

**EL DORADO COUNTY DEVELOPMENT SERVICES
STAFF REPORT**

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| Agenda of: | November 1, 2006 |
| Item No.: | 5.a. |
| Staff: | Tom Dougherty |

PARCEL MAP CORRECTION

FILE NUMBER: P74-0247C

OWNER/APPLICANT: Lending Hand Real Estate/Steve Thigpen

AGENT: Robert Laurie

REQUEST: Request to amend recorded Parcel Map 8-129 to abandon a 50-foot wide section of the five-foot wide non-vehicular access easement and permit access to the three (3) parcels from State Route 49.

LOCATION: On the west side of State Route 49 approximately four miles south of the intersection with Mother Lode Drive in the El Dorado area.. (Exhibit A)

APN: 092-430-12, 092-430-13 and 092-430-14

ACREAGE: 19.30 acres

GENERAL PLAN: Rural Residential (RR) (Exhibit C)

ZONING: Estate Residential Five-acre (RE-5) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Negative Declaration

SUMMARY RECOMMENDATION: Conditional Approval

BACKGROUND: The three parcels subject of this application were created by Parcel Map 8-129, recorded September 12, 1975, which was created by the approval of Tentative Parcel Map P78-0030. This map created four (4) parcels, Parcel A is 5.003 acres, Parcels B and C are five (5) acres each, and Parcel D is 9.303 acres in size. Parcel A is the northernmost parcel and is under separate ownership and not included in this permit request. All four (4) parcels are included in a County imposed five-foot wide non-vehicular access easement along the eastern parcel boundaries running parallel to State Route 49 that was included on PM 8-129. There is also a 50-foot wide road and public utility easement entering from the north into Parcel A and dead-ending into Parcel D which became an extension of Sodalite Street.

Related Permits in Progress: Grading permit 167538 was issued September 22, 2005 for the construction of the access road and driveways to the pads when it was discovered that a portion of the five-foot wide non-vehicular access easement would need to be abandoned prior to final approval. Code Compliance Case 174663 was issued June 28, 2006 to look into a complaint that excessive amounts of trees were being removed. The agent for the applicant and staff determined that it was Pacific Gas and Electric Company that was cutting down the trees within their public utility easement in order to extend service. No trees were removed in connection with the grading permit, and Planning Services staff noted on the approval that no change shall occur in canopy. Whether the County would have been involved in this subject application or not, Pacific Gas & Electric could have removed the trees within their easement on Sodalite Street without noticing the County and they do it all the time. Presently there is no requirement for environmental analysis for the removal of trees within a public utility easement.

STAFF ANALYSIS

Project Description: The request for a map correction is for the purpose of removing a 50-foot wide section of the five-foot wide non-vehicular access easement that is located in the southeast corner of Parcel C. The removal of the County imposed non-vehicular access easement would allow direct access from State Route 49 to Parcels B, C and D. An eighteen-foot wide, approximately 1,130 foot long access road would then provide access to the three (3) parcels, which would then be maintained through a recorded maintenance agreement.

Amending of Final Maps: *Chapter 16.72* of the *El Dorado County Code* and *Section 66472.1* of the *Subdivision Map Act* allows the amending of final maps by either the filing a certificate of correction or amending the map. Should the County determine that the amendment be approved, a certificate of correction is recommended to affect the removal of the road and public utility easement.

Section 16.72.040 of the *County Code* requires the decision makers make all of the following findings:

- A. That there are changes in circumstances which make any and all of the conditions of such a map no longer appropriate or necessary.
- B. That the modifications proposed do not impose any additional burden on the present fee owner of the property.

- C. That the modifications proposed do not alter any right, title or interest in the real property reflected in the recorded map.
- D. That the map as modified conforms to the provisions of *Section 66474* of the *Government Code*.

Finding A: The County imposed five-foot wide non-vehicular access easement was approved as part of the final approval of Tentative Parcel Map P78-0030. That approval also required a 50-foot wide road and public utility easement to provide access to parcels A through D on Sodalite Street. That access is the current legal access to be used by all four (4) of those parcels but it is approximately 2,600 feet to Crystal Boulevard to the north and then approximately 4,100 feet from that intersection to State Route 49. That adds up to approximately 6,700 feet of dead end road. In light of the current emphasis on State Fire Safe Regulations that seek to limit long dead end roads, and the fact Caltrans has already issued an encroachment permit for State Route 49 access, staff concludes that retaining the five-foot wide non-vehicular access easement within the 50-foot wide area subject of this map correction is no longer necessary or in the best interest of public safety.

Finding B: Finding B can be made since the removal of the non-vehicular access easement being requested would benefit, and not burden, the current owner because their ease of access and ability to exit in emergencies is improved.

Finding C: Finding C can be made since the existing fifty-foot road and public utility easement created by Parcel Map 8-129 will remain and the introduction of the access road from State Route 49 and abandonment of a 50-foot wide section of the five-foot wide non-vehicular access easement will not alter any right, title or interest in the real property reflected in the recorded map.

Finding D: The applicable portion of Section 66474(g) requires that the County find the removal of a 50-foot wide section of the five-foot wide non-vehicular access easement will not conflict with easements for access through or use of, property within the parcel map. No utility company or parcel owner party to the subject easement, nor any public agency solicited for comments, objected to the abandonment and removal of the 50-foot wide section of the five-foot wide non-vehicular access easement subject of this permit request.

