

# 1 INTRODUCTION

This document is an environmental impact report (EIR) prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] §21000 et seq.) and the State CEQA Guidelines (14 California Code of Regulations [CCR] §15000 et seq.). This EIR identifies and assesses the anticipated environmental effects of the adoption and implementation of a General Plan for the County of El Dorado (the County). The General Plan is intended to provide a long-term framework within which land use planning decisions will be made. In accordance with §15050 and §15367 of the State CEQA Guidelines, the County serves as the lead agency for this EIR.

## 1.1 TYPE OF ENVIRONMENTAL IMPACT REPORT

The adoption of the County General Plan is considered a programmatic action; the General Plan acts as the “constitution” for County land use decisions and provides the basis for decisions regarding the county’s long-term physical development. The General Plan is the first step in a series of actions the County will undertake in considering and approving future development. Future discretionary projects will undergo project-specific environmental review at the time they are proposed and the specific impacts of those projects can be determined. This General Plan EIR is a program EIR intended to provide information at a more general level of detail on the potential impacts of all development likely to occur under each of the proposed General Plan alternatives.

As described by §15168(a) of the State CEQA Guidelines, a Program EIR is one that may be prepared on a series of actions that can be characterized as one large project, and that are related (1) geographically; (2) as logical parts in the chain of contemplated actions; (3) in connection with the issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or (4) as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar effects that can be mitigated in similar ways. Because the General Plan will establish the policies and regulatory criteria for future growth and development throughout the county, a program-level EIR is the appropriate framework in which to address environmental impacts associated with this project.

Rather than a single preferred General Plan, four project alternatives have been identified for primary consideration in this EIR. These alternatives are considered “equal-weight” alternatives because they receive an equal level of analysis in the technical sections of this document. A number of variations on these alternatives are also analyzed at a comparative level of detail. Any of these alternatives could ultimately serve as the adopted General Plan.

The decision on which alternative to adopt will be based in part on the environmental information presented in this EIR.

## **1.2 PURPOSE AND USE OF THE GENERAL PLAN ENVIRONMENTAL IMPACT REPORT**

The State CEQA Guidelines require a statement describing the intended uses of an EIR (Guidelines §15124(d)). An EIR is an informational document intended to provide public disclosure of the potential environmental effects of a proposed project and to assist the lead agency in its decision to approve or deny approval of the project (Guidelines §15121).

This EIR will inform the County's decision on the adoption of a general plan by providing information on the significant environmental impacts of each of the proposed alternatives and recommending measures to mitigate those impacts where feasible. The programmatic analysis in this EIR provides for a more comprehensive consideration of effects than would be practical in the environmental review of individual actions and allows the County to consider broad policy alternatives and program-wide mitigation measures at the time of greatest flexibility.

The County and other agencies will also be able to use information presented in this Program EIR to evaluate future development proposals in the area and to focus subsequent CEQA review on project-related impacts that are not specifically addressed in this EIR.

## **1.3 SCOPE OF THE ENVIRONMENTAL IMPACT REPORT**

The scope of this EIR is defined by the geographic scope of activities governed by the General Plan process, the proposed policy direction, and the range of environmental issues that are potentially affected by development within El Dorado County.

### **1.3.1 GEOGRAPHIC SCOPE OF THE GENERAL PLAN**

The proposed General Plan covers all lands under County jurisdiction within the El Dorado County boundary. There are a number of areas that are under the jurisdiction of other governmental entities, including incorporated cities, state and federal public lands, and Native American reservations. Although the General Plan may influence these areas, it does not have direct authority over activities occurring on these lands. Because these areas are subject to separate land use planning processes and not governed by the General Plan, they are not considered directly in this EIR; however, the EIR does address indirect impacts of the General Plan on these areas where applicable, as well as the cumulative impacts of future growth in these areas together with growth areas under County jurisdiction. The areas outside of the County's jurisdiction are as follows:

