

Exhibit J: Proposed Negative Declaration and Initial Study

NEGATIVE DECLARATION

FILE: P21-0008

PROJECT NAME Beam Parcel Map

NAME OF APPLICANT: Denton Beam

ASSESSOR'S PARCEL NO.: 061-042-033, 034, 035, 036, 037, 039 **SECTION:** 33**T:** 13**N R:** 10E, MDM

LOCATION: The project is located on the north side of Spanish Dry Diggins Road, approximately 1.3 miles northwest of the intersection with Georgetown Road (HWY 193) in the Georgetown area

☐ **GENERAL PLAN AMENDMENT:** **FROM:** **TO:**

☐ **REZONING:** **FROM:** **TO:**

☒ **TENTATIVE PARCEL MAP** ☐ **SUBDIVISION:**

SUBDIVISION (NAME):

☐ **SPECIAL USE PERMIT TO ALLOW:**

☐ **OTHER:**

REASONS THE PROJECT WILL NOT HAVE A SIGNIFICANT ENVIRONMENTAL IMPACT:

☒ **NO SIGNIFICANT ENVIRONMENTAL CONCERNS WERE IDENTIFIED DURING THE INITIAL STUDY.**

☐ **MITIGATION HAS BEEN IDENTIFIED WHICH WOULD REDUCE POTENTIALLY SIGNIFICANT IMPACTS.**

☐ **OTHER:**

In accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), State Guidelines, and El Dorado County Guidelines for the Implementation of CEQA, the County Environmental Agent analyzed the project and determined that the project will not have a significant impact on the environment. Based on this finding, the Planning Department hereby prepares this NEGATIVE DECLARATION. A period of twenty (30) days from the date of filing this negative declaration will be provided to enable public review of the project specifications and this document prior to action on the project by COUNTY OF EL DORADO. A copy of the project specifications is on file at the County of El Dorado Planning Services, 2850 Fairlane Court, Placerville, CA 95667.

This Negative Declaration was adopted by the _____ Hearing Body _____ on _____ Date _____.

Executive Secretary

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

INITIAL STUDY ENVIRONMENTAL CHECKLIST

Project Title: P21-0008/Beam Parcel Map

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

Contact Person: Timothy Pitt, Senior Planner

Phone Number: (530) 621-6565

Applicant's Name and Address: Denton A. Beam, PO Box 4360, Georgetown, CA 95634

Owner's Name and Address: Denton A. Beam, PO Box 4360, Georgetown, CA 95634

Project Engineer's Name and Address: Mathis Land Surveying, 5020 Ellinghouse Dr., Suite B, Cool, CA 95614

Project Location: North side of Spanish Dry Diggins Road, approximately 1.3 miles northwest of the intersection with Georgetown Road (HWY 193), in the Georgetown area.

Assessor's Parcel Number(s): 061-042-033, 061-042-034, 061-042-035, 061-042-036, 061-042-037, 061-042-039
Total Acreage: 116.03-acres

Sections: Sec.33 **T:** 13N **R:** 10E

General Plan Designation: Rural Residential (RR)

Zoning: Rural Lands – 40-Acre Minimum (RL-40)

Description of Project: A parcel map request proposing to reconfigure six (6) parcels, ranging in size from 19.25-acres to 19.43-acres, for a total of 116.03-acres, resulting in the creation of three (3) new parcels of 40-acres (Parcel 1), 40-acres (Parcel 2), and 36.03-acres (Parcel 3). This parcel map is necessary to correct parcel subdivision irregularities identified by the El Dorado County Surveyor's Department. Additionally, this action is necessary to fulfill the requirements of the Conditional Certificates of Compliance issued by the County on December 17, 1991. The approval of the proposed parcel map will allow the County to confer legal status to parcels of land that were not created by legal means. The subject parcels are accessed by a 50-foot-wide easement granted across APN 061-560-065 which connects to Spanish Dry Diggins Road 1,971 feet from the nearest proposed parcel line. Access to the individual parcels proposed by this map will come from the realignment of an existing road on the property. There is no development on the proposed parcels currently and, beyond the realignment of the existing road, there is no further development proposed as a part of this project. All proposed parcels would be served by wells and on-site septic systems. Pacific Gas and Electric (PG&E) is the electricity purveyor for the region, although no plans for electric service are proposed as a part of this project.

