



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

MITIGATED NEGATIVE DECLARATION

Project Title: Rezone Z07-0040/Tentative Parcel Map P06-0043, Marcyan

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 Name and Address: Susan Marcyan, P.O. Box 711, Cool, CA 95614

Agent's Name and Address: Baker – Williams Engineering Group, 6020 Rutland Dr., Ste. 19, Carmichael, CA 95608

Project Location: On the west side of State Route 193 approximately 0.7 miles northeast of the intersection with Penobscot Road in the Cool area, Supervisorial District IV.

Assessor's Parcel Number: 073-020-43 (46.23 acres)

Zoning: Residential Agricultural 20-acre – Planned Development, (RA-20 – PD)

Section: 28 **T:** 10N **R:** 12E

General Plan Designation: Rural Residential – Important Biological Corridor (RR – IBC)

Environmental Setting: The project site is served by an unnamed road with a 50-foot road and public utility easement that four other parcels have easement rights to. The 46.23-acre site is located between the 1,600 to 1,760-foot elevations above sea level. The entire parcel has been historically used for grazing. Proposed Parcel 3 contains the existing single-family dwelling, barn, well, septic and driveway. The highest point is at the western portion and the terrain slopes gently downward predominately in a northeast direction. There is an intermittent stream crossing the northeast corner of the parcel, a seasonal catch-basin ponding area at the western end of the parcel, and a Georgetown Divide Public Utility District water conveying ditch that crosses the northwest corner.

Description of Project: The applicant requests approval of a rezone from Residential Agricultural 20-acre – Planned Development, (RA-20 – PD) to Estate Residential Ten-acre (RE-10) and a tentative parcel map creating four parcels ranging in size from 10 to 16.23 acres on a 46.23-acre site. Road improvements include widening the existing on-site access road located in the 50-foot road and public utility easement, construction of a turnaround and reservation of an easement on the west boundary of proposed Parcel 4, and the encroachments onto State Route 193. Individual wells and septic systems are proposed to be used for all four parcels.

Surrounding Land Uses and Setting:

	<u>Zoning</u>	<u>General Plan</u>	<u>Land Use</u> (e.g., Single Family Residences, Grazing, Park)
Site:	RA-20/PD	RR - IBC	Residential, single-family residence and accessory structures
North:	R2A/RF/RE-5	MDR/IBC	Single-family residences, Auburn Lake Trails campground. Four parcels from 5.8 to 27 acres.
East:	RE-10	RR/IBC	Residential, single-family residence across State Route 193, one 6-acre parcel.
South:	RA-20/PD	RR/IBC	Historical grazing, vacant. One 80-acre parcel.
West:	RA-20/PD	RR/IBC	Historical grazing, vacant. One 43-acre parcel.

Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.): El Dorado County Department of Transportation, El Dorado County Fire Protection District, El Dorado County Surveyor's Office, El Dorado County Environmental Health Division, U.S. Army Corps of Engineers, California Department of Fish and Game, and Caltrans.

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
X	Biological Resources	X	Cultural Resources		Geology / Soils
	Hazards & Hazardous Materials		Hydrology / Water Quality		Land Use / Planning
	Mineral Resources	X	Noise		Population / Housing
	Public Services		Recreation		Transportation/Traffic
	Utilities / Service Systems	X	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.
- 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

I. AESTHETICS. <i>Would the project:</i>			
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 are not identified by the County as a scenic view or resource (El Dorado County Planning Services, 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/schwyl.html>)). There would be no impact.
- c) The creation of these four parcels would not directly change any views not typical of the surrounding residential area from what is currently available. Impacts would be less than significant.
- d) The creation of these four parcels would allow new lighting by creating the potential for one primary and one additional second residential unit single-family dwelling on each parcel. These impacts would not be expected to be any more than any typical residential lighting similar and typical to those existing on the surrounding parcels and thus would have a less than significant impact on nighttime views in the area.

Finding: Any future development plan would require further review against the General Plan policies and any new potential project specific impacts would be analyzed at that time. For this “Aesthetics” category, impacts would be less than significant.

