



**EL DORADO COUNTY PLANNING SERVICES  
2850 FAIRLANE COURT  
PLACERVILLE, CA 95667**

**DRAFT MITIGATED NEGATIVE DECLARATION**

**Project Title:** Z 07-0005/TM 07-1434/Pirrello Zone Change and Tentative Subdivision Map

**Lead Agency Name and Address:** El Dorado County, 2850 Fairlane Court, Placerville, CA 95667

**Contact Person:** Tom Dougherty

**Phone Number:** (530) 621-5355

**Property Owner's/ Applicant's Name and Address:** Jeff and Diane Pirrello, 3240 Rosebud Drive, Shingle Springs, CA 95682

**Project Location:** On the east side of Rainbow Way approximately 700 feet east of the intersection with Shingle Springs Drive in the Shingle Springs area, Supervisorial District IV..

**Assessor's Parcel Numbers:** 319-030-12 and 319-030-20

**Zoning:** Estate Residential Ten-Acre (RE-10)

**Section:** 19      **T:** 10N **R:** 10E

**General Plan Designation:** Low-Density Residential (LDR)

**Description of Project:**

1. Zone change from Estate Residential Ten-Acre (RE-10) to Estate Residential Five-Acre (RE-5).
2. Tentative subdivision map proposing to create 9 parcels ranging in size from 5.0 to 5.26 acres.  
Design waiver has been requested to allow for a dead-end road that exceeds 2,640 feet.

**Surrounding Land Uses and Setting:**

	<u>Zoning</u>	<u>General Plan</u>	<u>Land Use</u> (e.g., Single Family Residences, Grazing, Park, School)
Site:	RE-10	LDR/IBC	Residential, vacant
North:	RE-10	LDR/IBC	Residential, single-family residence
East:	RE-10	LDR/IBC	Residential, vacant, Bureau of Land Management owned.
South:	RE-10/RE-5	LDR/IBC	Residential, single-family residence
West:	RE-10	LDR/IBC	Residential, single-family residence

**Briefly Describe the environmental setting:** The two subject parcels total 45.84 acres and are located between approximately the 1,280 and 1,440 feet elevations above sea level. Existing vegetation on the site consists predominantly of even-aged scattered El Dorado County indigenous oaks and foothill pines, various indigenous shrubs mixed with exotic annual, seasonal grasses. Portions of the site have serpentine rock based soils and associated shrub dominated environment. The majority of the site is blue oak woodland and tree dominated. The parcels are adjoining land owned by the Bureau of Land Management to the east which contains a chamise chaparral environment that begins just at the eastern parcel boundary. The existing driveway that runs through the parcels from the entrance at Rainbow Way to the last proposed southernmost parcel is graveled part of the way and dirt the rest. There is an existing well and shed on the westernmost parcel located near a large cleared, flat area. The parcels are both predominately sloped with the largest portions having slopes in the 21 to 29 percent range.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Agriculture Resources		Air Quality
<b>X</b>	Biological Resources	<b>X</b>	Cultural Resources		Geology / Soils
	Hazards & Hazardous Materials		Hydrology / Water Quality		Land Use / Planning
	Mineral Resources		Noise		Population / Housing
	Public Services		Recreation		Transportation/Traffic
	Utilities / Service Systems		Mandatory Findings of Significance		

**DETERMINATION**

**On the basis of this initial evaluation:**

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

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: Tom Dougherty, Associate Planner For: El Dorado County

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: Pierre Rivas, Principal Planner For: El Dorado County

## **EVALUATION OF ENVIRONMENTAL IMPACTS**

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is a fair argument that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
  - a. the significance criteria or threshold, if any, used to evaluate each question; and
  - b. the mitigation measure identified, if any, to reduce the impact to less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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**ENVIRONMENTAL IMPACTS**

<b>I. AESTHETICS. <i>Would the project:</i></b>			
a. Have a substantial adverse effect on a scenic vista?			X
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X
c. Substantially degrade the existing visual character quality of the site and its surroundings?		X	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X	

**Discussion:** A substantial adverse effect to Visual Resources would result in the introduction of physical features that are not characteristic of the surrounding development, substantially change the natural landscape, or obstruct an identified public scenic vista.

- a) Scenic Vista: The project site and vicinity is not identified by the County as a scenic view or resource (El Dorado County Planning Department, El Dorado County General Plan Draft EIR (SCH #2001082030), May 2003, Exhibit 5.3-1 and Table 5.3-1). There would be no impact as a result of development of the proposed project.
- b) Scenic Resources: The project site is not within a State Scenic Highway. There are no trees or historic buildings that have been identified by the County as contributing to exceptional aesthetic value at the project site (California Department of Transportation, California Scenic Highway Program, Officially Designated State Scenic Highways, p.2 (<http://www.dot.ca.gov/hq/LandArch/scenic/schwy1.html>)). There would be no impact.
- c) The review of future building and grading permits would further allow review for impacts to the subject parcel in relation to existing natural features. Thus the approval of these particular application requests would not allow any impacts on the existing visual quality of the site any more than similar developments in the neighborhood. Impacts would be less than significant.
- d) The creation of these lots would not introduce new lighting that would necessarily be any more than other single-family dwellings allowed in similar densities within the low-density residential land use designation and thus would have a less than significant impact on nighttime views in the area.

**Finding:** No significant impacts to views and viewsheds are expected with the development of the subdivision proposal either directly or indirectly. For this “Aesthetics” category, the thresholds of significance have not been exceeded.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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<b>II. AGRICULTURE RESOURCES.</b> <i>Would the project:</i>				
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Locally Important Farmland (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?				X
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?				X

**Discussion:** A substantial adverse effect to Agricultural Resources would occur if:

- There is a conversion of choice agricultural land to nonagricultural use, or impairment of the agricultural productivity of agricultural land;
  - The amount of agricultural land in the County is substantially reduced; or
  - Agricultural uses are subjected to impacts from adjacent incompatible land uses.
- a) El Dorado County has established the Agricultural District (-A) General Plan land use overlay designation and included this overlay on the General Plan Land Use Maps. Review of the General Plan land use map for the project area indicates that there are no areas of “Prime Farmland” or properties designated as being within the Agricultural District (-A) General Plan land use overlay designation adjacent to the project site. The project would not result in the conversion of farmland to non-agricultural uses. There would be no impact.
- b, c) The project would not conflict with existing zoning for agricultural use, and would not affect any properties under a Williamson Act Contract. No existing agricultural land would be converted to non-agricultural use as a result of the proposed request. There would be no impact.

**Finding:** No impacts to agricultural land are expected and no mitigation is required. For this “Agriculture” category, the thresholds of significance have not been exceeded.

