



**EL DORADO COUNTY PLANNING SERVICES
2850 FAIRLANE COURT
PLACERVILLE, CA 95667
ENVIRONMENTAL CHECKLIST FORM
AND DISCUSSION OF IMPACTS**

Project Title: A09-0002/COC09-0012/Paye General Plan Amendment and Conditional Certificate of Compliance

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

Contact Person: Tom Dougherty, Planning Services

Phone Number: (530) 621-5355

Property Owner's Name and Address: John and Mark Paye, 15291 Red Dog Road, Nevada City, CA 95959

Project Engineer's Name and Address:: Dundas and Dundas, 16906 Aileen Way, Grass Valley, CA 95959

Project Location: Both sides of Wentworth Springs Road, at the intersection with Fox Run Road in the Georgetown area, Supervisorial District IV.

Assessors Parcel No: 061-071-26

Parcel Size: 105 acres

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

Section: 1 **T:** 12N **R:** 10E

General Plan Designation: Open Space (OS)

Description of Project: The proposed project consists of the following requests:

1. General Plan Amendment from Open Space (OS) to Low Density Residential (LDR); and
2. Conditional Certificate of Compliance for Assessor's Parcel Number 061-071-26 created by U.S. Government Patent on August 3, 1998 and transferred to Mark Paye by Grant Deed recorded on that same day.

Surrounding Land Uses and Setting:

	Zoning	General Plan	Land Use/Improvements
Site	RE-10	OS	Open Space-resource management/Vacant.
North	RE-10/RA-20	LDR	Residential/Single family residences.
South	RE-5	LDR	Residential/Single family residences.
East	RE-5	LDR	Residential/Single family residences.
West	RE-10/RE-5	LDR	Residential/Single family residences.

Briefly Describe the environmental setting: The 105-acre parcel is located at the 2,800 to 2,900-foot elevation above sea level. The parcel is covered primarily with young conifers with scattered black oaks and was recently logged. There are remnants of past surface mining activities on the site. Various access roads transverse the subject site that are used by surrounding parcels. Two swaths of trees have been removed within utility easements through the parcel to allow for water and power facilities. The portion of the parcel north of Wentworth Springs Road has varied slopes that generally not exceeding 30 percent. There is an unnamed ephemeral swale draining the upper central portion to the north and a Georgetown Divide Public Utility District open irrigation ditch passing through the central portion from east to west. The portion south of Wentworth Springs Road is split by two graveled roads running north and south through the parcel with a ravine in between.

Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.): El Dorado County Department of Transportation.

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. The environmental factors checked below contain mitigation measures, which reduce any potential impacts to a less than significant level.

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: Tom Dougherty Date: 12/14/09
 Printed Name: Tom Dougherty, Associate Planner For: El Dorado County

Signature: Pierre Rivas Date: 12-14-09
 Printed Name: Pierre Rivas, Principal Planner For: El Dorado County

PROJECT DESCRIPTION

Introduction

This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts resulting from the proposed residential project. The projects would directly allow the development of one primary and one secondary single-family dwelling, however, an approved General Plan amendment to LDR could potentially allow for a future subdivision of up to 21, 5-acre lots. That process would require the submittal of either a parcel or subdivision map application, and a rezone application to change the zoning to Estate Residential Five-Acre (RE-5). Those applications would require an environmental document to be prepared to examine the potential environmental impacts at that time of those specific project proposals.

This introduction and sections below will attempt to give detail to the potential ultimate development of 21 parcels so the Environmental Impacts Sections I-XVII will not have to reiterate said information repeatedly throughout each section.

Project Location and Surrounding Land Uses

The projects are located within the Georgetown Rural Center General Plan planning concept area. General Plan Table 2.1 shows that the LDR land use designation would be compatible within this concept area. The parcel is surrounded by existing developed and undeveloped residential parcels with one commercial tree farm adjoining to the north.

Project Characteristics

- a. Amendment of the General Plan land use designation from Open Space (OS) to Low Density Residential (LDR). The current zoning district is Estate Residential Ten-Acre (RE-10). No development proposal accompanies this amendment request.
- b. Conditional Certificate of Compliance (COC) for Assessor's Parcel Number 061-071-26, which would acknowledge the County's acceptance of the parcel as legally created in accordance with the Subdivision Map Act and local subdivision ordinances creating one, 105-acre parcel upon satisfaction of the Conditions of Approval.