Site Description: The 19.303-acre site of the three subject parcels is currently split by a dirt access road (Sodalite Street) that runs north to south through the parcels and dead ends into Parcel D. The newly created gravel road from State Route 49 to each of the three (3) parcels winds up the parcels from east to west and leads to driveways to existing dirt building pads on each parcel. The parcels all are comprised of approximately 20 to 30 percent slopes that have a downward trend from west to east. The existing trees include interior live oaks (*Quercus wislizenii*), and blue oaks (*Quercus douglasii*).

Adjacent Land Uses:

| | Zoning | General Plan | Land Use/Improvements |
|--------------|---------------|---------------------|------------------------------|
| Site | RE-5 | RR | All three parcels are vacant |
| North | RE-5 | LDR | Single-family residence |
| South | RE-5 | RR | Single-family residence |
| East | RE-5 | RR | Single-family residence |
| West | RE-5 | MDR | Single-family residence |

Discussion: This is a residential neighborhood with no formal agricultural or commercial uses in the vicinity.

General Plan: The project area is designated on the General Plan land use map as Rural Residential (RR). This designation is suitable for single-family residences. Tentative Parcel Map 74-0247 was approved in 1975 and had the 1969 General Plan designation of Rural Estates-Agriculture which allowed one dwelling unit for 5-20 acres. The four (4) parcels are thus considered legal non-conforming in relation to the current General Plan land use designation.

Policy 6.2.3.2 requires that new development demonstrate that adequate access exists, or can be provided to ensure that emergency vehicles can access the site and private vehicles can evacuate the area. Diamond Springs/El Dorado Fire Protection District has met with the applicant, agent and project engineer and determined that the access roadway issues have been resolved, and the roadway will be in compliance with the requirements set forth in SRA Fire Safe Regulations. Caltrans approved encroachment permit number 0305-6RS0506 on January 20, 2006 and will not final that permit without full compliance to their requirements.

Conclusion: The project has been reviewed in accordance with the El Dorado County 2004 General Plan policies. It has been determined that the project is consistent with the General Plan and thus also *Section 65402* of the *California Government Code*. Caltrans analyzed the safety issues related to the new access onto SR 49 and has issued an encroachment permit for the access from the three parcels. Their staff has been in contact with Planning staff throughout this process. They had established that it was the County that originally imposed the non-vehicular access, not them. There were no concerns expressed from any other public agency nor any party to the subject easement about the abandonment and removal of the 50-foot wide portion of the five-foot wide non-vehicular access easement, and emergency access could be improved because of it.

Zoning: The project site is zoned Estate Residential Five-acre (RE-5). No new conflicts with setbacks or easements relative to structures under construction, or any other development standards or requirements of the Zoning Code will be created by the elimination of the 50-foot wide portion of the five-foot wide non-vehicular access easement as proposed by this project.

Agency and Public Comments: All agencies that commented on the proposed project are listed below. Copies of their written comments are available at the Planning Services office. If an agencies comment was no comment or not applicable, no further discussion of the agencies comment is presented.

El Dorado County, Office of the County Surveyor: Requested the property owners submit a “Certificate of Correction” to their office that, upon approval, would be recorded in the El Dorado County Recorder’s Office.

El Dorado County Department of Transportation: The Department reviewed the project and will require a grading permit that will review the requested road improvements. Conditions have been incorporated into this project.

California Transportation Department (CalTrans): Caltrans reviewed the project and will require confirmation from Department of Transportation about approval of the grade, limiting encroachment rights to the three subject parcels, and that the pavement extend 50 feet into the parcel. Conditions have been incorporated into this project.

Diamond Springs/El Dorado Fire Protection District: The District reviewed the project and will require proper signage and that a Knox lock be placed on the Sodalite Street access easement. Conditions have been incorporated into this project.

These agencies had no specific concerns regarding the proposed special use permit:

El Dorado County Environmental Management, Environmental Health Division
El Dorado County Environmental Management, Hazardous Materials Division
El Dorado County Air Quality Management District
Pacific Gas and Electric
SBC Communications

New issues may arise as a result of the public notice of the hearing which will be discussed at that time. At the time of the preparation of this report, staff had not received any comments from the public.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Environmental Checklist with Discussion, Exhibit H) to determine if the project has a significant effect on the environment. Based on the Initial Study, staff finds that the project could not have a significant effect on biological and cultural resources. Therefore, a negative declaration has been prepared.

This project is found to be de minimis (having no effect on fish and game resources). Pursuant to Resolution No. 240-93, a \$35.00 processing fee is required by the County Recorder to file the Notice of Determination and Certificate of Fee Exemption with the State in accordance with State Legislation (*California Fish and Game Code Section 711.4*).

RECOMMENDATION

Staff recommends the Zoning Administrator take the following actions:

1. Adopt the Negative Declaration based on the Initial Study prepared by staff.
2. Approve P74-0247C, subject to the Conditions of Approval in Attachment 1, based on the Findings contained in Attachment 2.

