department relating to the design, construction and maintenance of the on-site septic disposal system. Adherence to these standards will ensure that the project will adequately dispose of waste generated at the fire station. **The project will have a less than significant impact on these issues.**

**B.16.c Impacts of Construction of Storm-drainage Facilities**
A significant impact would result if the project necessitates the construction of new or the expansion of storm water drainage facilities that could cause a significant effect on the environment. The project will not require the construction of new storm water drainage facilities nor require the expansion of such facilities. Storm water will be directed into an existing minor drainage, which eventually empties into the Big Creek drainage system. **Thus, the project will have a less than significant impact on this issue.**

**B.16.d Adequacy of Water Supply**
A significant impact would result if the project demands a water supply that is not available from existing entitlements and resources. The Fish Camp Mutual Water Company will supply the domestic water needs of the fire station. However, the company will not provide water to fill fire fighting equipment or to supply water storage tanks on the site. This issue is discussed in B.8.b in the Hydrology and Water Quality section of this study. This section finds that the fire station would have a less than significant on the water company’s groundwater supplies. **Thus, the project will have a less than significant impact on this issue.**

**B.16.e Adequacy of Wastewater Treatment Plant**
A significant impact would occur if the project results in a determination by the wastewater treatment provider that it has inadequate capacity. An on-site septic system is proposed for the project. **Thus, the project will have no impact on this issue.**
B.16.f Adequacy of Solid Waste Facilities (Landfill Capacity)
A significant impact would result if the project creates a disposal need that cannot be accommodated by the landfill. The improvement plans for the county landfill are based on the anticipated growth of the county. Fire stations produce a minimal amount of solid waste in relation to overall waste that is generated in the county, and there would be virtually no impact on the county's waste disposal system. The county has sufficient landfill capacity to handle waste generated by fire stations, and the Fish Camp fire station would not impact the county's solid waste disposal system. Thus, the project will have no impact on this issue.

B.16.g Compliance with Solid Waste Regulations
A significant impact would result if the project is unable to comply with federal, state and local statutes and regulations related to solid waste. The waste generated at the fire station is required to comply with federal, state and local statutes and regulations related to solid waste. Thus, the project will have no impact on this issue.
Section C
MANDATORY FINDINGS OF SIGNIFICANCE

Finding:

<table>
<thead>
<tr>
<th>Finding</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 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?</td>
<td>[ ]</td>
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<tr>
<td>2. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?</td>
<td>[ ]</td>
<td>[ ]</td>
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</tr>
<tr>
<td>3. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?</td>
<td>[ ]</td>
<td>[ ]</td>
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</table>

Impact Discussion & Conclusions:

1. The study found that implementation of the Fish Camp fire station has the potential to have a significant impact on aesthetics in the area and cultural resources. Mitigation is proposed to reduce these potentially significant impacts to less than significant levels.

2. The implementation of the zoning amendment and the construction of the proposed fire station in Fish Camp have impacts relating to issues such as biological resources, geology and soils, hydrology and water quality, land use, noise, mineral resources, transportation and traffic, and utilities and service systems. The zoning amendment, by itself, has the potential to impact issues relating to mineral resources and biological resources. However, these impacts are less than significant, individually limited and not cumulatively considerable.

3. The study found that implementation of the Fish Camp fire station has the potential to have a significant impact on aesthetics in the area. Mitigation is proposed to reduce these potentially significant impacts to less than significant levels.

Based upon the environmental review conducted within this Initial Study, and the anticipated level of impact as a result of the project, a mitigated negative declaration will be adopted for the project.
Section D
PROONENT'S AGREEMENT TO MITIGATION

The project proponent, Mariposa County, represented by Jim Wilson, Chief, Mariposa County Fire Department, agrees to the following mitigation measures as required by Section 15070(b)(1) of the CEQA Guidelines and project plans will be modified to avoid potential adverse physical effects of the project as identified in this study:

AESTHETICS

1.c.1
The fire station structure shall not utilize bare metal nor bright colors on the siding, trim, or roof. Exterior colors for the fire station structure shall be compatible with the natural environment and the surrounding residential neighborhood to the maximum extent feasible. Final exterior elevations shall be submitted to the Mariposa County Planning Director for review and approval prior to the issuance of building permits for the project.

1.c.2
A landscaping plan designed to help screen the fire station facility from neighboring properties to the north shall be submitted to the Mariposa County Planning Director for review and approval prior to the issuance of construction permits for the project. Trees used as screen shall be native to the area and shall be 15 gallons in size at the time of planting and shall be planted prior to the issuance of a certificate of occupancy for the fire station structure. The landscaping plan shall show and/or describe the irrigation system to be used for watering the trees.

1.d.1
All exterior lighting including that attached to the fire station structure shall be hooded so as to direct light onto the object or area to be lighted to reduce the potential for light to present a nuisance to neighboring property owners to the maximum extent feasible. A final lighting plan shall be submitted to the Mariposa County Planning Director for review and approval prior to the issuance of building permits for the project.