- < **Incorporated Cities.** There are two incorporated cities in El Dorado County: Placerville and South Lake Tahoe. These incorporated areas are governed by their own respective general plans.
- < **Public Lands.** Both the State of California and the U.S. government own and manage substantial land holdings in El Dorado County. Lands under the purview of state management include California Department of Parks and Recreation State Park Units, conservation areas managed by the California Department of Fish and Game (CDFG), and California Tahoe Conservancy holdings. Federal holdings consist primarily of National Forest lands managed by the U.S. Forest Service (USFS), which include portions of the Eldorado National Forest, Tahoe National Forest and the Lake Tahoe Basin Management Unit, and lands administered by the Bureau of Land Management (BLM) and the U.S. Fish and Wildlife Service (USFWS).
- < **Native American Reservations.** The Shingle Springs (Miwok) Rancheria represents the only Native American land holding within El Dorado County. The tribal members of the Shingle Springs Band of Miwok Indians consist of Miwok, Maidu, and Nisenan Indians. The rancheria consists of 160 acres in Shingle Springs. Currently, there are plans to develop a hotel/casino complex on the Shingle Springs Rancheria.<sup>1</sup> For the purposes of the EIR analysis, the tribe is considered a sovereign nation, with its own regulations and land use planning authority.

In addition to these areas, the portion of the county within the Lake Tahoe Basin (basin) falls under the authority of the Tahoe Regional Planning Agency (TRPA), a bi-state agency created by the Tahoe Regional Planning Compact (Public Law 96-551, 94 Stat. 3233; N.R.S. §277.200 et seq., California Government Code § 66801 et seq. [1980])(Compact). TRPA is governed by a board comprised of delegates from California and Nevada. Under the compact, TRPA has primary land use planning and permitting authority within the basin. TRPA has adopted a

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<sup>1</sup> The County of El Dorado has expressed its opposition to the proposed hotel/casino project and has initiated legal proceedings to challenge the validity of actions taken by federal and state agencies in furtherance of the proposed hotel/casino project on the Shingle Springs Rancheria. Issues raised by the County include, but are not limited to, the status of the federal recognition of the Shingle Springs Band of Miwok Indians and the status of the Rancheria as “Indian Lands.” Should either of these challenges be successful, the Rancheria’s status with respect to the County’s land use regulation would change from that assumed in this EIR. In addition, any of the actions filed by the County could affect the ability to proceed with the proposed hotel/casino project. The Rancheria is treated as nonjurisdictional land in this EIR based upon the assertions made regarding its status by the Shingle Springs Band of Miwok Indians, and the hotel/casino project is assumed to proceed for purposes of this EIR, in order to ensure the broadest analysis of potential environmental impacts. Nothing in this EIR or associated documents is intended by the County as an acknowledgment of any claims of the Shingle Springs Band of Miwok Indians or any related parties, or as an acknowledgment of any right by any person to proceed with the hotel/casino project.

Regional Plan for the Tahoe Basin (Regional Plan), which functions as a region-wide general plan for the basin. While County land use regulations apply in the Lake Tahoe Basin portion of El Dorado County, they are subordinate to the compact, the regional plan, and TRPA land use regulations.

### **1.3.2 ENVIRONMENTAL ISSUES ADDRESSED IN THE ENVIRONMENTAL IMPACT REPORT**

In accordance with §15063 and §15082 of the State CEQA Guidelines, the County, as lead agency, prepared a Notice of Preparation (NOP) of the Draft EIR. The NOP was circulated to the appropriate public agencies, organizations, and interested groups and individuals for a 30-day public review period that extended from August 6, 2001, to September 7, 2001. In addition, a public scoping hearing was held on August 20, 2001, to receive oral comments on the NOP. Numerous written and oral comments were received. The NOP and a complete list of individuals and agencies that commented on the NOP are included as Appendix A to this EIR. Individual NOP comment letters are on file with the County at the Planning Department, 2850 Fairlane Court, Placerville, California. In preparing this EIR, the County and its consultants considered all written comments on the NOP, as well as oral comments provided at the August 20, 2001, scoping meeting.

This EIR analyzes in detail the potential impacts of adoption of the General Plan on the following resource areas:

- < Land Use and Housing (Section 5.1)
- < Agriculture and Forestry (Section 5.2)
- < Visual Resources (Section 5.3)
- < Traffic and Circulation (Section 5.4)
- < Water Resources (Section 5.5)
- < Utilities (Section 5.6)
- < Public Services (Section 5.7)
- < Human Health and Safety (Section 5.8)
- < Geology, Soils, and Mineral Resources (Section 5.9)
- < Noise (Section 5.10)
- < Air Quality (Section 5.11)
- < Biological Resources (Section 5.12)
- < Cultural Resources (Section 5.13)
- < Lake Tahoe Basin (Section 5.14)