SUPPORT INFORMATION

Attachments to Staff Report:

| | |
|------------------------|---|
| Attachment 1 | Findings |
| Attachment 2 | Conditions of Approval |
| Exhibit A | Vicinity Map |
| Exhibit B | Assessor's Parcel Page |
| Exhibit C | General Plan Land Use Map |
| Exhibit D | Zoning Map |
| Exhibit E | Parcel Map 8-129 |
| Exhibit F | Applicant's Proposed Map Correction Amending PM 8-129 |
| Exhibits G1, G2 and G3 | Site Visit Photos from June 27, 2006 |
| Exhibit H1 and H2 | Aerial Photos |
| Exhibit I | Initial Study |

ATTACHMENT 1
CONDITIONS OF APPROVAL

File Number P 74-0247 C
P74-0247C - Lending Hand Real Estate

Planning Services

1. Pursuant to Resolution No. 240-93, a \$35.00 processing fee is required by the County Recorder to file the Notice of Exemption. This fee must be delivered to the El Dorado County Planning Services within five days of the approval of this application by the El Dorado County Zoning Administrator.

County of El Dorado Office of the County Surveyor

2. The applicant shall submit a "Certificate of Correction", prepared by an appropriately licensed professional, to the County Surveyor pursuant to the Subdivision Map Act and County Code for review and approval prior to recordation at the County Recorders Office. The property owners are responsible for all associated processing and recording fees.
3. Proof of compliance with all Conditions of Approval from all concerned agencies shall be received by the County of El Dorado Office of the County Surveyor prior to recording the Certificate of Correction.

Diamond Springs/El Dorado Fire Protection District

4. Proper signage shall be required on State Route 49 that identifies an approaching roadway, pursuant to Caltrans specifications.
5. Proper signage shall be posted at the roadway entrance off of State Route 49 that clearly identifies all addresses and all accessed parcels shall be addressed to State Route 49, NOT Sodalite Street.
6. A low security Knox Lock secured gate shall be provided on the Sodalite Street entrance into Parcel B, allowing for emergency access and egress, with proper turnaround clearance.

California Department of Transportation (Caltrans)

7. The new access road permitted by the abandonment of the 50-foot wide section of the five-foot wide non-vehicular access easement and by Caltrans Encroachment shall only serve Parcels B, C, D as shown on the applicant submitted Exhibit C of the amended parcel map.

8. A letter signed by an El Dorado County Transportation Department Engineer approving a driveway grade of 19 percent shall be received by Caltrans prior to recording of the "Certificate of Correction."
9. The asphalt paved section of the road access into the subject parcels from SR 49 shall extend from the fog line of State Route 49 to a minimum of 50 feet into the property.

El Dorado County Department of Transportation

10. The applicant shall widen all on-site access roadways, via State Highway 49, to the standard of a 24 foot wide roadway per El Dorado County Standard Plan 101C (including signage as necessary – stop signs, street name signs, "not a county maintained road", etc.), prior to filing the Certificate of Correction.
11. The applicant shall irrevocably offer to dedicate all on-site road and public utilities easements (R & PUE) to the width of 50 feet. This offer will be rejected by the County.
12. The applicant shall join and/or form an entity, satisfactory to the County, to maintain all roads not maintained by the County, that is required for access to County or State maintained roads. If a Zone of Benefit, Home Owner Association or informal road maintenance association does not exist or cannot be formed to maintain non-County maintained roads, the applicant should be aware that Civil Code 845 requires that the owner of any easement in the nature of a private right-of-way, or of any land to which any such easement is attached, shall maintain it in repair, and in the absence of an agreement, the cost shall be shared proportionately to the use made of the easement by each owner. Proof of compliance with this condition shall be received by the El Dorado County Department of Transportation prior to recording the Certificate of Correction.
13. The developer shall enter into an Improvement Agreement with the County and provide security to guarantee performance of the Improvement Agreement as set forth within the County of El Dorado Subdivision Ordinance, prior to filing the Certificate of Correction.
14. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department for review and approval, if applicable, for any site improvements. The plan shall be in conformance with the County of El Dorado "Design and Improvement Standards Manual", the "Grading, Erosion and Sediment Control Ordinance", the "Drainage Manual", the "Off-Street Parking and Loading Ordinance", and the State of California Handicapped Accessibility Standards. The improvements shall be substantially completed, to the approval of the Department of Transportation, prior to final approval of said permits.
15. The applicant shall provide a soils report at time of improvement plan or grading permit application addressing, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.

16. Any import, or export to be deposited within El Dorado County, shall require an additional grading permit for that offsite grading.
17. The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation.
18. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to Department of Transportation with the approved drainage and geotechnical reports in PDF format and the approved record drawings in TIF format.
19. Applicant shall pay the traffic impact fees in effect at the time a building permit is issued. Until such time as updated traffic impact fees are adopted pursuant to the General Plan, any subdivisions will be required to either (1) execute an agreement agreeing to pay the higher fees, even after building permits have been issued or (2) have a notice of restriction placed on the final map prohibiting the issuance of building permits until the updated traffic impact fees are adopted.

ATTACHMENT 2 **FINDINGS**

File Number P 74-0247 C **P74-0247C - Lending Hand Real Estate**

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made pursuant to *Section 66472.1* of the *California Government Code*:

FINDINGS FOR APPROVAL

1.0 CEQA FINDING

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 1.3 The project will not affect wetland, watercourses, riparian lands, unique plant or animal life and habitats, or other terrestrial matters under the jurisdiction of the State Department of Fish and Game. Therefore, the project has a de minimis impact on the environment and a Certificate of Fee Exemption (DFG 753.5-5/91) is applicable.
- 1.4 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 Administrative Findings

2.1 Map Correction Findings

- 2.1.1 The removal of the road and public utility easement being requested would benefit, and not burden, the current owner because they now have quicker emergency exiting capabilities than the current approximately 1.8 mile exiting capability.
- 2.1.2 The existing 50-foot road and public utility easement created by the approval of Tentative Parcel Map 74-0247 will remain. The introduction of the access road from State Route 49 and abandonment of a 50-foot wide section of the five-foot wide non-vehicular access easement will not alter any right, title or interest in the real property reflected in the recorded map 8-129.
- 2.1.3 No utility company or parcel owner party to the subject easement, nor any public agency solicited for comments, objected to the abandonment and removal of the 50-foot wide section of the five-foot wide non-vehicular access easement subject of this permit request.