The parcel would be served by either a future well or a public water source and onsite septic wastewater systems. Upon fulfillment of the Conditions of Approval and subsequent recordation of a clear Certificate of Compliance, no residential development could occur without amending the current General Plan land use designation of OS which does not allow for residential development. Upon approval of an amendment to the General Plan to change the land use to LDR, the applicants would then have the ability to construct a single-family dwelling with a building permit.

1. Transportation/Circulation/Parking

Site access is currently provided via Wentworth Springs Road which is a County-maintained road, as well as from the non-County maintained roadways of either Fox Run Road, Fox Kit Court, Raintree Road or Tannu Lane. A portion of the site has been previously graded for interior driveways to facilitate timber harvesting. A 60-foot total Right-of-Way would be required by DOT for Wentworth Springs and the non-county maintained roadways discussed would require a 50-foot total Right-of-Ways, for any future discretionary project. Design Standard Plan 101C would apply to roadway development with any future development proposal. All non-county maintained roads not meeting the minimum 101C standard would be required to be improved to the following: 20-foot roadway with 1-foot shoulder on either side (if any portion of the project site is above 3,000 feet in elevation, the road would need to have a minimum structural section of 2.5 inch AC on 6 inch AB for roads with Average Daily Trips (ADTs) less than 601.

Pursuant to the SRA Fire Safe Regulations, Georgetown Fire Code and the 2007 California State Fire Code, the maximum length of any future dead-end road, including all dead-end roads accessed from the dead-end road,

would be analyzed so as not to exceed dictated cumulative lengths without providing a secondary access for emergency ingress and egress. All access roads and driveways for future development would be required to meet said code regulations for surface width and surfacing. The current project would not require preparation of a traffic study. However, future development of single family lots exceeding 9 lots would require preparation of a traffic study and the specific impacts would be looked at in detail on a project specific level. El Dorado County Department of Transportation (DOT) would require submittal for a DOT Initial Review once a project would be identified. This would allow DOT to determine if a Traffic Study is required to adequately assess the proposed project's potential impacts. Depending on the results of a traffic study, additional offsite improvements or mitigations may be necessary.

Road and site improvements for future development would require submittal of a site improvement/grading plan prepared by a professional civil engineer to DOT or Development Services for review and approval. The plan would be required to 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", the El Dorado County Storm Water Management Plan and the State of California Handicapped Accessibility Standards. Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps would be required to be implemented to control siltation, and the potential discharge of pollutants into drainages. The improvements and grading would be required to be completed to the satisfaction of the DOT and/or Development Services (whichever would be applicable) or the applicant would need to obtain an approved improvement agreement with security.

No development is proposed as part of this application request. No impacts to parking would occur as part of the projects. Parking standards would be required to meet the requirements of Chapter 17.18 of the Zoning Ordinance at the time of building permit issuance. No impacts to parking would occur as part of the current projects.

2. Utilities and Infrastructure

Potable water is not to be provided to the site; however there are Georgetown Divide Public Utility District (GDPUD) facilities that currently transverse the interior of the parcel. GPPUD has confirmed that their existing facilities could be available to the site but there are no public sewer facilities currently available. Pacific Gas and Electric (PG&E) and telephone overhead facilities transverse the site through an easement cleared of vegetation.

Prior to issuance of any future building permit or filing of a Parcel or Subdivision Map, a safe and reliable water source would be required for all lots or parcels. Further, a septic capability study would be required prior to said development phases for each lot or parcel which would demonstrates septic facilities could be developed at the site.

3. Population

The 2000 U.S. Census figures as noted in Section 2, *Housing Assessments and Needs, Population Characteristics*, established that, in the unincorporated areas of the County, the average household size was 2.70 persons/occupied unit. The Certificate of Compliance project would allow both a primary and secondary residential units to be constructed which would potentially add 5.4 persons for the project. The proposed General Plan Amendment project would potentially allow 21 lots with accompanying primary and secondary single-family units which at an average of 2.70 persons/occupied unit could add approximately 113.4 additional residents for the project.