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II. AGRICULTURE RESOURCES. <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 b, c) The four proposed parcels are located on Auburn silt loam (Awd) with 2 to 30 percent slopes, Auburn very rocky silt loam with 2 to 30 percent slopes (AxD), Auburn very rocky silt loam with 30 to 50 percent slopes (AxE), Boomer gravelly loam (BkD) with 3 to 30 percent slopes, Boomer very rocky loam (BkE) with 30 to 50 percent slopes and Sobrante silt loam (SuC) with 3 to 15 percent slopes. SuC soils are classified by the Agricultural Department as Unique and/or Soils of Local Importance. A small amount is shown to be located within the southern boundary of proposed Parcel 4 just over the road however, the road itself would cause 30-foot setbacks to be applied to any development structure over 30-inches tall. Also, the two wetlands shown on the *Jurisdictional Wetland Delineation* map by Parus Consulting, Inc. within that proposed parcel would also require 50-foot setbacks, and the applicant has shown that there is an area for residential development that can allow a 200-foot setback from that parcel containing that soil type to the south. Review of the General Plan land use map for the project area indicates that there are no areas designated as being within the Agricultural District (A) General Plan land use overlay designation within approximately three miles of the project. The project would result in a rezone of residential-agricultural land to Estate Residential Ten-Acre but the ten-acre sizes as well as the aforementioned facts show there would be sufficient buffering to the vacant parcels to the south and the project would not significantly intensify the impacts to agriculturally zoned land. Impacts would be less than significant.

Finding: As discussed above, for this “Agriculture” category, impacts would be less than significant.

III. AIR QUALITY. <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

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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III. AIR QUALITY. <i>Would the project:</i>			
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X
d. Expose sensitive receptors to substantial pollutant concentrations?			X
e. Create objectionable odors affecting a substantial number of people?			X

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

- Emissions of ROG and No_x 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 PM₁₀, CO, SO₂ and No_x 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) The El Dorado County/California Clean Air Act Plan has set a schedule for implementing and funding Transportation Control Measures to limit mobile source emissions. The proposed project would not conflict with or obstruct the implementation of this plan. 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 (O₃). Additionally, the County is classified as being in "non-attainment" status for particulate matter (PM₁₀) 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.

Short-term, superficial, minor grading and excavation activities that could be associated with the finish grading associated with future development permits and improvements to the existing roadway would be the only activities caused by the creation of these parcels as they could potentially have second residential units and accessory buildings, but that type of construction typically would only last a few days and intermittently at that.

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 California's air pollution. In addition to pollution generated by mobile emissions sources, additional vehicle emission pollutants are carried

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into the western slope portion of El Dorado County from the greater Sacramento metropolitan area by prevailing winds. Future grading would potentially emit minor, temporary and intermittent criteria air pollutant emissions from vehicle exhaust and would be subject to El Dorado County Air Pollution Control District standards at that time. The proposed parcels are located in an asbestos review area and District Rule 223.2 Fugitive Dust-Asbestos Hazard Mitigation would be adhered to during any future development permit. Strict adherence to County Code would reduce the impacts to a less than significant level.

- 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. It has been determined that the proposed parcel sites of sufficient distance from any sensitive receptors in the area. Impacts would be less than significant.
- e) The single-family residential uses allowed after the creation of these parcels do not, under normal circumstances, create any excessive objectionable odors. There would be no impact.

Finding: A significant air quality impact is defined as any violation of an ambient air quality standard, any substantial contribution to an existing or projected air quality violation, or any exposure of sensitive receptors to substantial pollutant concentrations. For this "Air Quality" category, impacts would be less than significant.

IV. BIOLOGICAL RESOURCES. <i>Would the project:</i>				
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?			X	
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?		X		
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?		X		
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?			X	
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X		
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?			X	

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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) A botanical site assessment done by botanist Annie Walker, dated October 28, 2005 that included the results of a survey of the parcel for the special status and locally significant plants and suitable habitat for the same. A follow-up field study was done on April 26, 2007 to encompass the blooming period of the special-status plants with a potential to occur on the site. The survey was done in accordance with the California Native Plant Society Botanical Survey Guidelines. No special-status species were found on the site. The creation of these parcels would not be presumed to significantly change the existing predominant open field habitat, nor the support for any of the special-status species of plants and wildlife known in the region as the wetlands require setbacks from development and assuming similar residential development currently happening on the surrounding parcels would occur. The parcel has been historically used for grazing for many years. Further, the parcels do not fall within designated critical habitat or core areas for the Red-legged and Yellow-legged frog species. (El Dorado County Planning Services, El Dorado County General Plan Draft EIR (SCH #2001082030) May 2003, Exhibits 5.12-14, 5.12-5 and 5.12-7). Impacts would be less than significant.
- b, c) The project is not located within a sensitive natural community of the County, state or federal agency, including but not limited to an Ecological Preserve or USFWS Recovery Plan boundaries.

Potential Jurisdictional Waters of the U.S. The site supports potentially jurisdictional waters of the U.S. These areas are likely regulated by the U.S. Army Corps of Engineers (Corps) and the El Dorado County General Plan. As stated in Policy 7.3.3.4 of the General Plan, El Dorado County requires a 100-foot setback from all perennial streams, rivers, and lakes and a 50-foot setback from all intermittent streams and wetlands (El Dorado County 2004). The unnamed intermittent stream that originates in Auburn Lake Trails to the north and transverses the northeast corner of the parcel, draining south to parcel at the western boundary draining south to Penobscot Creek, is mapped as an intermittent stream. The entire drainage length is characterized by blue oak – foothill pine woodland habitat of varying density. Implementing a 50-foot buffer from the drainage and proposed development is expected to protect riparian habitat values and quality of the drainage in the open space corridor.