CULTURAL RESOURCES

5.a.1
During site grading or any activity that involves ground disturbance necessary to implement the project, if any signs of prehistoric, historic, archaeological, paleontological resources are evident, all work activity within fifty feet of the find shall stop and the Mariposa County Planning Department shall be notified immediately. No work shall be done within fifty feet of the find until planning has identified appropriate measures to protect the find and those measures have been implemented by the proponent. Protection measures for the site may include, but not be limited to, requiring the proponent to hire a qualified archaeologist who shall conduct necessary inspections and research, and who may supervise all further ground disturbance activities and make any such recommendations as necessary to ensure compliance with applicable regulations. In addition to the Planning Department, the Mariposa County Coroner and American Indian Council of Mariposa County shall be notified should human remains be discovered. Representatives of the American Indian Council of Mariposa County shall be requested to be on-site during disturbance and/or removal of human remains.
By: [Signature]  
Jim Wilson  
Date: 5/8/08  
Title: Chief, Mariposa County Fire Department
Attachment 3

Mitigated Negative Declaration
MARIPOSA COUNTY
MITIGATED NEGATIVE DECLARATION

(Pursuant to California Administrative Code, Section 15070)

PROPOSAL/PROJECT: Mariposa County/Zoning Amendment No. 2008-054/
Fish Camp Fire Station

PROJECT DESCRIPTION: Amend Chapter 17.44 of the Mariposa County Zoning
Code, Title 17, to allow for fire stations as permitted uses
in the Timber Exclusive Zone countywide. The
amendment allows for the construction of a Mariposa
County fire station on a 2.99-acre area of the Yosemite
Mountain Ranch property immediately adjacent to the
community of Fish Camp. The proposed amendment
would only allow fire stations in this zone provided they
are located on timberland converted to non-timber use in
accordance with Section 1104.1 of Title 14, California
Code of Regulations.

No significant effect is based on the following findings:

FINDING: The initial study prepared for this project found that the zoning amendment
does not have the potential to have a significant impact on the environment. The study
found that the specific Fish Camp fire station project will have a potentially significant
impact on the issues of aesthetics and cultural resources and mitigation measures are
proposed to reduce these potentially significant impacts to less than significant levels.
Project compliance with existing regulations and ordinances also provide a means of
reducing the impacts to a level of non-significance. Therefore, the project does not have
the potential to significantly degrade the quality of environment.

No plant communities and/or wildlife habitat will be removed or damaged as part of this
project with the implementation. There are no known endangered or rare species of plant,
animal, or wildlife within the fire station site area.

No evidence has been presented that would suggest that the project has the potential to
achieve short-term goals to the disadvantage of long-term environmental goals. There are
no significant impacts related to the project that are expected to cause substantial adverse
effects on human beings either directly or indirectly with implementation of mitigation
measures. Based upon the environmental review conducted within this initial Study, and
the anticipated level of impact as a result of the project, a mitigated negative declaration
will be adopted for the project.

(Findings will be as shown in Staff Report or as amended)
No significant effect is based on review procedures of the following County Departments or Divisions:

- Building Division
- Planning Commission
- County Health Department
- Public Works Department

Other: Mariposa Fire, California Department of Forestry and Fire Protection (Cal Fire), State Board of Forestry and Fire Protection, California Department of Fish and Game, Regional Water Quality Control Board, Southern Sierra Miwok Nation, North Fork Rancheria, and United States Forest Service.

No significant effect is based on additional conditions as follows:

See Mitigation Measures and Conditions of Approval adopted by Planning Commission Resolution No. 2008-

Initial Study was prepared by Skip Strathearn, Senior Planner and is on file at Mariposa County Planning Department, 5100 Bullion Street, Mariposa, California 95338

Karis Schenk, Director
Mariposa Planning

Date
Attachment C – Planning Commission Resolution

Mariposa County
Planning Department
P.O. Box 2039
Mariposa, CA 95338-2039

STATE OF CALIFORNIA
COUNTY OF MARIPOSA
PLANNING COMMISSION

Resolution
No. 2008-022 A Resolution Recommending an Environmental Determination and Approval of Zoning Amendment No. 2008-054, County of Mariposa, Project Proponent

WHEREAS the Mariposa County Board of Supervisors initiated Zoning Amendment No. 2008-054 on August 7, 2007 based upon the recommendation of the Mariposa County Counsel and the Mariposa County Fire Department; and

WHEREAS Zoning Amendment No. 2008-054 proposes to amend Chapter 17.44 of Title 17, Mariposa County Zoning Code to allow fire stations as permitted uses in the Timber Exclusive Zone; and

WHEREAS Zoning Amendment No. 2008-054 will allow for a Mariposa County fire station to be located immediately adjacent to the community of Fish Camp; and