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

**ENVIRONMENTAL CHECKLIST FORM
AND DISCUSSION OF IMPACTS**

Project Title: P74-0247 C Lending Hand Real Estate

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

Contact Person: Tom Dougherty, Associate Planner

Phone Number: (530) 621-5355

Property Owner/ Applicant's Name and Address: Lending Hand Real Estate/Steve Thigpen,
544 Emerald Bay, Laguna Beach, CA 92651

Project Agent's Name and Address: Robert Laurie, 3161 Cameron Park Drive, Ste. 215, Cameron Park, CA 95682

Project Location: West side of State Route 49 approximately 4 miles south of the intersection with Mother Lode Drive in the El Dorado area.

Assessor's Parcel Numbers: 092-430-12, 092-430-13 and 092-430-14

Zoning: Estate Residential Five-acre (RE-5)

Section: 27 **T:** 9N **R:** 10E

General Plan Designation: Rural Residential (RR)

Description of Project: Request to amend Recorded Parcel Map 8-129 to abandon a fifty-foot wide section of the five-foot wide non-vehicular access easement and permit access to the three parcels from State Route 49.

Surrounding Land Uses and Setting:

| | <u>Zoning</u> | <u>General Plan</u> | <u>Land Use</u> (e.g., Single Family Residences, Grazing, Park, School) |
|--------|---------------|---------------------|---|
| Site: | RE-5 | RR | All three parcels are vacant |
| North: | RE-5 | LDR | Single-family residence |
| East: | RE-5 | RR | Single-family residence |
| South: | RE-5 | RR | Single-family residence |
| West: | RE-5 | MDR | Single-family residence |

Briefly Describe the environmental setting: The 19.303-acre site of the three subject parcels is currently split by a dirt access road (Sodalite Street) that runs north to south through the parcels and dead ends into Parcel D. The newly created gravel road from State Route 49 to each of the three parcels winds up the parcels from east to west and leads to driveways to existing dirt building pads on each parcel. The parcels all are comprised of approximately 20 to 30 percent slopes that have a downward trend from west to east. The existing trees include interior live oaks (*Quercus wislizenii*), and blue oaks (*Quercus douglasii*).

Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):

El Dorado County Office of the County Surveyor, El Dorado County Department of Transportation (DOT), California Transportation Department (Caltrans), Diamond Springs/El Dorado Fire Protection District.

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

DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- 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: September 15, 2006

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

Signature: _____ Date: September 15, 2006

Printed Name: Peter Maurer, 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 |
|--------------------------------|---|------------------------------|-----------|

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 is not adjacent to U.S. Highway 50. The project site and vicinity is not identified by the County as a scenic view or resource. There would be no impact as a result of development of the proposed project. (El Dorado County Planning Department, El Dorado County General Plan Draft Environmental Impact Report (SCH # 2001082030), May 2003, Exhibit 5.3-1 and Table 5.3-1).
- b. **Scenic Resources.** The project site is surrounded by developed, residential uses. There are no rock outcrops, trees, or historic buildings that would contribute to exceptional aesthetic value. There would be no impact.
- c. **Visual Character.** The approximately 19-acre site is situated between residential uses on all four sides. Allowing a new access would not be inconsistent with the surrounding visual environment. Impacts would be less than significant.
- d. **Light and Glare.** The new access road would not introduce any residential lighting typical of single-family uses that were not previously allowed. Impacts would be less than significant.

| | | | |
|--|--|--|---|
| 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 |

| | | | |
|--------------------------------|---|------------------------------|-----------|
| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--------------------------------|---|------------------------------|-----------|

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. **Conversion of Prime Farmland.** El Dorado County has established the Agricultural District (A) General Plan land use overlay designation and included this overlay on the General Plan Land Use Maps. Review of the General Plan land use map for the project area indicates that the project site is not considered to be “Prime Farmland” nor is there properties designated as being within the Agricultural District (A) General Plan land use overlay designation area adjacent to the project site. The project will not result in the conversion of farmland to nonagricultural uses.
- b. **Williamson Act Contract.** The project will not conflict with existing zoning for agricultural use, and will not affect any properties under a Williamson Act Contract because the site is not designated for residential or agricultural use.
- c. **Non-Agricultural Use.** The project site is in an urbanized area where no agricultural operations or lands designated for agricultural uses are present. The site is classified as Urban and Built-Up Land under the Farmland Mapping Program.