Surrounding Land Uses and Setting:

	Zoning	General Plan	Land Use/Improvements
Site	Rural Lands – 40-Acre Minimum (RL-40)	Rural Residential (RR)	Vacant/Undeveloped
North	Open Space (OS)	Natural Resource (NR)	Two Parcels, Minor/Non-Residential Improvements on Each
South	Residential Estate – 10-Acre Minimum (RE-10)	Low Density Residential (LDR)	Two Parcels, Single-Family Residence on Each

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East	Rural Lands – 40-Acre Minimum (RL-40)	Rural Residential (RR)	Three Parcels, All Vacant/Undeveloped
West	Rural Lands – 10-Acre Minimum (RL-10)	Rural Residential (RR)	Three Parcels, One Vacant/Undeveloped, One Single-Family Residence, One Minor/Non-Residential Improvements
<p>Briefly describe the environmental setting: The subject parcels are 116.03 acres over six parcels located north of Georgetown and south of Canyon Creek, a tributary to the Middle Fork of the American River. A biological resources assessment was prepared for the project by John Pickett of Live Oak Wildfire Solutions (Attachment 7). The parcels are in a transitional location with black oak woodland and Sierra Nevada mixed conifer forest types. The overstory is widely spaced blue oak, valley oak, black oak, and mixed conifers. The understory is comprised of native chaparral, grasses, and Scotch broome. The project area generally has west and north-facing slopes. The elevation for the subject parcels ranges from 2100 feet above mean sea level in the northwest to 2600 feet above mean sea level in the southeast. The parcels are located within 50 feet of the perennial Canyon Creek, which is a water of the United States. The parcels were surveyed for any rare, threatened, or endangered species. Although no species of concern were documented on the project site, and the parcels are not believed to have suitable habitat for rare, threatened, or endangered species, several species have been sighted within the USGS quad of the subject parcels. Further discussion and analysis of these topics are contained within this Initial Study.</p>			
<p>Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement)</p> <ol style="list-style-type: none"> 1. Community Development Services: Planning and Building Department – Building Services (Building and Grading Permits) 2. El Dorado County Fire District (Building and Grading Permits) 3. El Dorado County Air Quality Management District (Building and Grading Permits) 4. El Dorado County Department of Transportation (Building and Grading Permits) 5. El Dorado Irrigation District (Building Permit) 6. El Dorado County Environmental Health Department (Building Permit) 			
<p>Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?</p> <p>At the time of the application request, seven tribes had requested to be notified of proposed projects for consultation in the project area: Colfax-Todds Valley Consolidated Tribe, Ione Band of Miwok Indians, Nashville-El Dorado Miwok-Maidu-Nishinam Tribe, Shingle Springs Band of Miwok Indians, United Auburn Indian Community of the Auburn Rancheria, Washoe Tribe of California and Nevada, and T'si-Akim Maidu. Certified letters were mailed to these seven tribes on December 10, 2021. No tribes responded with the request to consult on the project. Further discussion is contained in the Tribal Cultural Resources section of this Initial Study.</p>			

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 and Forestry Resources		Air Quality
	Biological Resources		Cultural Resources		Energy
	Geology and Soils		Greenhouse Gas Emissions		Hazards and Hazardous Materials
	Hydrology and Water Quality		Land Use and Planning		Mineral Resources
	Noise		Population and Housing		Public Services
	Recreation		Transportation		Tribal Cultural Resources

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Utilities and Service Systems	Wildfire	Mandatory Findings of Significance
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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:

12/18/23

Printed Name:

Timothy Pitt, Senior Planner

For:

El Dorado County

Signature:



Date:

12/18/23

Printed Name:

Aaron Mount, Planning Manager

For:

El Dorado County

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PROJECT DESCRIPTION

Throughout this Initial Study, please reference the following Attachments:

Attachment 1: Location Map
Attachment 2: Aerial Photo
Attachment 3: Assessor's Parcel Map
Attachment 4: General Plan Land Use Map
Attachment 5: Zoning Map
Attachment 6: Tentative Parcel Map
Attachment 7: Biological Resources Assessment
Attachment 8: WUI Fire Plan
Attachment 9: Application Packet

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 project.

Project Description

A parcel map request proposing to reconfigure six (6) parcels, ranging in size from 19.25-acres to 19.43-acres, for a total of 116.03-acres, resulting in the creation of three (3) new parcels of 40-acres (Parcel 1), 40-acres (Parcel 2), and 36.03-acres (Parcel 3). This parcel map is necessary to correct parcel subdivision irregularities identified by the El Dorado County Surveyor's Department and fulfill the conditions of the Conditional Certificates of Compliance issued by the County Board of Supervisors on December 17, 1991. There is no development on the proposed parcels currently and, beyond the realignment of the existing road, there is no further development proposed as a part of this project.