The applicants submitted a *Jurisdictional Wetland Delineation* map by Parus Consulting, Inc. dated December 30, 2005. The map shows a total of 4.84 acres of Waters of the U.S. The proposed parcels were shown by the project engineer to have development areas that could potentially avoid impacting the wetland areas however; those areas were not proposed to be dedicated with recorded building envelopes. A 12-foot driveway would serve proposed Parcel 2 and there is an existing roadbed with an existing culvert for the unnamed intermittent creek to pass which would require resurfacing. The required adherence to Best Management Practices by the grading permit requirements would cover potential erosion issues during the grading permit process that would be required when that future parcel owner decided to develop the parcel. However, in order to assure that wetland impacts are mitigated to a level that is less than significant, the following mitigation measures are recommended in order to bring potential impacts to wetland features to a less than significant level for all potential infrastructure improvements that would occur prior to filing the Parcel Map:

1. *Prior to disturbance of any waters of the United States including any wetland features, the wetland delineation study for the project site shall be submitted to the Corps for their verification and approval. If fill of any potential waters of the U.S are anticipated, the appropriate Corps 404 permit must be obtained*

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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prior to the fill activity occurring. The appropriate terms of mitigation including the wetland acreage to be mitigated for would be defined in the issued Corps permit. Any waters of the U.S. that would be lost or disturbed should be replaced or rehabilitated at a “no-net-loss” basis in accordance with the Corps’ mitigation guidelines. Habitat restoration, rehabilitation, and/or replacement should be at a location and by methods agreeable to the Corps. A total of 4.84 acres of seasonal wetlands were mapped in the combined study area and infrastructure corridors. Wetland mitigation for this project shall be required. Mitigation may include the purchase of mitigation credits from an approved wetland mitigation bank at an appropriate ratio for each acre of wetland /waters proposed to be impacted as determined by the Corps of Engineers. [MM Bio 1].

Monitoring: *The applicant shall provide a copy of the 404 permit, if required, to Planning Services prior to issuance of the grading permit. If no permits are required by the Corps, a letter from the Corps shall be provided to Planning Services stating that no permit shall be required for this project.*

2. *A 50-foot setback line shall be recorded on the parcel map that begins at all high-water marks or the outer boundary of any adjacent wetlands along the unnamed tributary that transverses the northeast corner and is shown on the Greenwood U.S.G.S Quadrangle and as determined by the Corps of Engineer's verified wetland delineation of waters of the United States. No development shall occur within the setback area. The identification shall be made on the parcel map, Site Plan Review, grading and building plans where applicable. [MM Bio 2].*

Monitoring: *Prior to filing of parcel map, Site Plan Review (SPR), grading and/or building plan approval, Planning Services shall verify that the identification has been made on the Parcel Map, Site Plan Review, grading and building plans where applicable.*

3. *A Streambed Alteration Agreement shall be obtained from CDFG, if applicable, pursuant to Section 1602 of the California Fish and Game Code, for each stream crossing and any other activities affecting the bed, bank, or associated riparian vegetation of any stream on the site. Appropriate mitigation measures would be developed in coordination with CDFG in the context of the 1602 agreement process. Authorization prior to placement of any fill is required from the Corps of Engineers if any impacts are proposed to jurisdictional riparian habitat. This authorization may require mitigation as deemed necessary by the Corps of Engineers. [MM Bio 3].*

Monitoring: *The applicant shall provide a copy of the 1602 permit to Planning Services prior to issuance of the grading permit.*

In addition to the mitigations, the County requires that pre- and post construction Best Management Practices (BMPs) be implemented into the design of grading and improvement plans to reduce or eliminate run-off. Such BMPs would be required to meet the County’s Storm Water Mitigation Plan (SWMP), the state’s Storm Water Pollution and Prevention Program (SWPPP) criteria, and the National Pollutant Discharge Elimination Systems (NPDES) standards. As conditioned, mitigated and with strict adherence to applicable County Code, impacts in this category would be reduced below a level of 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 deer herd. Based on that fact, the proposed project would have a less than significant impact on deer migration patterns.

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- e) The subject parcel is within the blue oak – foothill pine habitat types. (El Dorado County General Plan EIR, 5.12-7, May 2003). Policy 7.4.4.4 establishes the native oak tree canopy retention and replacement standards and requires that 85 percent of the existing oak tree canopy coverage for the 46.23-acre project area be retained as a result findings of the Tree Canopy Exhibit map, revised April 20, 2007 which reported a 29 percent oak canopy coverage or 13.27 acres. The report estimated that approximately 0.61 acre of oak canopy would potentially be removed as part of this project proposal which is 4.6 percent of the canopy and thus would meet the General Plan retention standards.