<b>III. AIR QUALITY.</b> <i>Would the project:</i>				
a. Conflict with or obstruct implementation of the applicable air quality plan?			X	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d. Expose sensitive receptors to substantial pollutant concentrations?			X	

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<b>III. AIR QUALITY.</b> <i>Would the project:</i>			
e. Create objectionable odors affecting a substantial number of people?			<b>X</b>

**Discussion:** A substantial adverse effect on Air Quality would occur if:

- Emissions of ROG and No<sub>x</sub>, will result in construction or operation emissions greater than 82lbs/day (See Table 5.2, of the El Dorado County Air Pollution Control District – CEQA Guide);
  - Emissions of PM<sub>10</sub>, CO, SO<sub>2</sub> and No<sub>x</sub>, as a result of construction or operation emissions, will result in ambient pollutant concentrations in excess of the applicable National or State Ambient Air Quality Standard (AAQS). Special standards for ozone, CO, and visibility apply in the Lake Tahoe Air Basin portion of the County; or
  - Emissions of toxic air contaminants cause cancer risk greater than 1 in 1 million (10 in 1 million if best available control technology for toxics is used) or a non-cancer Hazard Index greater than 1. In addition, the project must demonstrate compliance with all applicable District, State and U.S. EPA regulations governing toxic and hazardous emissions.
- a) El Dorado County has adopted the El Dorado County California Clean Air Act Plan establishing rules and standards for the reduction of stationary source air pollutants (ROG/VOC, NO<sub>x</sub>, and O<sub>3</sub>). This plan also contains a schedule for implementation and funding of Transportation Control Measures (TCM) to limit mobile source emissions. The proposed project would not conflict with or obstruct the implementation of this plan. Implementation measures from this plan are required to be implemented at the project level. In addition, a project is required to comply with the National Ambient Air Quality Standards as required under the Federal Clean Air Act as well as the State of California Ambient Air Quality Standards, which are equal to or more stringent than the National Standards. Impacts would be less than significant.
- b, c) Currently, El Dorado County is classed as being in "severe non-attainment" status for Federal and State ambient air quality standards for ozone (O<sub>3</sub>). Additionally, the County is classified as being in "non-attainment" status for particulate matter (PM<sub>10</sub>) under the State's standards. The California Clean Air Act of 1988 requires the County's air pollution control program to meet the State's ambient air quality standards. The El Dorado County Air Pollution Control District (EDCAPCD) administers standard practices for stationary and point source air pollution control. Projected related air quality impacts are divided into two categories:
- Short-term impacts related to construction activities; and
  - Long-term impacts related to the project operation.

Pursuant to the submitted *Geologic Evaluation for the Tentative Map of the Pirrello Rezone and Rural Subdivision*, prepared by George Wheeldon, dated January 2007, certain portions of the project area contain serpentine rock. Short-term minor grading and excavation activities associated with any future proposed development would be required to comply with the El Dorado County Air Pollution Control District's permitting process requiring adherence to AQMD Naturally Occurring Asbestos and Dust Protection Ordinance and Dust Protection Ordinance, Rule 223-1, and the Fugitive Dust-Asbestos Hazard Mitigation Rule 223-2 to help ensure less than significant impacts to NOA air quality emissions.

Mobile emission sources such as automobiles, trucks, buses, and other internal combustion vehicles are responsible for more than 70 percent of the air pollution within the County, and more than one-half of

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California’s air pollution. In addition to pollution generated by mobile emissions sources, additional vehicle emission pollutants are carried into the western slope portion of El Dorado County from the greater Sacramento metropolitan area by prevailing winds.

The applicant submitted an *Air Quality Analysis Report* prepared by EN2 Resources, Inc., dated October 13, 2006. The study provided air emission estimates for long-term operational emissions associated with traffic generated from development on the site and short-term air emission impacts related to grading and construction activities on the proposed parcels. The Report concluded the project would not cause excess levels of combustion-related criteria pollutant emissions because it would generate diesel truck traffic of less than 10 trucks per day, it is not considered an industrial project, and construction emissions for ROG and Nox meet the screening criteria in Section 4.2 of the AQMD Air Quality management Guide. As conditioned, and with strict adherence to County permit requirements, impacts would be less than significant.

- d) Sensitive receptors include such groups as young children and the elderly and such sites as schools, hospitals, daycare centers, convalescent homes, and high concentrations of single-family residences. General Plan Policy 6.7.6.1 requires that the County ensure that new facilities in which sensitive receptors are located (e.g., schools, child care centers, playgrounds, retirement homes, and hospitals) are sited away from significant sources of air pollution. The proposed is not located adjacent to sensitive receptors. The impacts would be less than significant.
- e) The Estate Residential Five-Acre (RE-5) zone district does not generally permit activities which could generate objectionable odors and residential uses generally do not include the introduction of objectionable odors. The potential to create nuisance odors would be short-term and would generally only occur in noticeable levels during project construction. Impacts would be less than significant.

**Finding:** As discussed above, the proposed project would not directly impact air quality. Any future development proposal would also have all potential environmental impacts further analyzed during the required grading/building permit process. For this “Air Quality” category, the thresholds of significance have not been exceeded.

<b>IV. BIOLOGICAL RESOURCES. <i>Would the project:</i></b>				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			<b>X</b>	
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 U.S. Fish and Wildlife Service?			<b>X</b>	
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			<b>X</b>	
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?			<b>X</b>	

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<b>IV. BIOLOGICAL RESOURCES. <i>Would the project:</i></b>				
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		<b>X</b>		
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			<b>X</b>	

**Discussion:** A substantial adverse effect on Biological Resources would occur if the implementation of the project would:

- Substantially reduce or diminish habitat for native fish, wildlife or plants;
  - Cause a fish or wildlife population to drop below self-sustaining levels;
  - Threaten to eliminate a native plant or animal community;
  - Reduce the number or restrict the range of a rare or endangered plant or animal;
  - Substantially affect a rare or endangered species of animal or plant or the habitat of the species; or
  - Interfere substantially with the movement of any resident or migratory fish or wildlife species.
- a) The subject parcels do not fall within designated critical habitat or core areas for the Red-legged and Yellow-legged frog species. (El Dorado County Planning Department, El Dorado County General Plan Draft EIR (SCH #2001082030) May 2003, Exhibits 5.12-6 and 5.12-7). The *Botanical Reconnaissance and Rare Plant Survey of the J.D. Pirrello Property in El Dorado County*, Michael F. Baad, Ph.D., dated June 20, 2006 found that none of the eight species of rare plants indigenous to the Pine Hill Gabbro Intrusion were located within the boundaries of the subject application site. Impacts would be less than significant.
- b, c) Under General Plan Policy 7.3.3.4 requires specific setbacks from the various types of classified wetlands. According to the *Botanical Reconnaissance and Rare Plant Survey of the J.D. Pirrello Property in El Dorado County*, Michael F. Baad, dated June 20, 2006, the parcel drains to the north into Dry Creek and to the east to Slate Creek with no permanent source of surface water present. Seasonal rains and intermittent flows from small springs at the very north end of parcel 319-030-12 have created small, minor wetlands habitats and there is one small ponding area at the northwestern portion of the parcel that captures some of the spring water. None of those features are close enough to the projected development areas to indicate a significant impact would occur. Each future development that would come in the future would have those impacts analyzed again as well. Impacts would be less than significant.
- d) Review of the Department of Fish and Game's *Migratory Deer Herd Maps* indicate the project site does not lie within the range of a recognized deer herd. The site supports habitats such as a oak canopy that may be used by migratory deer herds or other wildlife species as movement corridors. Impacts to native resident or migratory fish or wildlife species that use the corridor would be considered less than significant because of the intermittent areas where trees would be removed and with the oak canopy replacement required as discussed below in Section e, **MM Bio 1**. As mitigated and with strict adherence to County Codes required of the development permit processes, impacts would be less than significant.
- e) The subject parcel is located in the Blue Oak Woodland habitat type which is typical of areas mostly found below 3000 feet elevation and is characterized by shallow, rocky, unfertile soils. (El Dorado County General Plan EIR, 5.12-7, May 2003).