Project Location and Surrounding Land Uses

As noted above, the subject parcels are located on the north side of Spanish Dry Diggins Road, approximately 1.3 miles northwest of the intersection with Georgetown Road (HWY 193) in the Georgetown area (Attachment 1). The 116.03-acre subject parcels are designated as Rural Residential (RR) (Attachment 4) in the County General Plan and are zoned Rural Lands – 40-acre Minimum (RL-40) (Attachment 5). Surrounding parcels have similar low-density designations as well as natural resource natural resource designations and are either undeveloped/vacant or developed with single-family residences. The Georgetown Airport is located approximately 350 feet to the southeast of the subject parcels.

Project Characteristics

1. Transportation/Circulation/Parking

The primary access to the subject parcels would be from a proposed 50-foot-wide easement through an adjacent parcel connecting to Spanish Dry Diggins Road. The El Dorado County Department of Transportation (DOT) reviewed the project and offered conditions of approval related to the access road for the project.

2. Utilities and Infrastructure

Should any future residential development occur on the subject parcels, the parcels would be served by wells for water service and would be required to install on-site wastewater disposal systems (septic tanks). Future electrical connections would be provided by Pacific Gas and Electric (PG&E).

3. Construction Considerations

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The project would maintain the current zoning designation of Rural Lands – 40-acre Minimum (R2A) and any future development would require conformance with any applicable agency requirements and would be subject to building permits from El Dorado County Building Services. A realignment of the existing road on the subject parcels is being proposed with this project to better facilitate access to the resultant parcels.

Project Schedule and Approvals

This Initial Study and proposed Negative Declaration (IS/ND) is being circulated for public and agency review for a 30-day period. Written comments on the IS/ND should be submitted to the project planner indicated in the Summary section, above. Following the close of the 30-day review period, the IS/ND will be considered by the Lead Agency, El Dorado County, in a public meeting and will be adopted if it is determined to be in compliance with CEQA. The Lead Agency will also determine whether to approve the project.

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 would 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. If the lead agency has determined that a particular physical impact may occur, 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.

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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.

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ENVIRONMENTAL IMPACTS

I. AESTHETICS. <i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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	

Regulatory Setting:

Federal Laws, Regulations, and Policies

No federal regulations are applicable to aesthetics in relation to the proposed project.

State Laws, Regulations, and Policies

In 1963, the California State Legislature established the California Scenic Highway Program, a provision of the Streets and Highways Code, to preserve and enhance the natural beauty of California (Caltrans 2015). The state highway system includes designated scenic highways and those that are eligible for designation as scenic highways.

Local Laws, Regulations, and Policies

The County has several standards and ordinances that address issues relating to visual resources. Many of these can be found in the County Zoning Ordinance (Title 130 of the County Code). The Zoning Ordinance consists of descriptions of the zoning districts, including identification of uses allowed by right or requiring a special-use permit and specific development standards that apply in particular districts based on parcel size and land use density. These development standards often involve limits on the allowable size of structures, required setbacks, and design guidelines. Included are requirements for setbacks and allowable exceptions, the location of public utility distribution and transmission lines, architectural supervision of structures facing a state highway, height limitations on structures and fences, outdoor lighting, and wireless communication facilities.

Environmental Setting:

Visual resources are classified as 1) scenic resources or 2) scenic views. Scenic resources include specific features of a viewing area (or viewshed) such as trees, rock outcroppings, and historic buildings. They are specific features that act as the focal point of a viewshed and are usually foreground elements. Scenic views are elements of the broader viewshed such as mountain ranges, valleys, and ridgelines. They are usually middle ground or background elements of a viewshed that can be seen from a range of viewpoints, often along a roadway or other corridor.

A list of the county's scenic views and resources is presented in Table 5.3-1 of the *El Dorado County General Plan Draft EIR* (p. 5.3-3). This list includes areas along highways where viewers can see large water bodies (e.g., Lake

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Tahoe and Folsom Reservoir), river canyons, rolling hills, forests, or historic structures or districts that are reminiscent of El Dorado County's heritage.