## 1.4 ENVIRONMENTAL REVIEW PROCESS

As described above, the environmental review process commenced on August 6, 2001, with the issuance of the NOP on the County General Plan EIR. This Draft EIR was circulated for public review on May 1, 2003. The 45-day public review period for the Draft EIR extends from May 1, 2003, through June 16, 2003. During this time, interested individuals, organizations, and agencies have the opportunity to provide written comments on the contents of the Draft EIR. All comments and questions about the EIR and/or the General Plan should be addressed to General Plan Team, El Dorado County Planning Department, 2850 Fairlane Court, Placerville, CA 95667, (530) 621-5355, fax (530) 642-0508, [generalplan@co.el-dorado.ca.us](mailto:generalplan@co.el-dorado.ca.us). A public hearing will be held during the comment period to accept verbal comments on the contents of the Draft EIR.

Once the environmental review period is complete, responses to comments will be prepared and changes to the Draft EIR will be made as necessary. The Draft EIR, public and agency comments, and any additions or changes will constitute the Final EIR. Once the Final EIR has been prepared, the County Planning Commission and Board of Supervisors will hold additional public hearings to consider the project and the EIR. Following their deliberations, the Planning Commission will make a recommendation to the Board regarding the adequacy of the EIR and adoption of a General Plan. Before taking final action to adopt a General Plan, the Board of Supervisors will need to certify the EIR as adequate for decision-making purposes and make specific findings of fact pursuant to PRC §21081 regarding the significant environmental impacts of the project, the feasibility of measures to mitigate those impacts, and, if appropriate, a statement of overriding considerations.

## 1.5 ORGANIZATION OF THE ENVIRONMENTAL IMPACT REPORT

This document presents a large amount of information, and is structured in a manner to allow the reader to easily locate details about topics of interest. The EIR is organized into the following chapters:

**Chapter 1. Introduction.** The Introduction provides background information related to the proposed General Plan, discusses procedural matters related to CEQA, and presents document format and organization.

**Chapter 2. Executive Summary.** The Executive Summary (Guidelines §15123) includes a summary of the EIR, a table that summarizes each of the significant impacts of the General Plan, mitigation measures for each significant impact where feasible, and the level of

significance of each impact after mitigation. It also includes a summary project description, summary of alternatives, and a discussion of any unresolved planning issues.

**Chapter 3. Description of the Equal-Weight Project Alternatives.** A project description that provides the appropriate level of information necessary for the evaluation and review of environmental impacts is required under CEQA (Guidelines §15124). The project description includes a description of the project location and geographic characteristics of the project area; project objectives; and a general description of the project’s technical, economic, and environmental characteristics; and the required discretionary actions necessary to implement the proposed plan.

For the purposes of this EIR, the existing regulatory situation (No Project Alternative—Writ Constrained) and three alternative combinations of land use maps and policy sets are presented. These four alternatives are analyzed at an equal level of detail in this EIR, including quantitative analyses where appropriate, and thus are referred to as “equal-weight” alternatives. This section describes each equal-weight alternative in detail, and summarizes their similarities and differences.

**Chapter 4. Land Use Forecasts and Development Estimates.** In order to identify environmental impacts and proposed mitigation measures associated with new growth, and to allow a better understanding of expected development pressures in El Dorado County resulting from adoption of the General Plan, land use forecasts have been prepared. These forecasts estimate the amount of residential and nonresidential development expected to occur on the west slope of the county through the planning horizon year (2025) under each alternative. The amount of growth that would occur at the point of theoretical maximum buildout under each alternative is also presented. This chapter summarizes the Land Use Forecast reports prepared by Economic and Planning Systems, Inc., and presents the key conclusions in the reports. The reports are included as Appendix B of the EIR.

**Chapter 5. Environmental Impact Analysis.** This chapter provides a program-level analysis of environmental issue areas. The analysis of each issue area focuses on the potentially significant effects on the environment that could result from implementation of each of the four equal-weight project alternatives (Guidelines §15143). For each environmental issue area, these sections describe the existing conditions at the time the environmental process commenced (the “baseline”), the regulatory environment applicable to each resource, and an analysis of impacts on these resources for each alternative. The analysis of project impacts includes a discussion of methodology and thresholds of significance used, a detailed description of impacts, and recommended mitigation measures that would eliminate or reduce significant impacts.