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Existing El Dorado County native oaks present on the site consists predominantly of even-aged scattered blue oaks (*Quercus douglasii*) and multi-trunked interior live oaks (*Quercus wislizenii*). The agent submitted a *Tree Preservation and Replacement Plan*, completed by Foothill Associates, dated January 19, 2007 that that the two combined parcels cover 45.90 acres and that the oak tree canopy comprises approximately 23.10 acres which translates into 50 percent oak tree canopy coverage, (Figure 2). Figure 3 projects that development typical of single-family residences and supporting infrastructure could potentially translate into a post development oak tree canopy of 20.70 acres meaning a loss of approximately 2.4 acres of canopy or that approximately 89 percent of the existing canopy over the total project area would be retained. General Plan Policy 7.4.4.4 requires that 80 percent of the existing oak tree canopy existing on the site must be retained.

The Interim Interpretive Guidelines for Policy 7.4.4.4 states that, *all oak trees, of all sizes, are included in the measurement of oak canopy*. Additionally, the Guidelines require the project applicant to replace woodland habitat removed at a 1:1 ratio. The 1:1 ratio for woodland replacement is based on a formula, developed by the County, which accounts for the number of trees and the acreage affected. Pursuant to the Interim Guidelines for Policy 7.4.4.4, the permit is subject to tree canopy replacement requirements. Pursuant to the *Tree Preservation and Replacement Plan*, 2.5 acres of oak canopy could be removed because of the proposed development. Using the require formula of 200 trees per acre formula, the applicant would be required to replant 460 sapling or one-gallon sized one-gallon sized blue oaks (*Quercus douglasii*) and interior live oak (*Quercus wislizenii*) trees. Figure 4 of the submitted study shows recommendations for potential areas for re-planting for the 460 oak trees. Prior to final occupancy, the applicant would be required to enter into an oak tree replacement and mitigation monitoring agreement with the County. Planning Services staff would verify that the responsibilities, and continued monitoring of the oak tree plantings by the Homeowner's Association are clearly defined in the Covenants, Conditions and Restrictions (CC&Rs) prior to recordation of the final map. In order to mitigate the potential loss of El Dorado County native oak woodland canopy to a less than significant level, the following mitigation measure is recommended:

**[MM Biological Resources-1]:** *The applicant is required to replant a combination of 460 sapling or one-gallon sized one-gallon sized blue oak (*Quercus douglasii*) and interior live oak (*Quercus wislizenii*) trees (200 trees x 2.4 acres = 460). The areas identified as suitable for replanting, as well as the recommended planting techniques are identified in Exhibits L1, L2 and L3. Prior to final occupancy, the applicant would be required to enter into an oak tree replacement and mitigation monitoring agreement with the County.*

- f) The project does not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state habitat conservation plan. Impacts would be less than significant.

**Finding:** There would be a less than significant impact to listed local, state, or federal biological resources and to recognized or defined jurisdictional waters of the US, wetlands, or watercourses. Appropriate buffers and project conditions to address surface run-off by incorporating proper BMPs would ensure the drainage channels would not significantly be affected by this project. There would be no significant impacts to biological resources, oak trees and/or oak woodland tree canopy, with mitigation and strict adherence to standard County Codes and practices. As such, the impacts in the 'Biological Resources' category would be less than significant for this project.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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<b>V. CULTURAL RESOURCES.</b> <i>Would the project:</i>				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?			X	
b. Cause a substantial adverse change in the significance of archaeological resource pursuant to Section 15064.5?			X	
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d. Disturb any human remains, including those interred outside of formal cemeteries?			X	

**Discussion:** In general, significant impacts are those that diminish the integrity, research potential, or other characteristics that make a historical or cultural resource significant or important. A substantial adverse effect on Cultural Resources would occur if the implementation of the project would:

- Disrupt, alter, or adversely affect a prehistoric or historic archaeological site or a property or historic or cultural significant to a community or ethnic or social group; or a paleontological site except as a part of a scientific study;
- Affect a landmark of cultural/historical importance;
- Conflict with established recreational, educational, religious or scientific uses of the area; or
- Conflict with adopted environmental plans and goals of the community where it is located.

(a-d) *A Determination of Eligibility and Effect for the Proposed Pirrello Subdivision Project*, Peak and Associates, Inc., Consulting Archeology, July 2006, (Job #06-011) was completed for Assessor's Parcel Numbers 319-030-12 and 319-030-20 which reported there were historic-period cultural resources sites, artifacts, historic buildings, structures or objects found. Of the twelve resources that were found, only the one identified by PA-06-112 appeared to qualify as an historic property under the National Register of Historic Places (NRHP) criteria.

The cultural resources report gave two options of programs to be implemented in order to reduce the effects on the historic property to an insignificant level:

**Preservation Option:**

- 1) Prior to initiation of any grading or other work on the project area, the cabin and immediate surroundings must be fenced off with temporary construction fencing to ensure its protection from inadvertent impact from grading, vegetation clearance, or road construction.
- 2) A deed restriction and permanent easement must be placed over the site area, preventing any use or impact to that portion of the lot. The easement area shall be shown on the final map.
- 3) Prior to initiation of construction on the lot, a permanent fence shall be installed to protect the site.

**Data Recovery Option:**

- 1) If it is not feasible to protect the cabin site permanently through the program above, an alternate choice is to conduct data recovery excavations. A research design would be prepared detailing the research question that might be addressed by excavations at the site.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- 2) Additional archival research should be conducted by the El Dorado County Museum and the El Dorado County Recorder's Office, utilizing tax assessment records, deeds and census records, to try to identify the occupants of the cabin, and the dates of occupancy.
- 3) The excavation would involve metal detection, surface scrapes, probing and trenching of features, and controlled excavation units. During the excavation, the features identified would be drawn and photographed. Any recovered artifacts would be cleaned, catalogued, and a professional analytical report prepared on the findings. The report would be filed with appropriate agencies, including the El Dorado County Museum and the North Central Information System Center of the California Historical Resources information System.
- 4) The recovered collection and catalogue should be placed at the El Dorado County Museum for use by future researchers.