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

| III. AIR QUALITY. Would the project: | | | |
|---|--|--|----------|
| a. Conflict with or obstruct implementation of the applicable air quality plan? | | | X |
| b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | | | X |
| c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is 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);

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| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
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- 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. **Air Quality Plan.** El Dorado County has adopted the El Dorado County California Clean Air Act Plan establishing rules and standards for the reduction of stationary source air pollutants (ROG/VOC, NO_x, and O₃). This plan also contains a schedule for implementation and funding of Transportation Control Measures (TCM) to limit mobile source emissions. The proposed project will not conflict with or obstruct the implementation of this plan. Implementation measures from this plan are required to be implemented at the project level if applicable.
 - b. **Air Quality Standards.** El Dorado County is classed as being in “severe non-attainment” status for Federal and State ambient air quality standards for ozone. 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 administers point source air pollution control. The County requires project emissions of ROG, NO_x, and PM₁₀ be quantified using URBEMIS 7G or other approved model acceptable to the District. The project would allow a new access but not add any new residential uses and impacts the three parcels did not already have the potential to do.
 - c. **Ambient Air Quality.** The El Dorado County Air Quality Management District reviewed the project proposal and will again review the final submitted development plans during the ministerial building permit process and will address all impacts to air quality during that building permit review process. The new access road will not permanently impact air quality in a significant way.
 - d. **Sensitive Receptors.** Sensitive receptors include such groups as young children, the elderly, schools, hospitals, day-care centers, convalescent homes, and high concentrations of single-family residences. There are no sensitive receptors in the vicinity. There would be no impact.
 - e. **Objectionable Odors.** The new access road and currently permitted residential uses will not directly involve any processes that would generate any odors not typical of single-family uses. There will 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. As discussed above and as conditioned, no impacts on air quality are expected and no mitigation is required. For this “Air Quality” category, the thresholds of significance have not been exceeded.

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| IV. BIOLOGICAL RESOURCES. <i>Would the project:</i> | | | |
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| 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 |

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 & b. **Special Status Species and Sensitive Natural Communities.** Review of the California Natural Diversity Database and Important Biological Resources map available at Planning Services, in combination with a site visit that revealed a previously graded site that is flat and devoid of trees and shrubs, did not reveal the likelihood of special status species and sensitive natural communities. There would be no impact.
- c. **Wetlands.** Review of the National Wetlands Inventory Map, U.S.G.S Fiddletown Quadrangle as well as a site visit, revealed there were no wetlands onsite. All drainage associated with the construction of the access road and future dwellings will be reviewed by, and required to follow DOT, Building Services and Caltrans standards for erosion control and water drainage. There would be a less than significant impact.

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d. **Wildlife Interference.** Review of the Department of Fish and Games Migratory Deer Herd Maps and General Plan EIR Exhibit 5.12-17 indicate that the project is not located within an important migratory deer herd habitat. The proposed project will not directly impair the deer herd due to loss of habitat, increase harassment, or disturb migratory movement. The project will not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with any established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites.

e. **Biological Resources.** The subject parcel is located in the Blue Oak Woodland habitat type which is typical of areas mostly found below 3000 feet elevation and is characterized by shallow, rocky, unfertile soils. (El Dorado County General Plan EIR, 5.12-7, May 2003).

Blue oaks (*Quercus douglasii*) dominate the site, with limited presence of native shrubs. The introduction of the new access will impact the woodland in an insignificant level because it has already been constructed and the potential house pads for the three parcels exist. No oak trees were removed during the road grading or access construction. The applicant will be required to retain 80 percent of the existing canopy in compliance with General Plan Policy 7.4.4.4. because the three parcels have tree canopy coverage in the 40-59 percent range as viewed from an aerial photo. The canopy must be retained and will be reviewed again when future building permits come in. The grading permit was previously reviewed by Planning Services for oak canopy standards. There were oak trees removed along Sodalite Street within the Pacific Gas and Electric public utility easement leading to the subject parcels. These trees would have been allowed to be removed within the easement without noticing the County whether this permit was active or not. Removal of trees in public utility easements is not presently covered by any County requirement for a specific permit. The introduction of a new access road and removal of the 50-foot wide section of the non-vehicular, thusly will have a less than significant on the native oak tree canopy.

The project will not conflict with the provisions of any adopted or approved habitat conservation plan. There will be no conflict with any county ordinance or preservation plan.

f. **Habitat Conservation Plan.** The proposed project will not conflict with the provisions of a proposed or adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan since there is neither in the project vicinity. There would be no impact.

Finding: As conditioned, no impacts from biological resources are expected and no mitigation is required. For this "Biological" category, the thresholds of significance have not been exceeded.

| 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 | |

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

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

a&b. **Historic Resources.** Previous archeological research was done when the parcel map was approved and did not reveal the probability of the presence of cultural resources. The project will be conditioned by the grading permit, as well as these subject applications, to deal with any potential cultural resources unearthed during the construction phase.

c. **Paleontological Resources.** The project site does not have any known paleontological sites or known fossil locales.

d. **Human Remains.** There are no historic period structures or buildings within the project site. No human remains were unearthed during the site grading.