**Chapter 6. Analysis of Comparative Alternatives.** This chapter provides a comparative analysis of eight additional alternatives. These additional alternatives are examined at a lesser level of detail than the four equal-weight alternatives in Chapter 5 of this EIR. The purpose of this chapter is to provide decision-makers with an assessment of the comparative effects of the eight additional alternatives, focusing on the significant impacts and on mitigation of such impacts. An “environmentally superior” alternative is identified pursuant to Guidelines §15126(e)(2).

**Chapter 7. Other CEQA Considerations.** CEQA and the State CEQA Guidelines require an EIR to analyze cumulative, growth-inducing, significant irreversible, and significant unavoidable effects.

- < **Cumulative Impacts:** This subsection identifies the potential impacts of the proposed plan alternative in combination with other significant projects that have occurred or are planned to occur within El Dorado County and adjacent jurisdictions (Guidelines §15130).
- < **Growth-Inducing Impacts:** This subsection describes the potential growth-inducing impacts of the General Plan (Guidelines §15126.2(d)).
- < **Significant Irreversible Environmental Changes:** This subsection identifies and evaluates significant irreversible environmental changes that would be caused by the plan if implemented (Guidelines §15126.2(c)).
- < **Significant Unavoidable Environmental Impacts:** This subsection identifies the significant impacts of the plan alternatives that cannot be avoided or reduced to a less than significant level (Guidelines §15126.2(b)).

**Chapter 8. References.** References used in the preparation of the EIR are presented in this chapter. References include personal communications and documented materials.

**Chapter 9. Report Preparation.** This chapter lists individuals who participated in the preparation of the EIR, organized by organization/agency.

**Appendices.** The appendices contain additional technical information for the document.

## **1.6 MITIGATION MONITORING**

When a public agency makes findings based on an EIR, CEQA requires the public agency to adopt a plan to monitor those measures which it has adopted in order to mitigate or avoid

significant effects on the environment (PRC §21081.6). The mitigation reporting or monitoring plan (MMP) must be designed to ensure compliance during project implementation (PRC §21081.6; Guidelines §15097). The mitigation measures identified for this General Plan take the form of new or modified goals, policies, implementation measures and actions that can be added directly to the final General Plan. Mitigation measures that are adopted by the County will thus be implemented and enforced through the application of the General Plan to land use and planning decisions and the implementation of actions directed by the General Plan. As provided by PRC §21081.6(b) and State CEQA Guidelines §15097(b), the MMP for the General Plan will consist of the incorporation of adopted mitigation measures into the General Plan, the monitoring and implementation policies that are included in the General Plan, and the annual report on General Plan status required by the Government Code.

### **1.7 AVAILABILITY OF THE DRAFT ENVIRONMENTAL IMPACT REPORT**

The Draft EIR for the proposed adoption of a General Plan is being distributed directly to numerous organizations and interested groups for comment during the formal review period for the Draft EIR (May 1, 2003, through June 16, 2003). The Draft EIR is available for review or purchase at the County Planning Department. Contact information is listed below.

El Dorado County Planning Department  
 2850 Fairlane Court  
 Placerville, CA 95667  
 (530) 621-5355

During the public review period, the Draft EIR is available for public review at all county libraries:

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| <p>T Main Library<br/>           345 Fair Lane<br/>           Placerville, CA 95667</p>   | <p>T Cameron Park Library<br/>           2500 Country Club Drive<br/>           Cameron Park, CA 95682</p>            |
| <p>T El Dorado Hills/Oakridge High School<br/>           Library<br/>           1120 Harvard Way<br/>           El Dorado Hills, CA 95630</p> | <p>T Georgetown Library<br/>           6680 Orleans Street<br/>           Georgetown, CA 95634</p>                    |
| <p>T Pollock Pines Library<br/>           6210 Pony Express Trail<br/>           Pollock Pines, CA 95726</p>                                  | <p>T South Lake Tahoe Library<br/>           1000 Rufus Allen Boulevard<br/>           South Lake Tahoe, CA 96150</p> |



The Draft EIR is also available in electronic format. Members of the public may purchase an electronic copy (CD-ROM) of the EIR in PDF format from the County Planning Department at the address/phone number provided above. In addition, the EIR is available via the County Planning Department website at <<http://www.co.el-dorado.ca.us/generalplan>>.