The applicants were asked which option was preferred and they chose the Preservation option. Therefore the following mitigation measure is recommended. With the adoption and implementation, impacts would be less than significant:

**[MM Cult Res 1]:** *The historic resource identified as PA-06-112 in the Determination of Eligibility and Effect" for the Proposed Pirrello Subdivision Project, Peak and Associates, Inc., Consulting Archeology, July 2006, (Job #06-011) shall be preserved by the following methods:*

- 1) *Prior to initiation of any grading or other work on the project area, the cabin and immediate surroundings must be fenced off with temporary construction fencing to ensure its protection from inadvertent impact from grading, vegetation clearance, or road construction.*

**Monitoring:** *Planning Services staff shall verify that the location of the historic resource is noted on any grading plan prior to issuance. The applicant shall verify with a qualified archeologist that the aforementioned historic resource is accurately located on the submitted site plan. The applicant shall supply a letter from the qualified archeologist to Planning Services staff that the location noted on the map is accurate. The County grading permit inspector shall verify the presence of the temporary construction fencing.*

- 2) *A non-building area must be placed over the site area, preventing any use or impact to that portion of the lot. The non-building area shall be shown on the final map with a note describing that the area is for the preservation of the historic resource identified as PA-06-112 in the Determination of Eligibility and Effect" for the Proposed Pirrello Subdivision Project, Peak and Associates, Inc., Consulting Archeology, July 2006, (Job #06-011).*

**Monitoring:** *Planning Services staff shall verify that the location of the historic resource is accurately noted on the final map. The applicant shall supply a letter from the qualified archeologist to Planning Services staff that states that the location noted on the map is accurate, prior to the recordation of the final map.*

- 3) *Prior to initiation of construction on the lot, a permanent fence shall be installed to protect the site.*

**Monitoring:** *The applicant shall supply a letter from the qualified archeologist to Planning Services staff that the location of the permanent fence for the preservation of the historic resource identified as PA-06-112 in the Determination of Eligibility and Effect" for the Proposed Pirrello Subdivision Project, Peak and Associates, Inc., Consulting Archeology, July 2006, (Job #06-011 is accurately located prior to recording the final map.*

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Because of the possibility in the future that ground disturbances could turn up significant cultural resources anywhere in the County, the following would be added as a condition to address any potential future discovery:

*In the event of the discovery of human remains, all work is to stop and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within 24 hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission. The Planning Services shall review the grading plans prior to the issuance of a grading permit, to ensure that this notation has been placed on the grading plans.*

**Finding:** Based upon the cultural resource study prepared for the site, it is determined that for this “Cultural Resources” category, the thresholds of significance have not been exceeded.

<b>VI. GEOLOGY AND SOILS.</b> <i>Would the project:</i>				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b. Result in substantial soil erosion or the loss of topsoil?			X	
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?			X	
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?			X	
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?			X	

**Discussion:** A substantial adverse effect on Geologic Resources would occur if the implementation of the project would:

- Allow substantial development of structures or features in areas susceptible to seismically induced hazards such as groundshaking, liquefaction, seiche, and/or slope failure where the risk to people and property

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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resulting from earthquakes could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards;

- Allow substantial development in areas subject to landslides, slope failure, erosion, subsidence, settlement, and/or expansive soils where the risk to people and property resulting from such geologic hazards could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards; or
  - Allow substantial grading and construction activities in areas of known soil instability, steep slopes, or shallow depth to bedrock where such activities could result in accelerated erosion and sedimentation or exposure of people, property, and/or wildlife to hazardous conditions (e.g., blasting) that could not be mitigated through engineering and construction measures in accordance with regulations, codes, and professional standards.
- a) There are no known faults which transect the project site, however, there are faults located regionally. The project site could be expected to undergo moderate to severe ground shaking during large magnitude earthquakes, however, the occurrence of one of these events in this area has been historically rare and any future building permit would address that potential shaking with requirements to mitigate that. The impact from a major seismic event could be considered less than significant.
  - b) All grading activities exceeding 50 cubic yards of graded material or grading completed for the purpose of supporting a structure must meet the provisions contained in the *County of El Dorado - Grading, Erosion, and Sediment Control Ordinance* Adopted by the County of El Dorado Board of Supervisors, 3-13-07 (Ordinance #4719). This ordinance is designed to limit erosion, control the loss of topsoil and sediment, limit surface runoff, and ensure stable soil and site conditions for the intended use, in compliance with the El Dorado County General Plan. During site grading and construction of any potential future development, there is potential for minor erosion, changes in topography, and unstable soil conditions. To reduce the potential for erosion and loss of topsoil, any future development would be required to comply with the El Dorado County Grading Ordinance. The parcels are not located within an Asbestos Review Area and therefore must comply with El Dorado County Air Quality Management District's Rules for fugitive dust-from any future grading. Compliance with these requirements would reduce the impacts to a less than insignificant level.
  - c, d)Based on the *Soil Survey of El Dorado Area, CA*, issued April 1974, about half of the project soil is classified as Mariposa gravely silt loam (MaD) with 3 to 30 percent slope, surface runoff is medium, permeability is moderate, and the erosion hazard is slight to moderate, predominately located within the northeastern portion of the parcel. The map shows some Mariposa very rocky silt loam (MbE) with 3 to 50 percent slope, surface runoff is medium to rapid, permeability is moderate, and the erosion hazard is slight to high. in the southern portion of the parcel up to the Deadman Creek vicinity. The map shows some Diamond Springs very rocky, very fine sandy loam (DgE) in the western portion of the parcel along Deadman Creek which is generally characterized as having 3 to 50 percent slopes, surface runoff is medium to rapid, permeability is moderate slow, and the erosion hazard is slight to high.
  - e) The applicant submitted, *Geologic Evaluation for the Pirrello Rezone and Rural Subdivision*, George Wheeldon dated January 2007, notes that a Section 106 review process/study for historic mining activity was conducted for the subject parcels. The engineer for the Geological Evaluation reviewed the mining activity study that also had included exploration trenches. The Evaluation concluded that *septic systems can be located on these lots that would not be affected by the presence of such small scale mining activity.*

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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Prior to issuance of a building permit, Environmental Management would review the septic system designs and locations. Design and installation of any on-site sewage systems must be in accordance with applicable Federal, State and County guidelines and codes. County regulations for the proper design and installation of on-site systems have been adopted by the County Board of Supervisors and have been reviewed and accepted by the Regional Water Quality Control Board. Any future development proposal must adhere to these regulations under the El Dorado County Sewage Disposal Ordinance. Impacts would be less than significant.

**Finding:** No significant geophysical impacts are expected from the subject requests. Any future development proposal would have potential environmental impacts further analyzed during the building or grading permit process. For this “Geology and Soils” category, the thresholds of significance have not been exceeded.