WHEREAS a duly noticed Planning Commission public hearing was scheduled for the 20th day of June, 2008; and

WHEREAS the Planning Department prepared environmental documents in accordance with the California Environmental Quality Act and local administrative procedures; and

WHEREAS a Staff Report was prepared pursuant to the California Government Code, Mariposa County Code, and local administrative procedures; and

WHEREAS the Planning Commission did hold a public hearing on the noticed date and considered all of the information in the public record, including the Staff Report, and testimony presented by the public concerning the project; and

NOW BE IT THEREFORE RESOLVED THAT the Planning Commission of the County of Mariposa does hereby recommend that the Board of Supervisors adopt a Mitigated Negative Declaration for the project pursuant to the California Environmental Quality Act, Title 14, California Code of Regulations and adopt an ordinance approving the proposed text amendment to Title 17, Mariposa County Code Zoning pursuant to Zoning Amendment 2008-054.
BE IT FURTHER RESOLVED THAT the recommended amendment to section 17.44.010.A.1.a of Title 17, Mariposa County Zoning Code is described in Exhibit 1.

BE IT FURTHER RESOLVED THAT the recommendation for project approval is based on the findings supported by substantial evidence in the public record as described in Exhibit 2.

BE IT FINALLY RESOLVED THAT the mitigation measures proposed for the Fish Camp fire station project are described in Exhibit 3 and monitoring for the mitigation is also described in Exhibit 3.

ON MOTION BY Commissioner DeSantis, seconded by Commissioner Francisco; this resolution is duly passed and adopted this 20th day of June, 2008 by the following vote:

AYES: Francisco, Ross, Rudzik, Skyrud, DeSantis

NOES: None

EXCUSED: None

ABSTAIN: None

________________________________________
Skip Skyrud, Chairman
Mariposa County Planning Commission

Attest:

________________________________________
Carol Suggs
Secretary to the
Mariposa County Planning Commission
EXHIBIT 1

Section 17.44.010.A.1.a. of Chapter 17.44, Timber Exclusive Zone, shall be amended to read as follows: (Proposed text is shown in **bold, italicized and underlined** type.)

A. **Development standards for the TEZ.** Development standards for the TEZ shall be as follows:

1. **Uses.**
   a. **Permitted uses:** Growing and harvesting of timber and forest products; uses and facilities appurtenant to timber growing and harvesting, including but not limited to roads, log landings, and log storage areas. Residential, grazing, wildlife preserves; management for watershed, fish and wildlife habitat; hunting, fishing, hiking and camping; forest fire lookout stations; **fire stations provided they are located on timberland converted to non-timber use in accordance with Section 1104.1 of Title 14, California Code of Regulations;** exploration or prospecting for minerals; portable saw mills and portable planing mills; gas, electric, water or communication transmission facilities; wholesale nurseries and similar horticultural enterprises; and those applicable uses listed under Chapter 17.108.
EXHIBIT 2

Finding No. 1: The amendment is in the general public interest, and will not have a significant adverse effect on the general public health, safety, peace, and welfare. (Section 17.128.050, Zoning Ordinance)

The amendment is in the general public interest, and will not have a significant adverse effect on the general public health, safety, peace and welfare. The amendment will enhance the general public interest and public safety by allowing fire stations to be located in the Timber Exclusive Zone provided the station is located on timberland that is converted to non-timber use in accordance with Section 1104.1 of Title 14, California Code of Regulations. This provides an opportunity for fire stations to be located in areas that may not currently be adequately served with fire protection services and will allow a proposed fire station adjacent to the community of Fish Camp.

Finding No. 2: The amendment is desirable for the purpose of improving the Mariposa County General Plan with respect to providing a long term guide for county development and a short term basis for day-to-day decision making. (Section 17.128.050, Zoning Ordinance)

The amendment will improve the Mariposa County General Plan, because it brings county planning documents into consistency with one another as they relate to the proposed Fish Camp fire station site. The amendment, which establishes fire stations as permitted uses in the Timber Exclusive Zone, provides for a consistent process with respect to planning for the location of fire stations in Mariposa County. It provides a long term guide for county development with respect to providing public services and is beneficial for day-to-day decision making for the same reason.

Finding No. 3: The amendment conforms to the requirements of state law and county policy. (Section 17.128.050, Zoning Ordinance)

The amendment has been processed in accordance with all applicable requirements of state law and county policy.

Finding No. 4: The amendment is consistent with other guiding policies, goals, policies, and standards of the Mariposa County General Plan. (Section 17.128.050, Zoning Ordinance)

The amendment is consistent with applicable goals, policies and implementation measures contained in the Mariposa County General Plan.
Goal 9-9 in the Circulation, Infrastructure, and Services chapter of the general plan states the following:

"Maintain quality emergency service delivery."

Policy 9-9a states:

"Define acceptable service standards and create a comprehensive plan to attain and maintain service delivery."