Should the land use designation be changed by this application to LDR, a subsequent submittal of a Subdivision or Parcel Map application would be required to split the parcel any further. The existing RE-10 zone district would potentially allow for ten, 10-acre parcels to be created without a rezone. Estate Residential Five-Acre (RE-5) is also compatible with the LDR land use designation and it is that rezone to RE-5 which would

potentially allow the average of 113 persons to the project site. Those applications would require an additional environmental document to be prepared to examine the potential project specific environmental impacts at the time of those specific project proposals.

4. Construction Considerations

No development proposal accompanies this application request. The applications pertain specifically to changing the General Plan land use designation and to obtain a clear Certificate of Compliance which would acknowledge the County's acceptance of the parcel as legally created in accordance with the Subdivision Map Act and local subdivision ordinances.

The issuance of a Clear Certificate of Compliance would permit the development of one primary and secondary residential unit which would require site construction including construction activities typically associated with single family dwelling construction. The approval of the General Plan amendment to LDR would potentially allow the development of a maximum of 21 lots. This would involve grading for access roads and driveways, extension and development of underground and overhead utilities such as water, power, telephone, septic facilities, and tree removal. All grading and site development would be required to adhere to all requirements of County Code and those State and Federal requirements related to

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.

ENVIRONMENTAL IMPACTS

I. AESTHETICS. Would the project:				
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 or quality of the site and its surroundings?			X	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

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

- a) **Scenic Vista:** The project site and vicinity are not identified by the County as a scenic view or resource (El Dorado County Planning Services, El Dorado County General Plan Draft EIR, May 2003, Exhibit 5.3-1 and Table 5.3-1). There would be no impact as a result of development of the proposed project.
- b) **Scenic Resources:** The project site is not within a State Scenic Highway. There are no trees or historic buildings that have been identified by the County as contributing to exceptional aesthetic value at the project site (California Department of Transportation, California Scenic Highway Program, Officially Designated State Scenic Highways, p.2 (<http://www.dot.ca.gov/hq/LandArch/scenic/schwyl.html>)). There would be no impact.
- c) **Visual Character/Quality of the Site:** The project would not directly impact views nor degrade the character of surrounding residential area. Impacts would be less than significant.
- d) **Lighting Affecting Views:** The project would allow new residential development. Lighting would be required to comply with County Ordinance requirements Section 17.14.170.C.1. Residential lighting would need to be hooded or screened downward as to not negatively impact adjacent residential properties. Impacts would be less than significant with implementation of County Ordinance.

Finding: It could be found that the project would not significantly impact designated scenic highways, scenic viewpoints as well as outside-in views, and lighting impacts not normally anticipated from similar low density residential developments. As a result, there would be a less than significant level of impact.

II. AGRICULTURE RESOURCES. Would the project:				
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Locally Important Farmland (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?			X	
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?			X	

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

- There is a conversion of choice agricultural land to nonagricultural use, or impairment of the agricultural productivity of agricultural land;
- The amount of agricultural land in the County is substantially reduced; or
- Agricultural uses are subjected to impacts from adjacent incompatible land uses.

a, b, c) **Conversion of Prime Farmland, Williamson Act Contracts, Non-agricultural Use:** The United States Department of Agriculture Soil Conservation Service *Soil Survey, El Dorado Area, California*, issued April of 1974 shows that the parcel contains Mariposa very rocky silt loam (MbE), Mariposa very rocky silt loam (MbF), Mariposa-Josephine very rocky loams loam (McE), and Josephine silt loam (JtD). JtD soils are classified as Unique and Soils of Local Importance and are located within a small portion of the southwest corner of the parcel, south of Wentworth Springs Road. Should a subdivision or parcel map proposal be submitted in the future, project specific impacts to those soils would be examined. The other soil types are not classified as Prime Farmland, Statewide Important Farmland, or Unique and Soils of Local Importance.

General Plan Policy 8.1.4.1 requires El Dorado County Agricultural Commission review for projects adjoining lands agriculturally zoned for potential uses incompatible with agriculture. The Commission reviewed the project, and County Agriculture Department staff observations and recommendations at their November 18, 2009 meeting and recommended approval. This property is not under, and would not conflict with an adjacent Williamson Act Contract. It does not adjoin any parcel designated by the General Plan for agricultural uses. Impacts would be less than significant.