<b>VII. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i></b>				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
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?			X	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
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?				X
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 working in the project area?				X
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?				X
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
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?			X	

**Discussion:** A substantial adverse effect due to Hazards or Hazardous Materials would occur if implementation of the project would:

- Expose people and property to hazards associated with the use, storage, transport, and disposal of hazardous materials where the risk of such exposure could not be reduced through implementation of Federal, State, and local laws and regulations;

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- Expose people and property to risks associated with wildland fires where such risks could not be reduced through implementation of proper fuel management techniques, buffers and landscape setbacks, structural design features, and emergency access; or
  - Expose people to safety hazards as a result of former on-site mining operations.
- a) The proper use and storage of any hazardous material or substances would limit exposure and the potential for explosion or spills. If explosives would be used for road or site construction, such activity would only occur in conformance with State and County applicable laws. The El Dorado County Hazardous Waste Management Plan serves as the implementation program for the management of any hazardous wastes in order to protect the health, safety, and property of residents in the vicinity of the project. Any development proponent would be required under State and local law to provide a Hazardous Materials Management Plan for the site. This plan identifies the location of all hazardous and toxic materials and provides a plan of action in the event of a spill or leak of hazardous materials. This compliance would mitigate the potentially significant impact to a less than significant level. Any future development proponent would also be required to comply with applicable provisions of Title 49 Code of Federal Regulations Parts 100-185 and all amendments through September 30, 2001 (Hazardous Materials Regulations). Impacts would be less than significant.
  - b) No significant amounts of hazardous materials are projected to be utilized for the project. The proposed applications would not directly result in any reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Impacts would be less than significant.
  - c) As proposed, the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. There are no schools located within the quarter mile radius. There would be no impacts.
  - d) There are no hazardous material sites in the project vicinity that have been identified on the Facility Inventory Data Base: Hazardous Waste and Substances Sites List compiled pursuant to California Government Code 65962.5. There would be no impact.
  - e, f) *The San Francisco Sectional Aeronautical Chart*, last updated March 22, 2001, was reviewed and the property is not located within two miles of a public or private airport and not located within an airport land use plan. There would be no impact.
  - g) The proposed project would not physically interfere with the implementation of the County adopted emergency response and/or evacuation plan for the County. This is based on the location of the nearest fire station, availability of multiple access points to the project site, availability of water for fire suppression and provisions within the County emergency response plan. The County emergency response plan is overseen by the County Sheriff's Department. There would be no impacts.
  - h) The project site is in an area of moderate hazard for wildland fire pursuant to Figure V.4-2 of the 1996 General Plan Draft EIR and Figure 5.8-4 of the 2004 General Plan Draft EIR. Compliance with the conditions of approval required by the Diamond Springs/El Dorado County Fire Protection District for road improvements, fire flow corrections, and in-home fire sprinklers, along with initiation and ongoing compliance with the *Wildland Fire Safe Plan* dated September 13, 2007, approved by Diamond Springs – El Dorado Fire Protection District and Calfire staff on February 20, 2008, as well as California Building Codes, would reduce the impact of wildland fire on the proposed subdivision to less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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**Finding:** As conditioned and mitigated, and with strict adherence to County permit requirements, no hazards or hazardous conditions are expected because of the project proposals alone. Any future development proposal would have all potential environmental impacts analyzed further during the required building and grading permit process. For this “Hazards” category, the thresholds of significance have not been exceeded.

<b>VIII. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i></b>				
a. Violate any water quality standards or waste discharge requirements?			X	
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)?			X	
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 siltation on- or -off-site?			X	
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?			X	
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?			X	
f. Otherwise substantially degrade water quality?			X	
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?				X
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
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?			X	
j. Inundation by seiche, tsunami, or mudflow?				X

**Discussion:** A substantial adverse effect on Hydrology and Water Quality would occur if the implementation of the project would:

- Expose residents to flood hazards by being located within the 100-year floodplain as defined by the Federal Emergency Management Agency;
- Cause substantial change in the rate and amount of surface runoff leaving the project site ultimately causing a substantial change in the amount of water in a stream, river or other waterway;



Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- Substantially interfere with groundwater recharge;
  - Cause degradation of water quality (temperature, dissolved oxygen, turbidity and/or other typical stormwater pollutants) in the project area; or
  - Cause degradation of groundwater quality in the vicinity of the project site.
- a) Any grading or improvement plans for this project would be reviewed by the El Dorado County Department of Transportation engineering staff, as well as Development Services staff to ensure that such plans are prepared to conform to County of El Dorado *Design and Improvement Standards Manual*, the *Grading and Erosion and Sediment Control Ordinance*, the *Drainage Manual*, and the *Off-Street Parking and Loading Ordinance*. All stormwater and sediment control methods must meet the *Grading, Erosion and Sediment Control Ordinance*. The project would be required to provide pre- and post- construction BMPs for run-off prior to the approval of grading, improvement and/or building activities. Staff would require that any such BMPs meet County standards which include RWQCB standards for run-off. Impacts would be less than significant.
- b) El Dorado County lies within the Central Sierra Nevada geomorphic province. The geology of the Western Slope portion of El Dorado County is principally hard crystalline, igneous or metamorphic rock overlain with a thin mantle of sediment or soil. Groundwater in this region is found in fractures, joints, cracks, and fault zones within the bedrock mass. These discrete fracture areas are typically vertical in orientation rather than horizontal as in sedimentary or alluvial aquifers. Recharge is predominantly through rainfall infiltrating into the fractures. Movement of this groundwater is very limited due to the lack of porosity in the bedrock. There are 357 defined groundwater basins in California, but no designated basins are identified in El Dorado County.
- El Dorado County Environmental Health Division has analyzed the submitted *Report of Well Production and the Geologic Evaluation for the Pirrello Rezone and Rural Subdivision*, George Wheeldon dated January 2007, and determined that the requirements for demonstrating adequate water supply for the tentative map have been satisfied. In addition, prior to recording the final map, each lot would be required to have an El Dorado County Environmental Health Division approved safe and reliable water supply. As conditioned, impacts would be less than significant.
- d, e) The project would be subject to conditions of approval that would separate runoff between the fuel dispensing area and the rest of the site pursuant to the County’s Storm Water Management Plan. Compliance with the Plan as well as the *Grading, Erosion and Sediment Control Ordinance’s* Best Management Practices would reduce construction erosion and operational runoff. As conditioned, and with strict compliance with County Codes, impacts would be less than significant.
- (g – i) The FEMA Flood Insurance Rate Map, Panel No. 060040-0725B, revised December 4, 1986, establishes that the subject parcels are within Flood Zone “C”, area of minimal flooding. Impacts from flooding would be less than significant.
- (j) A seiche is a water wave within an enclosed body of water such as a lake or reservoir usually generated by an earthquake or landslide. A tsunami is a wave generated from earthquake activity on the ocean floor. The potential for a seiche or tsunami is considered less than significant. A mudflow usually contains heterogeneous materials lubricated with large amounts of water often resulting from a dam failure or failure along an old stream course. As the project’s operational facilities are sited outside of the 100-year event, the potential for a mudflow is considered to be less than significant.

**Finding:** No significant hydrological impacts are directly expected from the subject applications. Any future development proposal would have all potential environmental impacts analyzed further during the required building

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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and grading permit processes. For this “Hydrology” category, the thresholds of significance have not been exceeded.