The parcel has been historically used for grazing the majority of continual tree-canopied areas are located in the eastern and western portions of the parcel. The grading to improve the existing roadbed to meet County 101C and fire code standards would not be expected to have a significant impact on the existing oak trees since the roadbed and drainage ditches for the main access road have existed within the current location for many years and would require minor expansion and resurfacing. Driveways are graded with the future building permits and would be subject to a grading permit review. By County Code, a road requiring road standards serves more than two parcels. That means that it would be a driveway that would serve proposed Parcel 2 and there is an existing roadbed that would not require major expansion and removal of trees within that roadbed. The required adherence to Best Management Practices by the grading permit requirements would cover potential erosion issues.

The applicants have the choice to use Options A or B at a one to one ratio to mitigate the impacts of the tree canopy removed. With the adoption of the recommended Mitigation Measure No. 5 in the Conditions of Approval, the project would be compliant with Policy 7.4.4.4. As conditioned, mitigated and with strict adherence to applicable County Code, impacts would be reduced to less than significant.

- f) The project would not conflict with the provisions of any adopted or approved habitat conservation plan. There would be no impact.

Finding: As discussed above, as conditioned, mitigated and with strict adherence to applicable County Code, the impacts to biological resources would be reduced to a less than significant level.

V. CULTURAL RESOURCES. <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:

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- 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, b) An *Amended Cultural Resources Study and Limited Archeological Testing of the Marcyan Four – Way Split Project* was done on APN 037-020-43, (Historic Resource Associates, Dana Supernowitz, January 2007) which reported there were five cultural prehistoric properties identified. Of the five, only the one identified by CA – Eld - 449 appeared to possess important scientific data related to lithic procurement, quarrying and reduction, under criteria of the California Register of Historical Resources (CRHR).

The cultural resources report recommended that the area identified by CA – ELD – 449 should be protected from any future development in order to reduce the effects to an insignificant level.

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

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 CA – ELD - 449 in the Amended Cultural Resources Study and Limited Archeological Testing of the Marcyan Four – Way Split Project on APN 037-020-43, (Historic Resource Associates, Dana Supernowitz, January 2007) shall be preserved by the following methods:*

- 1) *Prior to initiation of any grading or other work on the project area, the area shown as CA – ELD - 449 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 development 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 CA – ELD - 449 in the Amended Cultural Resources Study and Limited Archeological Testing of the Marcyan Four – Way Split Project on APN 037-020-43, (Historic Resource Associates, Dana Supernowitz, January 2007).*

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 filing of the parcel map.*

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3) *A permanent fence shall be installed to protect the site identified as CA – ELD - 449 in the Amended Cultural Resources Study and Limited Archeological Testing of the Marcyan Four – Way Split Project on APN 037-020-43, (Historic Resource Associates, Dana Supernowitz, January 2007).*

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 is accurately located and the fence is installed prior to filing the parcel map.*

c, d) 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 conditions to address any potential future discovery and the numbers reflect the related Condition of Approval number within Attachment I of the Staff Report:

11. *During all grading and construction activities in the project area on the proposed parcels, an archaeologist or Historian approved by the Development Services Director shall be on-call. In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the project proponent and/or future parcel owner shall ensure that all such activities cease within 50 feet of the discovery until the on-call archaeologist can examine the find in place and determine its significance. If the find is determined to be significant and authenticated, the archaeologist shall determine the proper method(s) for handling the resource or item. Grading and construction activities may resume after appropriate measures are taken or the site is determined not to be of significance*

12. *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: As conditioned and mitigated based upon the cultural resource study prepared for the site, it is determined that for this “Cultural Resources” category, impacts would be less than significant.

VI. GEOLOGY AND SOILS. <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	

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VI. GEOLOGY AND SOILS. <i>Would the project:</i>				
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 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 Earthquake Fault Zones subject to the Alquist-Priolo Earthquake Fault Zoning Act (formerly Special Studies Zone Act) in El Dorado County. No other active or potentially active faults have been mapped at or adjacent to the project site where near-field effects could occur. There would be no impact related to fault rupture. There are no known faults on the project site; however, the project site is located in a region of the Sierra Nevada foothills where numerous faults have been mapped. All other faults in the County, including those closest to the project site are considered inactive. (California Department of Conservation, California Geological Survey, Mineral Land Classification of El Dorado County, California, CGS Open-File Report 2000-03, 2001). Impacts would be less than significant.