Several highways in El Dorado County have been designated by the California Department of Transportation (Caltrans) as State Scenic Highways or are eligible for such designation. These include U.S. 50 from the eastern limits of the Government Center interchange (Placerville Drive/Forni Road) in Placerville to South Lake Tahoe, all of State Route (SR) 89 within the county, and those portions of SR 88 along the southern border of the county. While a portion of U.S. 50 is a designated State Scenic Highway, the project site is not located near any portion of Highway 50 that is designated as a part of the State Scenic Highway system.

Rivers in El Dorado County include the American, Cosumnes, Rubicon, and Upper Truckee rivers. A large portion of El Dorado County is under the jurisdiction of the U.S. Forest Service (USFS), which oversees rivers or river sections identified as Wild and Scenic under the Wild and Scenic Rivers Act. To date, no river sections in El Dorado County have been nominated for or granted Wild and Scenic River status.

DISCUSSION: A substantial adverse effect related to aesthetics would result from the introduction of physical features that are not characteristic of the surrounding development, substantial changes the natural landscape, or obstruction of an identified public scenic vista.

- a. **Scenic Vista or Resource:** No scenic vistas, as designated by the County General Plan, are located in the vicinity of the site. The proposed project site is not adjacent to, or visible from, a State Scenic Highway. Any new structures would require permits for construction and would be required to comply with the applicable General Plan policies and Zoning Ordinance regulations. There would be **no impact** as a result of project approval.
- b. **Scenic Resources:** The project site is not visible from an officially designated State Scenic Highway or county designated scenic highway, or any roadway that is part of a corridor protection program. There are no views of the site from public parks or scenic vistas. Though the subject parcels are surrounded by dense tree cover, there are no trees or historic buildings in the project vicinity that have been identified by the County as contributing to exceptional aesthetic value at the project site. There would be **no impact** as a result of project approval.
- c. **Visual Character:** The existing visual character of the undeveloped project site is dense tree and vegetation growth and a natural landscape. Grading for the purpose of realigning the existing road on the site is being proposed and each resulting parcel would have the capability for single-family residential development, as well as associated accessory structures. Approval of the project would not substantially degrade the existing visual character of the site or its surroundings. Any potential impacts would be **less than significant**.
- d. **Light and Glare:** The proposed project does not include any substantial new light sources; however, the project would allow for residential development on each of the new parcels in the future which may produce minimal new light and glare. Future development would be required to comply with the County lighting ordinance requirements, including the shielding of lights to avoid potential glare, and would be reviewed during the building permit process. Any potential impacts would be **less than significant**.

FINDING: With adherence to El Dorado County General Plan policies and Code of Ordinances (County Code), for this Aesthetics category, any potential impacts would be **less than significant**.

II. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by California Department of forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. *Would the project:*

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	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d. Result in the loss of forest land or conversion of forest land to non-forest use?				X
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

Regulatory Setting:

Federal Laws, Regulations, and Policies

No federal regulations are applicable to agriculture and forestry resources in relation to the proposed project.

State Laws, Regulations, and Policies

Farmland Mapping and Monitoring Program

The Farmland Mapping and Monitoring Program (FMMP), administered by the California Department of Conservation (CDC), produces maps and statistical data for use in analyzing impacts on California's agricultural resources (CDC 2008). FMMP rates and classifies agricultural land according to soil quality, irrigation status, and other criteria. Important Farmland categories are as follows (CDC 2013a):

Prime Farmland: Farmland with the best combination of physical and chemical features able to sustain long-term agricultural production. These lands have the soil quality, growing season, and moisture supply needed to produce sustained high yields. Prime Farmland must have been used for irrigated agricultural production at some time during the 4 years before the FMMP's mapping date.

Farmland of Statewide Importance: Farmland similar to Prime Farmland, but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Farmland of Statewide Importance must have been used for irrigated agricultural production at some time during the 4 years before the FMMP's mapping date.

Unique Farmland: Farmland of lesser quality soils used for the production of the state's leading agricultural crops. These lands are usually irrigated but might include non-irrigated orchards or vineyards, as found in some climatic zones. Unique Farmland must have been cropped at some time during the 4 years before the FMMP's mapping date.

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Farmland of Local Importance: Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.

California Land Conservation Act of 1965 (Williamson Act)

The California Land Conservation Act of 1965 (commonly referred to as the Williamson Act) allows local governments to enter into contracts with private landowners for the purpose of preventing conversion of agricultural land to non-agricultural uses (CDC 2013b). In exchange for restricting their property to agricultural or related open space use, landowners who enroll in Williamson Act contracts receive property tax assessments that are substantially lower than the market rate.