<b>IX. LAND USE PLANNING. <i>Would the project:</i></b>			
a. Physically divide an established community?			<b>X</b>
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?			<b>X</b>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?			<b>X</b>

**Discussion:** A substantial adverse effect on Land Use would occur if the implementation of the project would:

- Result in the conversion of Prime Farmland as defined by the State Department of Conservation;
  - Result in conversion of land that either contains choice soils or which the County Agricultural Commission has identified as suitable for sustained grazing, provided that such lands were not assigned urban or other nonagricultural use in the Land Use Map;
  - Result in conversion of undeveloped open space to more intensive land uses;
  - Result in a use substantially incompatible with the existing surrounding land uses; or
  - Conflict with adopted environmental plans, policies, and goals of the community.
- a) The proposed project area is located within a Rural Region as designated by the General Plan. General Plan Objective 2.1.3 establishes that Rural Regions are intended to be areas that provide a land use pattern that maintains the open character of the County, preserves its natural resources, recognizes the constraints of the land and the limited availability of infrastructure and public services, and preserves the agricultural and forest/timber area to ensure its long-term viability for agriculture and timber operations. There are no areas in the direct vicinity that are designated by County code or policy to be areas for agricultural and timber operations. It could be found that the dominant pattern of parcel development for the project vicinity has been established and these nine approximately five-acre parcels could be seen to fit into the dominant pattern of the land adjoining to the south. Impacts would be less than significant.
- b) Any future development proposal would have all potential environmental impacts analyzed further during the required building and grading permit review processes. The proposed rezone, planned development and tentative map, as conditioned and mitigated, can be interpreted to be consistent with the specific, fundamental, and mandatory land use development goals, objectives, and policies of the 2004 General Plan, and could be consistent with the development standards contained within the El Dorado County Zoning Ordinance. Impacts would be less than significant.
- c) As noted in Item IV (Biological Resources), the project site is not located in an ecological preserve mitigation area established for the Pine Hill rare plants or red-legged frog core area. The project would not conflict with any known habitat conservation plan. Impacts would be less than significant.

**Finding:** No significant impacts are expected directly from the project proposal to any current land use policies. Any future development proposals would have all potential environmental impacts analyzed further during the

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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required building and grading permit process. For this “Land Use Planning” category, the thresholds of significance have not been exceeded.

<b>X. MINERAL RESOURCES.</b> <i>Would the project:</i>			
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?			X
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?			X

**Discussion:** A substantial adverse effect on Mineral Resources would occur if the implementation of the project would:

- Result in obstruction of access to, and extraction of mineral resources classified MRZ-2x, or result in land use compatibility conflicts with mineral extraction operations.
- a) The project site is not mapped as a known Mineral Resource Zone (MRZ) by the State of California Division of Mines and Geology as shown on the Folsom, Placerville, Georgetown, and Auburn 15-minute Mineral Resource Zone quadrangles or by El Dorado County as depicted on the 1996 General Plan Exhibit V-7-4 and 2004 General Plan Exhibit 5.9-6. *A Determination of Eligibility and Effect for the Proposed Pirrello Subdivision Project*, prepared by Peak and Associates, Inc., Consulting Archeology, dated July 2006 described the historic gold mining activities which were tabulated from mineral plats, patent applications and mineral survey field notes that took place on the subject parcels. The first claim was reported to have occurred in 1896 and four more were filed over the years and it was determined that only small scale mining activity actually occurred within the current parcel boundaries. Exploration trenches were found that varied in length from 6 to 60 feet in length and rarely exceeded eight to ten feet in depth. Small tunnels were observed but appeared to go into the hillside no more than 8 to 20 feet. Small mining dumps were found that indicated minor excavation activity occurred. It can be found that no potential mining of important mineral resources would be prevented by the proposed project. Impacts would be less than significant.
- b) The western portion of El Dorado County is divided into four 15-minute quadrangles (Folsom, Placerville, Georgetown, and Auburn) mapped by the State of California Division of Mines and Geology showing the location of Mineral Resource Zones (MRZ). Those areas which are designated MRZ-2a contain discovered mineral deposits that have been measured or indicate reserves calculated. Land in this category is considered to contain mineral resources of known economic importance to the County and/or State. Review of the mapped areas of the County indicates that the subject property does not contain mineral resources of known local or statewide economic value, but as stated above, it can be determined that this specific site does not contain them. Impacts would be less than significant.

**Finding:** No significant impacts are expected with the creation of these nine lots either directly or indirectly to any current land use policies. For this “Mineral Resources” category, the thresholds of significance have not been exceeded.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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<b>XI. NOISE.</b> <i>Would the project result in:</i>			
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?			X
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X
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 level?			X
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			X

**Discussion:** A substantial adverse effect due to Noise would occur if the implementation of the project would:

- Result in short-term construction noise that creates noise exposures to surrounding noise sensitive land uses in excess of 60dBA CNEL;
  - Result in long-term operational noise that creates noise exposures in excess of 60 dBA CNEL at the adjoining property line of a noise sensitive land use and the background noise level is increased by 3dBA, or more; or
  - Results in noise levels inconsistent with the performance standards contained in Table 6-1 and Table 6-2 in the El Dorado County General Plan.
- a) The project is listed under Table 6-1 of the General Plan as being a use subject to maximum allowable noise exposures from transportation source. An acoustical analysis was provided as part of the project application submittal. (*Environmental Noise Analysis Pirrello Subdivision*, BBA Project No. 06-228, Brown-Buntin Associates, Inc., dated May 31, 2006). This study concluded that if standard construction techniques were used on any future residential structures and the Annual Average Daily Traffic volume did not exceed 40,000, the creation of the 9 lots to accommodate single-family usage would not generate noise levels exceeding the performance standards contained in Tables 6-1 and 6-2 of the General Plan. Impacts would be less than significant.
- b, c, d) Short-term noise impacts may be associated with excavation, grading, and construction activities in the project vicinity during development. El Dorado County requires that all construction vehicles and equipment, fixed or mobile, be equipped with properly maintained and functioning mufflers. All construction and grading operations are required to comply with the noise performance standards contained in the General Plan. All storage, stockpiling and vehicle staging areas are required to be located as far as practicable from any residential areas. Impacts would be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- e) General Plan Policy 6.5.2.1 requires that all projects, including single-family residential, within the 55 dB/CNEL contour of a County airport shall be evaluated against the noise guidelines and policies in the applicable Comprehensive Land Use Plan (CLUP). In this case, the project site is not located within the defined 55dB/CNEL noise contour of a County owned/operated airport facility. There would be no impact.
- f) The proposed project is not located adjacent to or in the vicinity of a private airstrip. As such, the project would not be subjected to excessive noise from a private airport. There would be no impact.

**Finding:** No significant impacts to or from noise is expected directly as a result of this proposal. Any future development proposal would have all potential environmental impacts analyzed further during the grading/building permit processes. For this “Noise” category, the thresholds of significance have not been exceeded.

<b>XII. POPULATION AND HOUSING. <i>Would the project:</i></b>				
a. Induce substantial population growth in an area, either directly (i.e., by proposing new homes and businesses) or indirectly (i.e., through extension of roads or other infrastructure)?			X	
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

**Discussion:** A substantial adverse effect on Population and Housing would occur if the implementation of the project would:

- Create substantial growth or concentration in population;
- Create a more substantial imbalance in the County’s current jobs to housing ratio; or
- Conflict with adopted goals and policies set forth in applicable planning documents.

a) The proposed project would not induce growth directly or indirectly by providing infrastructure that would create development beyond what is currently anticipated in the General Plan because the land use designation would not change and the existing designation of Low-Density Residential (LDR) permits one dwelling unit per 5.0 acres. The development area on the project site is designated on the 2004 General Plan Land Use Map for Low-Density Residential (LDR) which permits one dwelling unit per 5.0 acres. Impacts would be less than significant.

b, c) The proposed project would not displace people or existing housing, which would prevent the construction of replacement housing elsewhere. There would be no impact.