Finding: This project would have no significant impact on agricultural lands, would not convert agricultural lands to non-agricultural uses, and would not affect properties subject to a Williamson Act Contract. For the "Agriculture" category, the thresholds of significance have not been exceeded and no significant environmental impacts would result from the project

III. AIR QUALITY. <i>Would the project:</i>				
a. Conflict with or obstruct implementation of the applicable air quality plan?			X	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d. Expose sensitive receptors to substantial pollutant concentrations?			X	
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, would result in construction or operation emissions greater than 82lbs/day (See Table 5.2, of the El Dorado County Air Pollution Control District – CEQA Guide);
- Emissions of PM₁₀, CO, SO₂ and No_x, as a result of construction or operation emissions, will result in ambient pollutant concentrations in excess of the applicable National or State Ambient Air Quality Standard (AAQS). Special standards for ozone, CO, and visibility apply in the Lake Tahoe Air Basin portion of the County; or

- Emissions of toxic air contaminants cause cancer risk greater than 1 in 1 million (10 in 1 million if best available control technology for toxics is used) or a non-cancer Hazard Index greater than 1. In addition, the project must demonstrate compliance with all applicable District, State and U.S. EPA regulations governing toxic and hazardous emissions.
- a) The El Dorado County/California Clean Air Act Plan has set a schedule for implementing and funding Transportation Control Measures to limit mobile source emissions. The proposed project would not conflict with or obstruct the implementation of this plan. Impacts would be less than significant.
- b, c) Currently, El Dorado County is classed as being in "severe non-attainment" status for Federal and State ambient air quality standards for ozone (O₃). Additionally, the County is classified as being in "non-attainment" status for particulate matter (PM10) under the State's standards. The California Clean Air Act of 1988 requires the County's air pollution control program to meet the State's ambient air quality standards. The El Dorado County Air Pollution Control District (EDCAPCD) administers standard practices for stationary and point source air pollution control. Projected related air quality impacts are divided into two categories:

Short-term impacts related to construction activities; and
Long-term impacts related to the project operation.

Short-term, minor grading and excavation activities would occur with the development of single family and secondary dwellings. These activities would last a few days would be intermittent.

Mobile emission sources such as automobiles, trucks, buses, and other internal combustion vehicles are responsible for more than 70 percent of the air pollution within the County, and more than one-half of California's air pollution. In addition to pollution generated by mobile emissions sources, additional vehicle emission pollutants are carried into the western slope portion of El Dorado County from the greater Sacramento metropolitan area by prevailing winds. Future grading would potentially emit minor, temporary and intermittent criteria air pollutant emissions from vehicle exhaust and would be subject to El Dorado County Air Pollution Control District standards.

The project could result in the generation of green house gasses, which could contribute to global climate change. However, the amount of greenhouse gases generated by the project would be negligible compared to global emissions or emissions in the County, so the project would not substantially contribute cumulatively to global climate change. These measures are included as standard grading permit requirements and would reduce impacts to a level of less than significant.

The El Dorado County Air Quality Management District (AQMD) reviewed the project and determined that a fugitive dust mitigation plan would be required for future grading activity. The proposed project is within the Asbestos Review Area; therefore AQMD would require the paving of any future driveways or the application of a minimum of three (3) inches in depth, asbestos free gravel, for all roads and driveways. AQMD Rule 223.2 Fugitive Dust-Asbestos Hazard Mitigation, which addresses the regulations and mitigation measures for fugitive dust emissions would need to be adhered to during the construction process. An Asbestos Dust Mitigation Plan (ADMP) Application would need to be approved by AQMD prior to start of project construction. Strict adherence to AQMD rules would reduce the project impacts to a less than significant level.

- d) Sensitive receptors include such groups as young children and the elderly and such sites as schools, hospitals, daycare centers, convalescent homes, and high concentrations of single-family residences. The project is sufficient distance from any sensitive receptors in the area. Impacts would be less than significant.
- e) The project would not create any excessive objectionable odors. There would be no impact.

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

IV. BIOLOGICAL RESOURCES. <i>Would the project:</i>				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	

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. **Special Status Species and Sensitive Natural Communities:** Review of the County GIS soil data demonstrates the project site is not located on lands shown to contain Serpentine Rock or Gabbro soils. Search of the California Natural Diversity database indicates there are none of the rare, threatened, or endangered species on the site. The project is not located within a County Rare Plant Mitigation Area and would not be subject to payment of a mitigation fee.