Implementation Measure 9-9a(1) states:

"Prepare an emergency services plan."

Implementation Measure 9-9a(2) states:

"Implement the emergency services plan."

This amendment achieves the goal of maintaining quality emergency services delivery and the policy of defining acceptable service standards by allowing for fire stations in the Timber Exclusive Zone. It allows for the implementation of an upgraded fire station to serve the Fish Camp area. The amendment aids in the preparation and implementation of an emergency services plan because it will specifically identify areas where fire stations can be located in Mariposa County.
EXHIBIT 3

AESTHETICS

1.c.1. The fire station structure shall not utilize bare metal nor bright colors on the siding, trim, or roof. Exterior colors for the fire station structure shall be compatible with the natural environment and the surrounding residential neighborhood to the maximum extent feasible. Final exterior elevations shall be submitted to the Mariposa County Planning Director for review and approval prior to the issuance of building permits for the project.

1.c.2. A landscaping plan designed to help screen the fire station facility from neighboring properties to the north shall be submitted to the Mariposa County Planning Director for review and approval prior to the issuance of construction permits for the project. Trees used as screen shall be native to the area and shall be 15 gallons in size at the time of planting and shall be planted prior to the issuance of a certificate of occupancy for the fire station structure. The landscaping plan shall show and/or describe the irrigation system to be used for watering the trees.

Monitoring for Mitigation Measures 1.c.1 and 1.c.2: These mitigation measures will be monitored by the Mariposa County Planning Department through the building permit process. Implementation of this measure will reduce the potentially significant impact associated with aesthetics to a less than significant level.

1.d.1. All exterior lighting including that attached to the fire station structure shall be hooded so as to direct light onto the object or area to be lighted to reduce the potential for light to present a nuisance to neighboring property owners to the maximum extent feasible. A final lighting plan shall be submitted to the Mariposa County Planning Director for review and approval prior to the issuance of building permits for the project.

Monitoring for Mitigation Measure 1.d.1: This mitigation measure will be monitored by the Mariposa County Planning Department through the building permit process. Implementation of this measure will reduce the potentially significant impact associated with light to a less than significant level.

CULTURAL RESOURCES

5.a.1. During site grading or any activity that involves ground disturbance necessary to implement the project, if any signs of prehistoric, historic, archaeological, paleontological resources are evident, all work activity within fifty feet of the find shall stop and the Mariposa County Planning Department shall be notified immediately. No work shall be done within fifty feet of the find until Planning has identified appropriate measures to protect the find and those measures have been implemented by the proponent. Protection measures for the site may include, but not be limited to, requiring the proponent to hire a qualified archaeologist who shall conduct necessary inspections and research, and who may supervise all further ground disturbance activities and make any such recommendations as necessary to ensure compliance with applicable regulations. In addition to the Planning Department, the Mariposa County Coroner and American Indian Council of Mariposa County shall be notified should human remains be discovered. Representatives of the American Indian Council of Mariposa County shall be requested to be on-site during disturbance and/or removal of human remains.
Monitoring for Mitigation Measure 5.a.1: The Mariposa County Fire Department shall ensure that if cultural resources, as described above, are uncovered during grading or construction activities on the project site, all grading and/or construction work shall cease immediately and Mariposa County Planning notified. The Mariposa County Coroner and the American Indian Council of Mariposa County shall also be notified in the event human remains are discovered. This measure will be monitored by the Mariposa County Planning Department through the project construction process and the implementation of applicable protocol will ensure that potentially significant impacts to any cultural resources are mitigated to a less than significant level.
AYES: 5 (Francisco, Ross, Rudzik, Skyrud, DeSantis)
NOES: 0

Break: 12:00 p.m. Reconvened: 12:25 pm

2E Zoning Amendment No. 2008-054; Fish Camp Fire Station, County of Mariposa, project proponent.

Strathearn presented the project which is a proposal to amendment to Chapter 17.44 of the Mariposa County Zoning Ordinance to allow for fire stations as permitted uses in the Timber Exclusive Zone (TEZ) provided a station is located on timberland converted to non-timber use in accordance with Section 1104.1 of Title 14, California Code of Regulations. If approved, it will allow for the construction of a proposed Mariposa County Fire Station on TEZ property (APN 010-410-001) adjacent to the boundary of the community of Fish Camp. This ordinance change will affect all TEZ property in Mariposa County.

Strathearn concluded that it is staff’s recommendation that the Planning Commission adopt a resolution recommending that the Board of Supervisors adopt a resolution adopting a mitigated negative declaration and approve Zoning Amendment No. 2008-054 with the recommended findings and amended items.

Clarifications:

Rudzik asked if the rezoning is consistent with the General Plan, and that his previous comments during Strathearn staff report about Silver Tip paying for the laborers is not relevant to what we are doing here.