**Finding:** There is limited potential for a significant impact due to substantial growth with the proposed applications, the proposed project either directly or indirectly. For this “Population and Housing” category, the thresholds of significance have not been exceeded.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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<b>XIII. PUBLIC SERVICES.</b> <i>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:</i>			
a. Fire protection?			X
b. Police protection?			X
c. Schools?			X
d. Parks?			X
e. Other government services?			X

**Discussion:** A substantial adverse effect on Public Services would occur if the implementation of the project would:

- Substantially increase or expand the demand for fire protection and emergency medical services without increasing staffing and equipment to meet the Department's/District's goal of 1.5 firefighters per 1,000 residents and 2 firefighters per 1,000 residents, respectively;
- Substantially increase or expand the demand for public law enforcement protection without increasing staffing and equipment to maintain the Sheriff's Department goal of one sworn officer per 1,000 residents;
- Substantially increase the public school student population exceeding current school capacity without also including provisions to adequately accommodate the increased demand in services;
- Place a demand for library services in excess of available resources;
- Substantially increase the local population without dedicating a minimum of 5 acres of developed parklands for every 1,000 residents; or
- Be inconsistent with County adopted goals, objectives or policies.

a)

b) Fire Protection: The Diamond Springs – El Dorado Fire Protection District currently provides fire protection services to the project area. The District was solicited for comments to determine compliance with fire standards, El Dorado County General Plan, State Fire Safe Regulations as adopted by El Dorado County and the California Uniform Fire Code. The District did not respond with any concerns that the level of service would fall below the minimum requirements as a result of the proposed tentative subdivision map, with the adoption of the *Wildland Fire Safe Plan* approved by District and Calfire staff on February 20, 2008. The impacts would be less than significant.

c) Police Protection: The project site would be served by the El Dorado County Sheriff's Department with a response time depending on the location of the nearest patrol vehicle. The minimum Sheriff's Department service standard is an 8-minute response to 80% of the population within Community Regions. No specific minimum level of service or response time was established for Rural Centers and Rural Regions. The Sheriff's Department stated goal is to achieve a ratio of one sworn officer per 1,000 residents. The creation of nine lots where two currently exists would not significantly impact current Sheriff's response times to the project area. The impacts would be less than significant.

c) Schools: The State allows school districts to directly levy fees on new residential and commercial/industrial development. These fees are collected at the time of building permit submittal and are designed to provide funds to acquire and construct additional facility space within impacted school districts. The project proposal

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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would not directly generate the need for additional school facilities and would not significantly impact school enrollment. The impacts would be less than significant.

- d) Parks: Section 16.12.090 of the County Code establishes the method to calculate the required amount of land for parkland dedication, and the in-lieu fee. Provisions to provide parkland were not included as part of the proposal in accordance with Section 16.12.090 of County Code. The project proposal would not significantly increase the demand for parkland. The applicants would be required to pay the park fee to El Dorado County Department of General Services, Division of Airports, Parks and Grounds prior to filing the final map. The impacts would be less than significant.
- e) Other Facilities: No other public facilities or services would be directly impacted by the project. The impacts would be less than significant.

**Finding:** As discussed above, no significant impacts would occur with the project either directly or indirectly. For this “Public Services” category, impacts would be less than significant.

XIV. RECREATION.				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
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?			X	

**Discussion:** A substantial adverse effect on Recreational Resources would occur if the implementation of the project would:

- Substantially increase the local population without dedicating a minimum of 5 acres of developed parklands for every 1,000 residents; or
- Substantially increase the use of neighborhood or regional parks in the area such that substantial physical deterioration of the facility would occur.

a, b)The approval of the applications would potentially add 9 single-family units which at 2.60 persons/occupied unit currently propose to potentially add approximately 23 persons to the neighborhood. Each of those could potentially have second dwelling units, however pursuant to El Dorado County Building Permit data, out of 10,597 building permits issued between the years of 2001 to 2006, 323 were second dwelling units which is 3 percent which could lead to the conclusion that they are an insignificant factor when looking at population impacts. The proposed project is not anticipated to have a significant impact on the use of recreational facilities in the area.

**Finding:** No significant impacts to recreation and open space resources are expected with this proposal either directly or indirectly. For this “Recreation” category, the thresholds of significance have not been exceeded.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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<b>XV. TRANSPORTATION/TRAFFIC. <i>Would the project:</i></b>				
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)?			X	
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X	
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e. Result in inadequate emergency access?			X	
f. Result in inadequate parking capacity?			X	
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

**Discussion:** A substantial adverse effect on Traffic would occur if the implementation of the project would:

- Result in an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system;
- Generate traffic volumes which cause violations of adopted level of service standards (project and cumulative); or
- Result in, or worsen, Level of Service “F” traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county as a result of a residential development project of 5 or more units.

a, b) Access to the site is off of Shingle Springs Drive and then on to Rainbow Way which is not maintained by the El Dorado County Department of Transportation (Department of Transportation). Pursuant to the “Request for Initial D.O.T. Project Review” dated January 24, 2007, it was estimate that the 9 subject parcels could potentially add 90 Average Daily Trips (ADT) which does not trigger the need for an initial Department of Transportation review and thus a traffic study is not required. El Dorado County Department of Transportation has recommended conditions of approval that must be satisfied by the applicant prior to final approval of the final subdivision map. Impacts would be less than significant.

c) The project would not result in a major change in established air traffic patterns as there are no publicly or privately operated airports or landing fields in the project vicinity. There would be no impact.

d, e, f) All interior (onsite) and offsite roads would be required to allow sufficient room for emergency vehicle turn-around and the final designs of the proposed cul-de-sacs, road widths, radii, and secondary access shall have review and approval by the Diamond Springs/El Dorado Fire Protection District and the El Dorado County Department of Transportation prior to final approval of the subdivision map. All parking for future



Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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development on the newly created parcels would be required to comply with Chapter 17.18 of the County Code which would be reviewed and approved at the building permit stage. Impacts would be less than significant.

- g) The proposed project does not conflict with the adopted General Plan policies, and adopted plans, or programs supporting alternative transportation. There would be no impact.

**Finding:** As discussed above, and as conditioned and mitigated, no significant traffic impacts can directly be expected for the proposal. For this “Transportation/Traffic” category, the thresholds of significance have not been exceeded.