Finding: As conditioned, no impacts on cultural resources are anticipated with the proposed project and no mitigation is required. For this “Cultural Resources” category, the thresholds of significance have not been exceeded.

| 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: | | | | X |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | | | | X |
| ii) Strong seismic ground shaking? | | | X | |
| iii) Seismic-related ground failure, including liquefaction? | | | | X |
| iv) Landslides? | | | | X |
| b. Result in substantial soil erosion or the loss of topsoil? | | | | X |
| c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | | | | X |
| d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) creating substantial risks to life or property? | | | X | |
| e. Have soils incapable of adequately supporting the use of septic tanks or | | | | X |

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| VI. GEOLOGY AND SOILS. <i>Would the project:</i> | | | |
| alternative waste water disposal systems where sewers are not available for the disposal of waste water? | | | |

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. **Seismicity, subsidence and liquefaction.** There are no Earthquake Fault Zones subject to the Alquist-Priolo Earthquake Fault Zoning Act (formerly Special Studies Zone Act) in El Dorado County.¹ No other active or potentially active faults have been mapped at or adjacent to the project site where near-field effects could occur.² Although there are no known faults on the project site, the project site is located in a region of the Sierra Nevada foothills where numerous faults have been mapped. No evidence of recent shear movement, such as soil off-set, springs, seeps, sag ponds or other indications of recent ground rupture were observed on the project site. The Bear Mountains Fault is considered only “potentially active”, with the last activity estimated at more than 2 million years ago. The nearest active fault, according to Alquist-Priolo criteria, is the Dunnigan Hills Fault 45 miles to the northwest.³

The parcel is characterized by thin, rocky soil and 20-30 percent slopes. The project site improvements are reviewed by Building Services, DOT and Caltrans and are required to follow all slope stabilization measures to prevent landslides therefore, the impacts would be less than significant for landslides to occur.

b&c. **Soil Erosion and loss of topsoil.** All grading activities exceeding 250 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 (Ordinance No. 3983, adopted 11/3/88). This ordinance is designed to limit erosion, control the loss of topsoil and sediment, limit surface runoff, and ensure stable soil and

¹ El Dorado County Planning Department, *El Dorado County General Plan Draft Environmental Impact Report* (SCH # 2001082030), May 2003, p.5.9-29.

² California Department of Conservation, California Geological Survey, *Mineral Land Classification of El Dorado County, California, CGS Open-File Report 2000-03*, 2001, Plate 1.

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site conditions for the intended use in compliance with the El Dorado County General Plan. During site grading and construction of the foundation and other site improvements, there is potential for erosion, changes in topography, and unstable soil conditions.

All grading would be subject to the requirements of a grading permit, which include erosion control measure being incorporated. There would be no impact related to erosion or loss of topsoil.

- 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. Table 18-1-B of the Uniform Building Code establishes a numerical expansion index for soil types ranging from very low to very high.

The U.S. Department of Agriculture, "Soil Survey of El Dorado County" lists the soil type as Auburn very rocky silt loam (AxD) which has moderate permeability and a low shrink-swell capacity. Grading and building permit applications that will follow will require a geotechnical report to be reviewed prior to issuance. There would be no impact related to expansive soils.

- e. **Septic.** County regulations for the proper design and installation of on-site systems have been adopted by the County Board of Supervisors and have been reviewed and accepted by the Regional Water Quality Control Board. Each future building permit will have their septic systems reviewed and approved by the El Dorado County Environmental Management Division using those standards.

Finding: No significant geophysical impacts are expected from the project. 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 project area? | | | X |

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| VII. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i> | | | |
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| 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.** There would be no impact related to the routine use, transport, storage, or disposal of hazardous materials in such quantities that would create a hazard to people or the environment that would be typically involved in residential uses allowed in this zone district.
- c. **Hazardous Emissions.** The proposed project would not include any operations that would use acutely hazardous materials or generate hazardous air emissions. There would be no impact.
- d. **Hazardous Materials Sites.** The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.⁴ No activities that could have resulted in a release of hazardous materials to soil or groundwater at the building site are known to have occurred. There would be no impact with the rezoning of the property to Planned Development and a subdivision of the property.
- 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.

⁴ California Department of Toxic Substances Control, Hazardous Waste and Substances Site List (Cortese List), http://www.dtsc.ca.gov/database/Calsites/Cortese_List, accessed September 23, 2004; California Regional Water Quality Control Board, Central Valley Region, Leaking Underground Storage Tanks Quarterly Report, April 2004; California Regional Water Quality Control Board, Central Valley Region, Site Cleanup List, April 2004.

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- g. **Emergency Response Plan.** No concerns were raised by the Diamond Springs/El Dorado Fire Protection District about increased impacts from the proposed project with implementation of the conditions of approval they recommended. There would be a less than significant impact related to emergency response or evacuation plans.
- h. **Fire Hazards.** The project would not include any operations (e.g., use of hazardous materials or processes) that would substantially increase fire hazard risk. Emergency response access to the site and surrounding development would not be adversely affected, as discussed above. As conditioned, impacts from the project related to wildland fire hazard would be less than significant.

Finding: No Hazards or Hazardous conditions are expected with the project 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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.** The proposed development that could potentially occur because of the approval of the subject applications will generate wastewater. Site-specific waste discharge requirements are applicable to the proposed project until building and grading permits are applied for. 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 need to be met during the ministerial building permit process. The amount of runoff and types of constituents that would be discharged to the storm drain system would be conditioned so as to not violate water quality standards. There would a less than significant impact.
- b. **Groundwater.** Analysis of potential well production and groundwater depletion will occur during analysis of well production reports at the building permit stage. The permits would not be issued if there were concerns that did not meet County requirements. There would a less than significant impact.
- 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 will reduce erosion and siltation on and off site. A grading permit through the Department of Transportation or Building Services would be required for any future development to address grading, erosion and sediment control.
- d. **Existing Drainage Pattern.** The proposed project encompasses approximately 19 acres. With the implementation of the future Drainage, Erosion Control and Grading Plans by the Department of Transportation and/or Building Services through the ministerial building permit process, the rate of surface runoff from potential future development site will be minimized therefore; there would be a less than significant impact.
- e. **Stormwater Runoff.** Compliance with the *Grading, Erosion and Sediment Control Ordinance's* Best Management Practices for any future grading would reduce any potential construction erosion and operational runoff to less than significant impact from total stormwater runoff.
- f. **Water Quality.** Wastewater and stormwater runoff from any future potential development would be managed through which does not directly involve physical changes to the environment and any future wastewater and

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stormwater discharges created by future development, would be analyzed during the building permit process. There would be a less than significant impact.

g, h and i. **Flooding.** No portion of the project is within the limits of the floodplain, as identified on the Flood Insurance Rate map, dated October 18, 1995. Therefore, no flooding impacts are expected.