Strathearn concurred and gave additional explanation about the zoning of agricultural working landscape classification and general forest zone. Strathearn stated that the Timber Exclusive zone doesn’t list fire stations as a permitted use.

Rudzik then inquired if this is under 218 and is this firehouse funded?

Strathearn stated that our Mariposa County Fire Chief, Jim Wilson is here and he may be about to better respond more specifically to those types of questions.

Skyrud stated that the Timber Exclusive Zone is county wide. Skyrud asked how many acres are in the Timber Exclusive Zone.

Strathearn replied, a lot.

Skyrud questions if this would then apply to all Timber Exclusive zones?

Strathearn replied yes it would establish that a fire station is a permitted use in that zone. Strathearn also explained the way in which the amendment language is written; it will restrict size and because it is in the TE zone it is also under a Timber Harvesting plan therefore you have
to go to the state and they have to sign off on a conversion exemption and that allows other uses. So you don’t have to go through the conversion process if you want to establish a different use within the Timber Harvesting plan. It has to be less than 3 acres and there is some other rules. One thing of benefit would be that the conversion exemption process through the State you have to show that there will not be an impact to cultural/archeological resources and there will be no impact on State listed species. Therefore, quite a bit of environmental work is already done through the conversion exemption process.

Skyrud inquired if the existing fire station is now within the TE zone.

Strathearn replied, that he believed that the whole Yosemite Mountain Ranch property is within the TE zone.

Skyrud stated that this action would take this fire station out of non conforming use.

Strathearn concurred and stated that in his report he went into what the existing station may be used for such as storage.

Skyrud asked if a storage facility is allowed in TE Zone.

Strathearn replied that appertant uses are allowed, in Chapter 17 108 which allows storage as a secondary use for your main use.

Skyrud asked if there are two separate APNs.

Strathearn replied no.

Jim Wilson, Mariposa County Fire Chief. Wilson answered Rudzik’s earlier question on the relationship with Silver Tip and stated that mitigation is still being negotiated; they were required to provide trained volunteer fire fighters. Wilson stated that the Fishcamp fire station is not tied to the current 218 although it could be funded out of that if it is successful. The community over the last 10 years has raised over $200,000 to pay for the project. Wilson stated that the General Plan all along has been to construct that fire department whether we had a county wide service area in place or not.

Skyrud asked how long the lease is on the current station.

Wilson stated that it is up in 2009.

Skyrud asked if there was a lease on the new site.

Wilson replied no.

Skyrud asked if we have an agreement with the NFS if they will partner up with us on this.

Wilson, we have a letter of intent from them to have a joint agency station; however we do not have an actual proposal from them.
Skyrud stated that this came to us from the BOS. Skyrud then stated that he doesn't see anywhere in the Board's budget wherein the Board intends to even build this fire station. Skyrud then related to Rudzik's previous question and asked if some of the CSA money will go to this fire station.

Wilson stated that there is no money dedicated from BOS to build this station. Once we know the results of the CSA property owner initiative that we will know how to proceed.

Francisco stated that this is laying the ground work for this station and others to be built on TE property which has a wider impact than just on Fishcamp.

Wilson concurred, stating that this would make other parcels available and that Fishcamp is unique in location.

Skyrud inquired about the existing location and what would Wilson store there?

Wilson stated that the existing building will be available for them to use for storage if they need to.

Public Portion of the Hearing: Opened.
Public Portion of the Hearing: Closed.
Deliberations: None

On motion of Commissioner DeSantis, seconded by Commissioner Francisco the Planning Commission adopted a resolution recommending that the Board of Supervisors adopt a Mitigated Negative Declaration and recommending that the Board of Supervisors amend Mariposa County Zoning Code Title 17 pursuant to Zoning Amendment 2008-054

Francisco asked that it be added to the motion that based on findings supported by substantial evidence the public record and description in exhibit b and that the mitigation measures proposed for the fish camp fire station project are shown in exhibit c.

Motion carried by the following vote:

AYES: 5 (Francisco, Ross, Rudzik, Skyrud, DeSantis)
NOES: 0

3. INFORMATIONAL ITEM:

Williams announced that on Tuesday the Board of Supervisors approved the Mondo zoning amendment and that on Tuesday the 24th they will be discussing the Arts Council mural.

Francisco inquired if they were asking for funding.

Williams replied not that she is aware of.