<b>XVI. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i></b>				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
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?				X
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
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?				X
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g. Comply with federal, state, and local statutes and regulations related to solid waste?			X	

**Discussion:** A substantial adverse effect on Utilities and Service Systems would occur if the implementation of the project would:

- Breach published national, state, or local standards relating to solid waste or litter control;
- Substantially increase the demand for potable water in excess of available supplies or distribution capacity without also including provisions to adequately accommodate the increased demand, or is unable to provide an adequate on-site water supply, including treatment, storage and distribution;
- Substantially increase the demand for the public collection, treatment, and disposal of wastewater without also including provisions to adequately accommodate the increased demand, or is unable to provide for adequate on-site wastewater system; or
- Result in demand for expansion of power or telecommunications service facilities without also including provisions to adequately accommodate the increased or expanded demand.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- a) No significant wastewater discharge or surface run off would result from this project as the majority of the proposed development is projected to occur in previously disturbed areas. Any future residential development on the parcels would be designed to meet the County standards to include BMPs for pre- and post construction development for wastewater discharge and surface run-off. Impacts would be less than significant.
- b) No new water or wastewater treatment plants are proposed and none are required as a result of this project. There would be no impact.
- c) On-site stormwater drainage facilities would be required on the property in order to reduce run off to appropriate discharge levels. Any future request for a residential single-family unit, grading, or improvement plans would be required to show site discharge and/or run off at pre and post levels. All required drainage facilities would be built in conformance with the standards contained in the *County of El Dorado Grading and Drainage Manual*. Impacts would be less than significant with strict adherence to the required Best Management Practices.
- d) The Environmental Health Division has required that each lot needs to have a safe and reliable water source prior to recordation of the final map. Conditioned as such, impacts would be less than significant.
- e) The applicants submitted an onsite sewage disposal capability report for the subject parcel that has been reviewed by the Environmental Health Division who determined it proved the potential for adequate septic facilities. The Environmental Health Division would review specific septic designs that accompany future development plans, including potential second-residential units on both parcels, to ensure that the final septic disposal design meets County standard. Future residential development would be reviewed by Building and Planning Services and Environmental Management during the building permit review phase to ensure that septic areas are established to County design standards. The applicant's submitted a *Geologic Evaluation for the Tentative Map of the Pirrello Rezone and Rural Subdivision*, prepared by George Wheeldon, dated January 2007 which also found that the past mining activities on the parcels would not hinder septic capability. As conditioned, impacts would be less than significant.
- f) In December of 1996, direct public disposal into the Union Mine Disposal Site was discontinued and the Material Recovery Facility/Transfer Station was opened. Only certain inert waste materials (e.g., concrete, asphalt, etc.) may be dumped at the Union Mine Waste Disposal Site. All other materials that cannot be recycled are exported to the Lockwood Regional Landfill near Sparks, Nevada. In 1997, El Dorado County signed a 30-year contract with the Lockwood Landfill Facility for continued waste disposal services. The Lockwood Landfill has a remaining capacity of 43 million tons over the 655-acre site. Approximately six million tons of waste was deposited between 1979 and 1993. This equates to approximately 46,000 tons of waste per year for this period.

After July of 2006, El Dorado Disposal began distributing municipal solid waste to Forward Landfill in Stockton and Kiefer Landfill in Sacramento. Pursuant to El Dorado County Environmental Management Solid Waste Division staff, both facilities have sufficient capacity to serve the County. Recyclable materials are distributed to a facility in Benicia and green wastes are sent to a processing facility in Sacramento. Impacts would be less than significant.

- g) County Ordinance No. 4319 requires that new development provide areas for adequate, accessible, and convenient storing, collecting, and loading of solid waste and recyclables. Chapter 8.42.640C of the county Ordinance requires that solid waste, recycling and storage facilities must be reviewed and approved by the County prior to building permit issuance. Impacts would be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- h) Power and telecommunication facilities are available at the project site. The power demands of a future proposed use would be accommodated through connection to existing lines, which are available at the parcels. Impacts would be less than significant.

**Finding:** No significant utility and service system impacts are directly expected by the subject proposal. Any future development proposal would have all potential environmental impacts analyzed further during the building permit process. For this "Utilities and Service Systems" category, the thresholds of significance have not been exceeded.

<b>XVII. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:</b>				
a. 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?		X		
b. 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)?			X	
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

**Discussion:**

- a) There is no substantial evidence contained in the project record that would indicate that his proposal to rezone the parcels and split them into a 9-parcel subdivision has the potential to significantly degrade the quality of the environment. As conditioned and mitigated, and with strict adherence to County permit requirements, this tentative subdivision map and the typical residential uses expected to follow, would not appear to have the potential to 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 California history or pre-history. Any impacts from the project would be less than significant due to the design of the project and required standards that would be implemented with the process of the final subdivision map and/or any required project specific improvements on or off the property. Both short-term and long-term environmental effects directly associated with this project would be less than significant.
- b) Cumulative impacts are defined in Section 15355 of the CEQA Guidelines as two or more individual effects, which when considered together, are considerable or which compound or increase other environmental impacts. Based on the analysis in this Initial Study and compliance with the recommended conditions and mitigations, it has been determined that the project would not result in cumulative impacts.
- c) Based upon the discussion contained in this document it has been determined that the proposed project would not have any environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly (no impacts identified, or mitigation has been included in the project design to reduce the impact). Any future development would have potential environmental impacts analyzed further during the required building permit process.

**SUPPORTING INFORMATION SOURCE LIST**

The following documents are available at the El Dorado County Planning Department in Placerville.

El Dorado County General Plan Draft Environmental Impact Report  
Volume I - Comments on Draft Environmental Impact Report  
Volume II - Response to Comment on DEIR  
Volume III - Comments on Supplement to DEIR  
Volume IV - Responses to Comments on Supplement to DEIR  
Volume V - Appendices

El Dorado County General Plan - Volume I - Goals, Objectives, and Policies

El Dorado County General Plan - Volume II - Background Information

Findings of Fact of the El Dorado County Board of Supervisors for the General Plan

El Dorado County Zoning Ordinance (Title 17 - County Code)

County of El Dorado Drainage Manual (Resolution No. 67-97, Adopted March 14, 1995)

County of El Dorado Grading, Erosion and Sediment Control Ordinance (Ordinance No. 3883, amended Ordinance Nos. 4061, 4167, 4170)

El Dorado County Design and Improvement Standards

El Dorado County Subdivision Ordinances (Title 16 - County Code)

Soil Survey of El Dorado Area, California

California Environmental Quality Act (CEQA) Statutes (Public Resources Code Section 21000, et seq.)

Title 14, California Code of Regulations, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (Section 15000, et seq.)

*Determination of Eligibility and Effect for the Proposed Pirrello Subdivision Project*, Peak and Associates, Inc., Consulting Archeology, July 2006, (Job #06-011)

*Wildland Fire Safe Plan* dated September 13, 2007, approved by Diamond Springs – El Dorado Fire Protection District and Calfire staff on February 20, 2008.

*Report of Well Production and the Geologic Evaluation for the Pirrello Rezone and Rural Subdivision*, George Wheeldon dated January 2007.

*Botanical Reconnaissance and Rare Plant Survey of the J.D. Pirrello Property in El Dorado County*, Michael F. Baad, dated June 20, 2006

*Final Air Quality Analysis for the Pirrello Project* prepared by EN2 Resources, Inc., dated October 13, 2006.

*Environmental Noise Analysis Pirrello Subdivision*, BBA Project No. 06-228, Brown-Buntin Associates, Inc., dated May 31, 2006.

*Tree Preservation and Replacement Plan*, completed by Foothill Associates, dated January 19, 2007.

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