FIRM. The Flood Insurance Rate Map (Panel No. 060040 0975 B) for the project area establishes that the project site is not within a mapped 100-year floodplain.

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. The potential for a mudflow is considered to be less than significant because the project site is not located within the vicinity of a dam or other water body.

Finding: Any future development plans submitted for a building permit would be analyzed by the Department of Transportation to address erosion and sediment control. No significant hydrological impacts are expected with the project. For this “Hydrology” category, the thresholds of significance have not been exceeded.

| 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;
- 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 proposed project will not physically divide an established community as the project site is located on the outskirts of an established subdivision of similar sized lots. There would be no impact.

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- b. **Land Use Plan.** The proposed project is consistent with the specific, fundamental, and mandatory land use development goals, objectives, and policies of the 2004 General Plan, and is consistent with the development standards contained within the El Dorado County Zoning Ordinance. There would be no impact.
- c. **Habitat Conservation Plan.** The proposed project is not located in an area covered by a Habitat Conservation Plan. There would be no impact to rare plants with the project.

Finding: The proposed use of the land will be consistent with the zoning and the General Plan. There will be no significant impact from the project due to a conflict with the General Plan or zoning designations for the use of the property. No significant impacts are expected. For this “Land Use” category, the thresholds of significance have not been exceeded.

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| 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? | | | X |
| b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | | | X |

Discussion:

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

- Result in obstruction of access to, and extraction of mineral resources classified MRZ-2x, or result in land use compatibility conflicts with mineral extraction operations.

a. & 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,⁵ 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.⁶ There are no mining activities adjacent to or in the vicinity of the project site. There would be no impact.

Finding: No impacts to energy and mineral resources are expected and no mitigation is required. For this “Mineral Resources” category, the thresholds of significance have not been exceeded.

⁵ California Department of Conservation, California Geological Survey, *Mineral Land Classification of El Dorado County, California, CGS Open-File Report 2000-03*, 2001.

⁶ El Dorado County Planning Department, *El Dorado County General Plan Draft EIR* (SCH #2001082030), May 2003, Exhibits 5.9-6 and 5.9-7.

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| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
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| 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 groundborne vibration or groundborne noise levels? | [] | [] | X |
| c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | [] | [] | X |
| d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | [] | [] | X |
| e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise level? | [] | [] | X |
| f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | [] | [] | X |

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

- Result in short-term construction noise that creates noise exposures to surrounding noise sensitive land uses in excess of 60dBA CNEL;
- Result in long-term operational noise that creates noise exposures in excess of 60 dBA CNEL at the adjoining property line of a noise sensitive land use and the background noise level is increased by 3dBA, or more; or
- Results in noise levels inconsistent with the performance standards contained in Table 6-1 and Table 6-2 in the El Dorado County General Plan.

- a. **Noise Standards.** The project is not listed under Table 6-1 of the General Plan as being a use subject to maximum allowable noise exposures from transportation source. As such, an acoustical analysis was not provided as part of the project application submittal. The residential use of the three parcels to accommodate single-family usage will not generate noise levels exceeding the performance standards contained in Tables 6-1 and 6-2 of the General Plan.
- b. – d. Short-term noise impacts may 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. The affects of excessive noise, should it occur, would be addressed during the building permit process.
- e. **Airport Noise.** The Project is not located within an airport land use plan, or within two miles of a public airport or public use airport.
- f. **Private Airstrip Noise.** The proposed project is not located adjacent to or in the vicinity of a private airstrip. As such, the project will not be subjected excessive noise from a private airport.

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| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
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Finding: As discussed above, no significant noise impacts are expected with the Project. For this “Noise” category, the thresholds of significance have not been exceeded.

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

Discussion:

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

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

a - c. **Population Growth.** The proposed project will 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 proposed project will not displace people or existing housing, which will prevent the construction of replacement housing elsewhere. There would be no impact.

Finding: There is no potential for a significant impact due to substantial growth either directly or indirectly with the Project. For this “Population and Housing” category, the thresholds of significance have not been exceeded.

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| 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 |

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| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporation | Less Than Significant Impact | No Impact |
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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 Diamond Springs/El Dorado Fire Protection District currently provides fire protection services to the project area. The District has reviewed the parcel map to determine compliance with State Fire Safe Regulations as adopted by El Dorado County and the Uniform Fire Code. It has been determined by the District that the level of service would not fall below the minimum requirements, as a result of the project if the conditions of approval they recommended are fulfilled.
- b. **Police Protection.** The project site will 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 would not significantly impact current response times to the project area.
- 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.
- d. **Parks.** Section 16.12.090 of County Code establishes the method to calculate the required amount of land for dedication for parkland, and an in-lieu fee amount for the subdivision of land. Provisions to provide parkland were not included as part of the project design in accordance with Section 16.12.090 of County Code because the project is not for a subdivision. The project will not significantly increase the demand for parkland any more than when the parcels were created by the existing parcel map.
- e. **Other Facilities.** No other public facilities or services will be substantially impacted by the project.