Francisco inquired about the mural on the Miners Inn retaining wall.
Attachment E – Draft Board Resolution

MARIPOSA COUNTY RESOLUTION NO. 2008-__

A RESOLUTION APPROVING ZONING AMENDMENT
NO. 2008-054

WHEREAS a proposal to amend the Mariposa County Zoning Ordinance was initiated by
the Mariposa County Board of Supervisors on August 7, 2007; and

WHEREAS the Planning Department circulated the proposal among trustee and
responsible agencies, interested public organizations, and others as appropriate; and

WHEREAS a duly noticed public hearing was scheduled before the Planning Commission
for the 20th day of June, 2008; and

WHEREAS the Planning Department prepared environmental documents in accordance
with the California Environmental Quality Act and local administrative procedures; and

WHEREAS a Staff Report and Initial Study were prepared pursuant to the California
Government Code, Mariposa County Code, California Environmental Quality Act, and
local administrative procedures; and

WHEREAS the Planning Commission did hold a public hearing on the noticed date and
considered all of the information in the public record, including the Initial Study and
Staff Report, testimony presented by the public concerning the proposal; and

WHEREAS the Planning Commission adopted Resolution No. 2008-022, recommending
that the Board of Supervisors adopt a Mitigated Negative Declaration, and further
recommending Board of Supervisors approve of the amendment with findings; and

WHEREAS a duly noticed Board of Supervisors public hearing was scheduled for the 15th
day of July, 2008; and

WHEREAS a Staff Report packet for the Board of Supervisors was prepared pursuant to
the California Government Code, Mariposa County Code, and local administrative
procedures; and

WHEREAS the Board of Supervisors did hold a public hearing on the noticed date and
considered all of the information in the public record, including the Staff Report
packet, testimony presented by the public concerning the proposal, and comments and
recommendations from the Planning Commission.

NOW BE IT THEREFORE RESOLVED THAT the Board of Supervisors of the County of
Mariposa does hereby adopt a resolution adopting a Mitigated Negative Declaration
for the project pursuant to the California Environmental Quality Act, Title 14,
California Code of Regulations and approving Zoning Amendment No. 2008-054.

BE IT FURTHER RESOLVED THAT the approved amendment to the text of the Mariposa
County Zoning Ordinance, Title 17, are described in Exhibit A.
BE IT FURTHER RESOLVED THAT the project approval action is based on the findings supported by substantial evidence in the public record as described in Exhibit B:

BE IT FURTHER RESOLVED THAT the mitigation measures for the Fish Camp fire station project, monitoring for the mitigation, and the additional condition of approval, are described in Exhibit C.

BE IT FINALLY RESOLVED THAT the effective date of this resolution shall be the effective date of the ordinance adopted in conjunction with this action.

ON MOTION BY Supervisor ______, seconded by Supervisor ______; this resolution is duly passed and adopted this 15th day of July, 2008 by the following vote:

AYES:

NOES:

EXCUSED:

ABSTAIN:

___________________________
Lyle Turpin, Chair
Mariposa County Board of Supervisors

ATTEST:

___________________________
Margie Williams
Clerk of the Board of Supervisors

APPROVED AS TO FORM:

___________________________
Thomas P. Guarino
County Counsel
EXHIBIT A

Section 17.44.010.A.1.a. of Chapter 17.44, Timber Exclusive Zone, shall be amended to read as follows: (Proposed text is shown in bold, italicized and underlined type.)

A. Development standards for the TEZ. Development standards for the TEZ shall be as follows:

1. Uses.
   a. Permitted uses: Growing and harvesting of timber and forest products; uses and facilities appurtenant to timber growing and harvesting, including but not limited to roads, log landings, and log storage areas. Residential, grazing, wildlife preserves; management for watershed, fish and wildlife habitat; hunting, fishing, hiking and camping; forest fire lookout stations; fire stations provided they are located on timberland converted to non-timber use in accordance with Section 1104.1 of Title 14, California Code of Regulations; exploration or prospecting for minerals; portable saw mills and portable planing mills; gas, electric, water or communication transmission facilities; wholesale nurseries and similar horticultural enterprises; and those applicable uses listed under Chapter 17.108.
EXHIBIT B

Finding No. 1: The amendment is in the general public interest, and will not have a significant adverse effect on the general public health, safety, peace, and welfare. (Section 17.128.050, Zoning Ordinance)

The amendment is in the general public interest, and will not have a significant adverse effect on the general public health, safety, peace and welfare. The amendment will enhance the general public interest and public safety by allowing fire stations to be located in the Timber Exclusive Zone provided the station is located on timberland that is converted to non-timber use in accordance with Section 1104.1 of Title 14, California Code of Regulations. This provides an opportunity for fire stations to be located in areas that may not currently be adequately served with fire protection services and will allow a proposed fire station adjacent to the community of Fish Camp.

Finding No. 2: The amendment is desirable for the purpose of improving the Mariposa County General Plan with respect to providing a long term guide for county development and a short term basis for day-to-day decision making. (Section 17.128.050, Zoning Ordinance)

The amendment will improve the Mariposa County General Plan, because it brings county planning documents into consistency with one another as they relate to the proposed Fish Camp fire station site. The amendment, which establishes fire stations as permitted uses in the Timber Exclusive Zone, provides for a consistent process with respect to planning for the location of fire stations in Mariposa County. It provides a long term guide for county development with respect to providing public services and is beneficial for day-to-day decision making for the same reason.