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- b, c). **Soil Erosion and loss of topsoil:** 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 any future site grading and construction of foundations and other site improvements, there is potential for erosion, changes in topography, and unstable soil conditions and that is addressed by grading permits. Impacts would be less than significant.
- d) **Expansive soils** are those that greatly increase in volume when they absorb water and shrink when they dry out. The central half of the County has a moderate expansiveness rating while the eastern and western portions are rated low. These boundaries are very similar to those indicating erosion potential. When buildings are placed on expansive soils, foundations may rise each wet season and fall each dry season. This movement may result in cracking foundations, distortion of structures, and warping of doors and windows. Pursuant to the U.S.D.A. Soil Report for El Dorado County, the site is located on Auburn silt loam (Awd) with 2 to 30 percent slopes, Auburn very rocky silt loam with 2 to 30 percent slopes (AxD), Auburn very rocky silt loam with 30 to 50 percent slopes (AxE), Boomer gravelly loam (BkD) with 3 to 30 percent slopes, Boomer very rocky loam (BkE) with 30 to 50 percent slopes and Sobrante silt loam (SuC) with 3 to 15 percent slopes all of which have low to moderate shrink swell capacity. Table 18-1-B of the Uniform Building Code establishes a numerical expansion index for soil types ranging from very low to very high. Impacts would be less than significant.
- e) Environmental Management staff reviewed the septic capability report done by Patterson Development dated September 26, 2008 that was provided for this project and found the soils to be adequate to accommodate septic disposal. The existing single-family dwelling on proposed parcel 3 has an approved septic system. There would be a less than significant impact.

Finding: No significant geophysical impacts would occur from the parcel map request either directly or indirectly. For this "Geology and Soils" category, the thresholds of significance have not been exceeded.

VII. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i>				
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			X

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VII. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i>			
project area?			
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;
 - 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, b) **Hazardous Substances:** The project being considered is for a parcel map to create four new parcels which does not directly involve introducing a scenario that would introduce the routine use, transport, storage, or disposal of hazardous materials in such quantities that would create a hazard to people or the environment. Impacts would be less than significant.
- c) **Hazardous Emissions:** The proposed applications would not directly allow any operations that would use acutely hazardous materials or generate hazardous air emissions. Any future development proposal would be evaluated through the grading and/or building permit processes for those impacts at that time. There would be no direct impact.
- d) **Hazardous Materials Sites:** The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. (California Department of Toxic Substances Control, Hazardous Waste and Substances Site List (Cortese List), http://www.dtsc.ca.gov/database/Calsites/Cortese_List). No activities that could have resulted in a release of hazardous materials to soil or groundwater at the subject site are known to have occurred. There would be no direct impact with the approval of this project request.
- e) **Public Airport Hazards:** The project site is not within any airport safety zone or airport land use plan area. There would be no impact.
- f) **Private Airstrip Hazards:** There are no private airstrips in the vicinity of the project site. There would be no impact.

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- g) **Emergency Response Plan:** The proposed project will not physically interfere with the implementation of the County adopted emergency response and/or evacuation plan for the project area.
- h) **Fire Hazards.** The project site is in an area of very high 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 required by the El Dorado County Fire Protection District, implementation of the required Fire Safe plan approved by the District and Cal Fire and with compliance with California Building Codes, would reduce the impact of wildland fire on the project site to less than significant. As conditioned in the Staff Report and with strict compliance with County Code, the impacts would be less than significant.

Finding: No Hazards or Hazardous conditions would occur with the subject application requests and no mitigation is required. For this “Hazards” category, the thresholds of significance have not been exceeded.

VIII. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i>				
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	

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VIII. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i>			
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;
 - 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) **Water Quality Standards:** Wastewater is currently handled for the existing dwellings with two approved septic systems. Stormwater runoff from potential future development is required to be directed to an engineered drainage system and to contain water quality protection features in accordance with an NPDES stormwater permit if it is deemed applicable. These requirements would be further analyzed and then conditioned specific to the future development proposal. There would be no direct impact as the existing drainage patterns would not be significantly changed.
- b) **Groundwater:** Potable water is to be supplied by private wells. 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. The El Dorado County Environmental Health Division has reviewed the current application requests had no specific concerns specifically about the affect of the project on the groundwater. Impacts would be less than significant.
- c) **Erosion Control Plan:** The purpose of the erosion control program is to limit stormwater runoff and discharge from a site. The Regional Water Quality Control Board has established specific water quality objectives, and any project not meeting those objectives is required to apply for a Waste Discharge Permit. Compliance with an approved erosion control plan would reduce erosion and siltation on and off site. A grading permit through either Building Services or El Dorado County Department of Transportation would be required for any future development to address grading, erosion and sediment control. The potential permit required for the road improvements would be reviewed as well for compliance. Impacts would be less than significant.
- d) **Existing Drainage Pattern:** The proposed project encompasses 46.23 acres. The rate of surface runoff from development would be minimized through the application review process; there would be a less than significant impact from the current proposal's minor road improvements and future impervious surfaces created with development on the new parcels. Caltrans and Dot would review final drainage reports for compliance prior to issuance of a grading permit. Impacts would be less than significant.