Finding: As discussed above, as conditioned, no significant impacts are expected with the Project either directly or indirectly. For this “Public Services” category, the thresholds of significance have not been exceeded.

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| XIV. RECREATION. | | | |
|--|--|--|----------|
| a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | | | X |
| b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | | | X |

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

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

a & b. The proposed project is for a new access road to parcels that already exist, therefore, the proposed project would not substantially contribute to an increase in demand on recreation facilities or contribute to increased use of existing facilities. There would be no impact.

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

| 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 |

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

- Result in an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system;
 - Generate traffic volumes which cause violations of adopted level of service standards (project and cumulative); or
 - Result in, or worsen, Level of Service “F” traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county as a result of a residential development project of 5 or more units.
- a – b The level of service (LOS) will not be significantly impacted by the residential use of the three parcels which have an ultimate estimated traffic generation of ten Average Daily Trips (ADT) per parcel for a total of 30 ADT and three peak hour trips which does not worsen traffic pursuant to the General Plan definition of worsen.
- c The project will not result in a major change in established air traffic patterns as there are no publicly or privately operated airports or landing fields in the project vicinity.
- d No traffic hazards such as sharp curves or dangerous intersections exist on or adjacent to the project site.
- e Access to the project parcels is via either the existing 50-foot road and public utility easement on Sodalite Street or the new proposed encroachment onto State Route 49. The Sodalite Street access is an approximately 6700 feet of dead end road. The new proposed encroachment would improve emergency access by giving the three parcels an emergency exit route of 1100 feet long to State /Route 49 from the farthest parcel. With the conditioned road improvements requested by the El Dorado County Department of Transportation, Diamond Springs/El Dorado Fire Protection District, as well as the issued encroachment permit in progress from Caltrans, the emergency access and exiting ability will be improved.
- f The parking requirement for residential uses is two spaces per dwelling and all future residences shall be required to have two spaces of the Zoning Ordinance required size.
- g The proposed map correction does not conflict with the adopted General Plan policies, and adopted plans, or programs supporting alternative transportation.

Finding: As discussed above, no significant traffic impacts are expected with the creation of these three parcels either directly or indirectly. For this “Transportation/Traffic” category, the thresholds of significance have not been exceeded.

| 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 | |

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| XVI. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i> | | | |
|---|--|--|---|
| 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, b & e **Wastewater.** The existing parcels will utilize septic systems that will be reviewed by the Environmental Health Division to insure adequacy in meeting the standards of the El Dorado County Sewage Disposal Ordinance. There is no wastewater treatment provider which serves or may serve the project site. Any new water or sewer connections would be reviewed by El Dorado County Environmental Management Department of any future building permit. There is no evidence indicating the activities associated with the creation of the new access road will violate any water quality standards or waste discharge requirements established by the RWQCB, upon fulfillment of the requirements of the County issued grading permit, and the Caltrans issued encroachment permit. Stormwater runoff from the project site would be directed to an engineered drainage system that would be required to contain water quality protection features in accordance with a NPDES stormwater permit should it be required. The amount of runoff and types of constituents that would be discharged to the storm drain system would be further analyzed during the building permit process. There would be a less than significant impact from the approval of the subject permit.

c. **Stormwater Drainage.** All new stormwater drainage facilities or expansion of existing facilities proposed will be reviewed by El Dorado County Department of Transportation with any future grading or building permit, in addition to the one currently issued. All required drainage facilities for the proposed development would be required to be built in conformance with the standards contained in the "County of El Dorado Drainage Manual," as determined by

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the Department of Transportation or Building Services, in conjunction with a Grading/Building Permit issued for any development on the three parcels. There would be a less than significant impact.

- d. **Potable Water.** Potable water will be supplied to the project parcels by wells which will be analyzed and approved by the El Dorado County Environmental Health Division during the building permit stage. Impacts would be less than significant.
- f. **Landfill.** 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.) are allowed to be dumped at the Union Mine Waste Disposal site. All other waste 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. This facility has more than sufficient capacity to serve the County for the next 30 years. There would be no impact.
- g. **Solid Waste.** Private garbage can pickup service will be provided for the three parcels when they are developed. There would be no impact.
- h. **Power and Telecommunication Facilities.** Power and telecommunication facilities will be available at the project site via Sodalite Street. There would be no impact.

Finding: No significant utility and service system impacts are expected with the project. For this “Utilities and Service Systems” category, the thresholds of significance have not been exceeded.

| 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. As discussed in Item V (Cultural Resources), the proposed project would have no significant effect on historical or unique archaeological resources. There would be no effects on fish habitat (Item IV). There would be no significant effect on special-status plant or animal species (Item IV).

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- b. Due to the existing site specific conditions and type of project proposed and types of activities proposed, which have been disclosed in the Project Description and analyzed in Items I through XVI, there would be no significant impacts related to agriculture resources, air quality, geology/soils, hazards/hazardous materials, land use/planning, mineral resources, population/housing, public services, recreation, traffic that would combine with similar effects such that the project's contribution would be cumulatively considerable.
- c. Due to the site specific conditions and types of activities proposed, there would be no environmental effects that would cause substantial adverse impacts on people either directly or indirectly.

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.)