Finding No. 3: The amendment conforms to the requirements of state law and county policy. (Section 17.128.050, Zoning Ordinance)

The amendment has been processed in accordance with all applicable requirements of state law and county policy.

Finding No. 4: The amendment is consistent with other guiding policies, goals, policies, and standards of the Mariposa County General Plan. (Section 17.128.050, Zoning Ordinance)

The amendment is consistent with applicable goals, policies and implementation measures contained in the Mariposa County General Plan.
Goal 9-9 in the Circulation, Infrastructure, and Services chapter of the general plan states the following:

"Maintain quality emergency service delivery."

Policy 9-9a states:

"Define acceptable service standards and create a comprehensive plan to attain and maintain service delivery."

Implementation Measure 9-9a(1) states:

"Prepare an emergency services plan."

Implementation Measure 9-9a(2) states:

"Implement the emergency services plan."

This amendment achieves the goal of maintaining quality emergency services delivery and the policy of defining acceptable service standards by allowing for fire stations in the Timber Exclusive Zone. It allows for the implementation of an upgraded fire station to serve the Fish Camp area. The amendment aids in the preparation and implementation of an emergency services plan because it will specifically identify areas where fire stations can be located in Mariposa County.
EXHIBIT C

AESTHETICS

1.c.1. The fire station structure shall not utilize bare metal nor bright colors on the siding, trim, or roof. Exterior colors for the fire station structure shall be compatible with the natural environment and the surrounding residential neighborhood to the maximum extent feasible. Final exterior elevations shall be submitted to the Mariposa County Planning Director for review and approval prior to the issuance of building permits for the project.

1.c.2. A landscaping plan designed to help screen the fire station facility from neighboring properties to the north shall be submitted to the Mariposa County Planning Director for review and approval prior to the issuance of construction permits for the project. Trees used as screen shall be native to the area and shall be 15 gallons in size at the time of planting and shall be planted prior to the issuance of a certificate of occupancy for the fire station structure. The landscaping plan shall show and/or describe the irrigation system to be used for watering the trees.

Monitoring for Mitigation Measures 1.c.1 and 1.c.2: These mitigation measures will be monitored by the Mariposa County Planning Department through the building permit process. Implementation of this measure will reduce the potentially significant impact associated with aesthetics to a less than significant level.

1.d.1. All exterior lighting including that attached to the fire station structure shall be hooded so as to direct light onto the object or area to be lighted to reduce the potential for light to present a nuisance to neighboring property owners to the maximum extent feasible. A final lighting plan shall be submitted to the Mariposa County Planning Director for review and approval prior to the issuance of building permits for the project.

Monitoring for Mitigation Measure 1.d.1: This mitigation measure will be monitored by the Mariposa County Planning Department through the building permit process. Implementation of this measure will reduce the potentially significant impact associated with light to a less than significant level.

CULTURAL RESOURCES

5.a.1. During site grading or any activity that involves ground disturbance necessary to implement the project, if any signs of prehistoric, historic, archaeological, paleontological resources are evident, all work activity within fifty feet of the find shall stop and the Mariposa County Planning Department shall be notified immediately. No work shall be done within fifty feet of the find until Planning has identified appropriate measures to protect the find and those measures have been implemented by the proponent. Protection measures for the site may include, but not be limited to, requiring the proponent to hire a qualified archaeologist who shall conduct necessary inspections and research, and who may supervise all further ground disturbance activities and make any such recommendations as necessary to ensure compliance with applicable regulations. In addition to the Planning Department, the Mariposa County Coroner and American Indian Council of Mariposa County shall be notified should human remains be discovered.
Representatives of the American Indian Council of Mariposa County shall be requested to be on-site during disturbance and/or removal of human remains.

Monitoring for Mitigation Measure 5.a.1: The Mariposa County Fire Department shall ensure that if cultural resources, as described above, are uncovered during grading or construction activities on the project site, all grading and/or construction work shall cease immediately and Mariposa County Planning notified. The Mariposa County Coroner and the American Indian Council of Mariposa County shall also be notified in the event human remains are discovered. This measure will be monitored by the Mariposa County Planning Department through the project construction process and the implementation of applicable protocol will ensure that potentially significant impacts to any cultural resources are mitigated to a less than significant level.