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- e) **Stormwater Runoff.** There would insignificant impacts from stormwater runoff directly caused by the approval of this application request and minor road improvements. Impacts would be less than significant.
- f) **Water Quality.** Wastewater and stormwater runoff from any future potential development would be analyzed further to assure water quality protection standards have been established. The parcel map request would not involve major physical changes to the environment. Impacts would be less than significant impact.
- g, h) **Flooding.** No portion of the project is within the limits of the floodplain, as identified on the Flood Insurance Rate map 060040-0200 B, 10/18/83 which states the parcel is located within Flood Zone C. No flooding impacts as stated in g and h above would be anticipated.
- i) There is an existing culvert that the intermittent stream that passes through the northeast corner of the project parcel flows through that is reported to have provided adequate flow for many years, except in the instances when it gets clogged by debris, as is the case with all culverts. Regular maintenance expected for all culvert success typically solves that issue. During the grading permit review for a future driveway, the culvert would be re-evaluated for impacts of a grading action and the implementation of Best Management practices would be enforced to assure the culvert remains working adequately. Impacts would be less than significant.
- j) **Inundation.** 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 because the project site is not located within the vicinity of a water body. 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. There would be no potential impact from mudflow because the project site is not located within the vicinity of a large dammed lake or other major water body. The seasonal, earthen dammed, catch basin/ponding area on proposed Parcel 4 would not be anticipated to hold back enough water and let go during a failure, of any massive volume of mudflow that would be significant enough to cause significant damage downhill. Impacts would be less than significant.

Finding: Any future development plans submitted for a building and/or grading permit would be analyzed to address erosion and sediment control. As conditioned and with strict compliance to County Code, no significant hydrological impacts would be anticipated to occur with the project. For this "Hydrology" category, impacts would be less than significant.

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

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;

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- 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) **Established Community:** The four new parcel creations would not conflict with the General Plan intended development pattern expected in a Rural Residential (RR) land use designated area and would be compatible with the existing development pattern to the north and east. The proposal would not physically divide an established community as they would fit into the dominant pattern of parcel development for the area and that expected within a Rural Region. There would be no impact.
- b) **Land Use Plan:** The General Plan designates the subject site as Rural Residential/IBC. This land use designation identifies those areas suitable for single-family residential development at densities of one dwelling unit per 10 to 160 acres. The creation of the four parcels would be compatible and appropriate within the RR designated area. The rezone would not directly impede the intentions of this policy in a significant manner, because the rezone and parcel map approvals would allow parcels ten-acres in size and larger which permits the potential for large areas to be left as they exist today and all the riparian areas, which contain the majority of the tree cover, will be protected by development by the General Plan required 50-foot development setback. Significant disturbances not typical of the existing surrounding residentially developed parcels would not be expected. The ten-acre parcels would provide an adequate buffer for residential agriculturally zoned lands from the MDR designated areas to the north in Auburn Lake Trails subdivision. This is discussed in more detail above in section II, Agricultural Resources. Impacts would be less than significant.
- c) **Habitat Conservation Plan:** The proposed project is not located in an area covered by a Habitat Conservation Plan (HCP) or a Natural Community Conservation Plan (NCCP). There would be no impact.

Finding: The proposed parcel map would be consistent with the General Plan intent for RR/IBC designated areas as well as be consistent with the existing dominant neighborhood parcel development pattern. There would be no significant impact from the project due to a conflict with the General Plan. No significant impacts would occur. For this “Land Use” category, impacts would be less than significant.

X. MINERAL RESOURCES. <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?			
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?			

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.

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a, b) **Mineral Resources.** The project site is not in an area where mineral resources classified as MRZ-2a or MRZ-2b by the State Geologist are present, (California Department of Conservation, California Geological Survey, Mineral Land Classification of El Dorado County, California, CGS Open-File Report 2000-03, 2001), and the project site has not been delineated in the General Plan or in a specific plan as a locally important mineral resource recovery site. (El Dorado County Planning Department, El Dorado County General Plan Draft EIR (SCH #2001082030), May 2003, Exhibits 5.9-6 and 5.9-7). The Placerite Quarry is an active mine on a parcel to the west approximately 1500 feet to the northwest of the project site however, there would be no impact from the subject proposal.

Finding: No impacts to energy and mineral resources would occur and no mitigation is required. For this “Mineral Resources” category, impacts would be less than significant.