The parcel does not fall within designated critical habitat or core areas for the Red-legged and Yellow-legged frog species. (El Dorado County General Plan Draft EIR May 2003, Exhibits 5.12-14, 5.12-5 and 5.12-7). Impacts would be less than significant.

b, c) The project is not located within a sensitive natural community of the County, state or federal agency, including but not limited to an Ecological Preserve or USFWS Recovery Plan boundaries.

Potential Jurisdictional Waters of the U.S.: The site supports potentially jurisdictional waters of the U.S. These areas are likely regulated by the U.S. Army Corps of Engineers (Corps) and the El Dorado County General Plan. As stated in Policy 7.3.3.4 of the General Plan, El Dorado County requires a 100-foot setback from all perennial streams, rivers, and lakes and a 50-foot setback from all intermittent streams and wetlands (El Dorado County 2004). There are numerous ephemeral drainage swales crossing the parcel in various directions that would require drainage easements. Implementing buffers from qualifying streams and wetlands would protect the riparian habitat values and quality of the existing drainages.

Adherence to Best Management Practices during future grading activities would be required, including implementation of erosion control measures. In order to mitigate wetland impacts to a level that is less than significant, mitigation measures would be required for all potential infrastructure improvements that would occur with any future development for the project:

Prior to disturbance of any waters of the United States including any wetland features, a wetland delineation study for a future development proposal would be required to be submitted to the Corps for their verification and approval. If fill of any potential waters of the U.S were anticipated, the appropriate Corps 404 permit must be obtained prior to the fill activity occurring. The appropriate terms of mitigation including the wetland acreage to be mitigated for would be defined in the issued Corps permit. Any waters of the U.S. that would be lost or disturbed would be required to be replaced or rehabilitated at a "no-net-loss" basis in accordance with the Corps' mitigation guidelines. Habitat restoration, rehabilitation, and/or replacement would need to be at a location and by methods agreeable to the Corps. Mitigation may include the purchase of mitigation credits from an approved wetland mitigation bank at an appropriate ratio for each acre of wetland /waters proposed to be impacted as determined by the Corps of Engineers.

If found to be applicable, 50 or 100-foot setback lines would be need to be recorded on the Parcel or Subdivision Map that begins at all high-water marks or the outer boundary of any adjacent wetlands along the unnamed tributary that begins within the northeast corner of the parcel and is shown on the Georgetown U.S.G.S Quadrangle, and as determined by the Corps of Engineer's verified wetland delineation of waters of the United States. No development would be permitted to occur within the setback area. The identification would be made on the Parcel Map, Site Plan Review, grading and building plans where applicable.

A Streambed Alteration Agreement would need to be obtained from CDFG, if applicable, pursuant to Section 1602 of the California Fish and Game Code, for each stream crossing and any other activities affecting the bed, bank, or associated riparian vegetation of any stream on the site. Appropriate mitigation measures would be developed in coordination with CDFG in the context of the 1602 agreement process. Authorization prior to placement of any fill would be required from the Corps of Engineers if any impacts are proposed to jurisdictional riparian habitat.

In addition to the mitigations, the County would require that pre and post construction Best Management Practices (BMPs) be implemented into the design of grading and improvement plans of any future development proposal to reduce or eliminate run-off. Such BMPS would be required to meet the County's Storm Water Mitigation Plan (SWMP), the state's Storm Water Pollution and Prevention Program (SWPPP) criteria, and the National Pollutant Discharge Elimination Systems (NPDES) standards. With strict adherence to applicable County Code, implementation of future conditions and mitigations, impacts in this category would be reduced below a level of significance.

- d. The Department of Fish and Game's *Migratory Deer Herd Map* indicates the project site lies within the range of the Pacific deer herd. The project would have a less than significant impact on deer migration patterns.
- e) The project is within the Sierran mixed conifer habitat type, (El Dorado County General Plan EIR, 5.12-7, May 2003). The site is dominated by younger second growth conifers, the result of previous logging activities. Second growth, multi-trunked black oaks constitute approximately five percent of the tree