Condition of Approval

1. The removal of any tree on the project site of 24 or more inches in diameter at breast height shall occur between September 15 and January 31, the time-frame which is outside of the normal raptor breeding season. Should such tree removal occur between February 1 and September 15 a pre-construction survey for raptor nests shall be conducted by a qualified biologist/botanist no more than 15 days prior to disturbance activities. If such nests are found protocol established by applicable regulatory agencies shall be implemented. The Planning Department shall be provided a copy of the results of any survey conducted and evidence that any required protocol has been implemented prior to such tree removal on the site.
AN ORDINANCE AMENDING CHAPTER 17.44 OF THE MARIPOSA COUNTY CODE

WHEREAS, a proposal to amend the Mariposa County Zoning Ordinance was initiated by the Mariposa County Board of Supervisors on August 7, 2007; and

WHEREAS the proposal is known as Zoning Amendment No. 2008-054. The proposal would amend Section 17.44.010.A.1.a. of Chapter 17.44, Title 17, Mariposa County Zoning Code to add fire stations as permitted uses in the Timber Exclusive Zone provided they are located on timberland converted to non-timber use in accordance with Section 1104.1 of Title 14, California Code of Regulations; and

WHEREAS, the Planning Commission held a duly noticed public hearing on Zoning Amendment No. 2008-054 on the 20th day of June 2008, in accordance with State Law and County Code; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on Zoning Amendment No. 2008-054 on the 15th day of July, 2008, in accordance with State Law and County Code; and

WHEREAS, environmental review has been conducted on Zoning Amendment No. 2008-054 in accordance with the California Environmental Quality Act, a Mitigated Negative Declaration has been adopted and a Mitigated Negative Declaration will be filed for the project.

NOW THEREFORE BE IT ORDEAL, the Board of Supervisors does hereby amend 17.44.010.A.1.a. of Chapter 17.44, Title 17, Mariposa County Zoning Code pursuant to Zoning Amendment No. 2008-054. The amendment is made as follows (Amended text shown in bold, italicized and underline type):

SECTION I

A. Development standards for the TEZ. Development standards for the TEZ shall be as follows:

1. Uses.
a. Permitted uses: Growing and harvesting of timber and forest products; uses and facilities appurtenant to timber growing and harvesting, including but not limited to roads, log landings, and log storage areas. Residential, grazing, wildlife preserves; management for watershed, fish and wildlife habitat; hunting, fishing, hiking and camping; forest fire lookout stations; fire stations provided they are located on timberland converted to non-timber use in accordance with Section 1104.1 of Title 14, California Code of Regulations; exploration or prospecting for minerals; portable saw mills and portable planing mills; gas, electric, water or communication transmission facilities; wholesale nurseries and similar horticultural enterprises; and those applicable uses listed under Chapter 17.108.

SECTION II: This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.
PASSED AND ADOPTED on this __th day of ________, 2008 by the following vote.

AYES:
NOES:
ABSTAINED:
EXCUSED:
NOT VOTING:

__________________________________________
Lyle Turpin, Chair
Mariposa County Board of Supervisors

Attest:

__________________________________________
MARGIE WILLIAMS, Clerk of the Board
Mariposa County Board of Supervisors

APPROVED AS TO FORM:

__________________________________________
THOMAS P. GUARINO, County Counsel
June 30, 2008

Skip Strathearn
County of Mariposa Planning
5100 Bullion Street
Post Office Box 2039
Mariposa, California 95338-2039

Subject: Zoning Amendment 2008-054; Fish Camp Fire Station; APN 010-410-001

Dear Mr. Strathearn:

The Department of Fish and Game has reviewed the information submitted by County of Mariposa Planning for the above Zoning Amendment (Project), approval of which would convert timberland on 2.99 acres to non-timber use to allow construction and operation of a Mariposa County fire station. The Project property is north of Summit Road off of Highway 41 near the unincorporated community of Fish Camp in Mariposa County.

The Department recommends retaining as many mature trees on the Project property to the maximum extent possible during Project implementation. According to the California Natural Diversity Database, the State Species of Special Concern California spotted owl (Strix occidentalis occidentalis) is known to occur in multiple locations in the vicinity of the Project property. Because of the Project location, it is probable that other raptors also occur in the vicinity of the Project property. Removal of active bird nests could be considered a violation of Fish and Game Code Sections 3503 (regarding unlawful "take," possession, or needless destruction of the nest or eggs of any bird), 3503.5 (regarding "take," possession, or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful "take" or possession of any migratory bird). Tree removal or pruning to facilitate Project construction should occur outside of the normal raptor breeding season (September through January); otherwise, the Project property should be surveyed by a qualified biologist for raptor nests no more than 15 days prior to disturbance activities. If active raptor nests are observed during the critical nesting period (February through August), an appropriate no-operation buffer should be implemented around the nest tree until the young have fledged and are no longer dependent on parental care, as determined by a qualified biologist. If special status raptors or their nests are observed within the Project property, all work should cease until after the Project proponent consults with the Department to determine appropriate avoidance, minimization, and mitigation measures to implement or if issuance of an Incidental Take Permit is necessary as per Fish and Game Code Section 2081.

Conserving California's Wildlife Since 1870
If you have any questions on this issue, please contact Lisa Gymer, Environmental Scientist, at (559) 243-4014, extension 238, or igymer@dfg.ca.gov.

Sincerely,

W. E. Loudermilk
Regional Manager