XI. NOISE. <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 ground borne vibration or ground borne 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 residential use that would result from an approval of this application request is listed under Table 6-1 of the General Plan as being a use subject to maximum allowable noise exposures from transportation source. Table 5.10-3 of the Draft Environmental Impact Report, May 2003, the portion of State Route 193 from State Route 49 in Cool to Greenwood in Greenwood, in order to reduce the outdoor exposure to noise levels that would meet those levels defined in Table 6.1, a 273-foot, non-building setback would be required measured from the centerline of the near-travel lane. Pursuant to the

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submitted tentative parcel map, this equates to a 225-foot setback from the western parcel boundary along the whole length of State Route 193. Therefore, the following mitigation measure would be recommended. With the adoption of the mitigation measure, impacts would be less than significant.

1. A 225-foot non-building setback from the western parcel boundary along the full length of where it adjoins State Route 193 shall be shown on the final map. **[MM Noise-1]**.

Monitoring: El Dorado County Planning Services Division will be responsible for assuring that the 225-foot non-building setback is shown on the final map prior to approval. The final map shall have a note explaining that the setback line is for the purpose of protecting the residents from traffic noise and for aesthetic reasons for views from State Route 193, pursuant to the adopted Mitigated Negative Declaration.

- b, c, d) Short-term noise impacts would be associated with excavation, grading, and construction activities in the parcel vicinity. 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. Noises associated with residential uses are not anticipated to increase ambient noise levels. The creation of the parcels would require road improvements which would have a less than significant impact.
- e) General Plan Policy 6.5.2.1 requires that all projects, including single-family residential development, 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. Georgetown Airport is approximately 2.2 miles away as the crow flies. 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: For the 'Noise' category, as mitigated and with strict compliance with County Code, impacts would be less than significant.

XII. POPULATION AND HOUSING. Would the project:				
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

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- 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. The development area on the project site is designated on the 2004 General Plan Land Use Map for Rural Residential development. The impacts would be less than significant.
- b, c) The proposed parcel split would not displace people or existing housing, which would prevent the construction of replacement housing elsewhere. There would be no impact.

Finding: The project would not displace housing. There is no potential for a significant impact due to substantial growth with the creation of these four parcels either directly or indirectly. For this “Population and Housing” category, impacts would be less than significant

XIII. PUBLIC SERVICES. <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) **Fire Protection:** The El Dorado County 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

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requirements as a result of the proposed parcel map. The El Dorado County Fire Protection District has a satellite station adjoining the subject parcel. The impacts would be less than significant.

- b) **Police Protection:** The project site would be served by the El Dorado County Sheriff's Department with a response time of 8 minutes to 80 percent of the population located in the Community Regions. For the rural areas, there is no standard minimum level of service or response time. Currently, the County has 0.89 sworn officers per 1,000 daytime populations. The project proposal would not significantly impact current 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 would not directly generate the need for additional school facilities and would not impact school enrollment in a significant way. 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 the Georgetown Divide Recreation District prior to filing the parcel map. The impacts would be less than significant.
- e) **Other Facilities:** No other public facilities or services would be directly substantially impacted by the project. Any future potential impacts would be further analyzed in the in any future development application process. 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.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- a) By creating four lots where one currently exists, no significant increase or effects in the use of area wide neighborhood or regional parks would be experienced by approving this project. There is no potential for a substantial physical deterioration of neighboring or regional recreational facilities. Impacts would be less than significant.
- b) The project does not propose any on-site recreation facilities and is not required to construct any new facilities or expand any existing recreation facilities with the scope of this project. In lieu fees for the acquisition of parklands would be assessed during the process of filing the Parcel Map. Impacts would be less than significant.

Finding: No significant impacts to recreation and open space resources would occur with the parcel map application. For this "Recreation" category, impacts would be less than significant.

XV. TRANSPORTATION/TRAFFIC. <i>Would the project:</i>			
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) Access to the site is by way of an existing unnamed road from State Route 193 for three of the proposed parcels and a separate driveway ingress/egress encroachment for the fourth parcel. Comments were received from the El Dorado County Department of Transportation (DOT) indicating that the level of service (LOS) would not be significantly impacted by the proposed parcels which have an ultimate estimated traffic generation of ten Average Daily Trips (ADT)

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per parcel for a total of 40 ADT which does not worsen traffic pursuant to the General Plan definition of worsen. The impacts would be less than significant.

- b) Approval of the tentative subdivision map would accommodate the allowed density. As conditioned by the El Dorado County Department of Transportation and Caltrans for road improvements, the proposed density would not have a significant traffic and/or circulation impact to Shoemaker Road, or the surrounding road circulation system. Impacts would be less than significant.
- c) The project would not result in a major change in established air traffic patterns for publicly or privately operated airports or landing field in the project vicinity. There would be no impact.
- d) The parcels are accessed by two existing encroachments onto State Route 193. The westernmost encroachment leads to an unnamed 50-foot road and public utility easement that three other parcels have legal right to use as an access. That encroachment onto 193 would be required to be relocated 200 feet to the east, as shown on Exhibit F in the Staff Report, pursuant to the direction of Caltrans staff to allow proper line-of-sight safety and would be required to be 24-feet wide measured at the end of the returns. The existing westernmost encroachment located at approximately PM (post mile) 4.8 would be abandoned by removing the asphalt concrete and building a berm or fence across the access at the right of way line.

To the east, within proposed Parcel 2, is another existing encroachment on State Route 193 to be used as a driveway access for Proposed Parcel 2. The width of that existing easternmost encroachment, which is located at approximately PM 5.2, would be 12-feet wide measured at the end of the returns. The applicant has met with Caltrans in February 2008 onsite to discuss the legality of two existing encroachments and their access locations and the sight distance issues. Caltrans determined both are legal accesses but both need to be upgraded through the encroachment permit process, before the applicant can file the Parcel Map. Caltrans would ultimately have jurisdiction over where the encroachment would be located and the encroachment and drainage improvement requirements would be required to be approved and finalized prior to the applicant being able to file the parcel map. The project has been conditioned to comply with El Dorado County Department of Transportation and Caltrans requirements. Based on those required improvements, impacts would be less than significant.

- e) The project would not result in inadequate emergency access to any potential residential structure. Any future residential project would be reviewed by El Dorado County Department of Transportation and Georgetown Fire Protection District staff to ensure that adequate access onto Shoemaker Road is provided from the currently unnamed proposed interior road to meet County Fire Safe and/or Department of Transportation standards. Impacts would be less than significant.
- f) Future development would be required to meet on-site parking identified by use and the Zoning Ordinance. Section 17.18.060 regulates the parking provisions and all on-site uses would include, and identify required parking. Future requests for building permits would be reviewed for conformance with parking during the review process. There would be no impact.
- g) The proposed project would not conflict with the adopted General Plan policies, and adopted plans, or programs supporting alternative transportation. There would be no impact.

Finding: For the ‘Transportation/Traffic’ category, approving the eight-lot tentative subdivision map would have a less than significant impact within this category.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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XVI. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i>			
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.
- 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.

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- 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 subject parcel is within the service area boundary of the Georgetown Divide Public Utility District (GDPUD). There is an existing seasonal irrigation water account with GDPUD and the current parcel owner and the existing single-family dwelling on proposed Parcel 3 has an existing well with a recently supplied well production report which was reviewed by Environmental Health staff and found to be adequate. Prior to filing the parcel map, each parcel is conditioned to have a safe and reliable well provided for that meets the criteria of Environmental Management Policy 800-02. The project would be conditioned to ensure adequate water pressure for fire control with the final review and approval by the El Dorado County Fire Protection District and the approved Fire Safe plan required prior to filing the parcel map. As conditioned, 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. 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. On-site solid waste collection for the proposed lots would be handled through the local waste management contractor. Adequate space would be available at the site for solid waste collection. There would be no impact.

Finding: As conditioned, impacts within the ‘Utilities and Service Systems’ category would remain at a less than significant level based on this tentative parcel map. Impacts would be less than significant.

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XVII. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:				
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 this project 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 filing the Parcel Map and/or any required project specific improvements on or off the property.
- b) Cumulative impacts are defined in Section 15355 of the California Environmental Quality Act (CEQA) Guidelines as “two or more individual effects, which when considered together, would be considerable or which would compound or increase other environmental impacts.” Based on the analysis in this study, it has been determined that the project would have a less than significant impact based on the issue of cumulative impacts.
- c) As outlined and discussed in this document, as mitigated, conditioned and with strict compliance with County Codes, this project proposes would have a less than significant chance of having project-related environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly. Impacts would be less than significant.

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SUPPORTING INFORMATION SOURCE LIST

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

El Dorado County General Plan Draft Environmental Impact Report
 Volume 1 of 3 – EIR Text, Chapter 1 through Section 5.6
 Volume 2 of 3 – EIR Text, Section 5.7 through Chapter 9
 Appendix A
 Volume 3 of 3 – Technical Appendices B through H

El Dorado County General Plan – A Plan for Managed Growth and Open Roads; A Plan for Quality Neighborhoods and Traffic Relief (Adopted July 19, 2004)

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.)

Amended Cultural Resources Study and Limited Archeological Testing of the Marcyan Four – Way Split Project

Jurisdictional Wetland Delineation map dated December 30, 2005 by Parus Consulting, Inc.

Tree Canopy Exhibit map, revised April 20, 2007

Botanical Site Assessment done by botanist Annie Walker, dated October 28, 2005 and follow-up field study was done on April 26, 2007.