Z'berg-Nejedly Forest Practice Act

Logging on private and corporate land in California is regulated by the 1973 Z'berg-Nejedly Forest Practice Act. This Act established the Forest Practice Rules (FPRs) and a politically-appointed Board of Forestry to oversee their implementation. The California Department of Forestry (CALFIRE) works under the direction of the Board of Forestry and is the lead government agency responsible for approving logging plans and for enforcing the FPRs.

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. The subject parcels total 116.03-acres of rural residentially designated land surrounded by other similarly sized parcels designated for rural residential use. Although the parcels are located in an area considered to be farmland of local importance, the project does not convert the land to a non-agricultural use as the Rural Residential Land Use Designation does not preclude the use of the parcel for agricultural uses. Any potential impacts would be **less than significant**.

b-e. The parcels are not considered prime farmland and the proposed project does not conflict with any existing zoning for agricultural uses or Williamson Act Contracts. The project would not result in the rezoning of forestland, timberland, or timberland production zoned parcels or result in the loss of forest land or convert forest land to a non-forest use. The proposed parcels would remain rural zoned, and the existing uses would continue. There is no farmland or forestland in the vicinity of the proposed project that would be caused to be converted from farm or forest use to a non-farm or forest use. There would be **no impact** as a result of project approval.

FINDING: The project site contains limited agriculture or forestry resources, and the project is not proposing to change the existing use of the parcels. Any impacts associated with project approval would be anticipated to be **less than significant**.

III. AIR QUALITY. <i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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			X	

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III. AIR QUALITY. Would the project:				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
projected air quality violation?				
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

Regulatory Setting:

Federal Laws, Regulations, and Policies

The Clean Air Act is implemented by the U.S. Environmental Protection Agency (USEPA) and sets ambient air limits, the National Ambient Air Quality Standards (NAAQS), for six criteria pollutants: particulate matter of aerodynamic radius of 10 micrometers or less (PM₁₀), particulate matter of aerodynamic radius of 2.5 micrometers or less (PM_{2.5}), carbon monoxide (CO), nitrogen dioxide (NO₂), ground-level ozone, and lead. Of these criteria pollutants, particulate matter and ground-level ozone pose the greatest threats to human health.

State Laws, Regulations, and Policies

The California Air Resources Board (CARB) sets standards for criteria pollutants in California that are more stringent than the NAAQS and include the following additional contaminants: visibility-reducing particles, hydrogen sulfide, sulfates, and vinyl chloride. The proposed project is located within the Mountain Counties Air Basin, which is comprised of seven air districts: the Northern Sierra Air Quality Management District (AQMD), Placer County Air Pollution Control District (APCD), Amador County APCD, Calaveras County APCD, the Tuolumne County APCD, the Mariposa County APCD, and a portion of the El Dorado County AQMD. The El Dorado County AQMD manages air quality for attainment and permitting purposes within the west slope portion of El Dorado County.

USEPA and CARB regulate various stationary sources, area sources, and mobile sources. USEPA has regulations involving performance standards for specific sources that may release toxic air contaminants (TACs), known as hazardous air pollutants (HAPs) at the federal level. In addition, USEPA has regulations involving emission criteria for off-road sources such as emergency generators, construction equipment, and vehicles. CARB is responsible for setting emission standards for vehicles sold in California and for other emission sources, such as consumer products and certain off-road equipment. CARB also establishes passenger vehicle fuel specifications.

Air quality in the project area is regulated by the El Dorado County AQMD. CARB and local air districts are responsible for overseeing stationary source emissions, approving permits, maintaining emissions inventories, maintaining air quality stations, overseeing agricultural burning permits, and reviewing air quality-related sections of environmental documents required to comply with CEQA. The AQMD regulates air quality through the federal and state Clean Air Acts, district rules, and its permit authority. National and state ambient air quality standards (AAQS) have been adopted by the Environmental Protection Agency and State of California, respectively, for each criteria pollutant: ozone, particulate matter, carbon monoxide, nitrogen dioxide, and sulfur dioxide.

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The Environmental Protection Agency and State also designate regions as “attainment” (within standards) or “nonattainment” (exceeds standards) based on the ambient air quality. The County is in nonattainment status for both federal and state ozone standards and for the state PM₁₀ standard and is in attainment or unclassified status for other pollutants (California Air Resources Board 2008). County thresholds are included in the chart below.

Criteria Pollutant	El Dorado County Threshold	
Reactive Organic Gasses (ROG)	82 lbs/day	
Nitrogen Oxides (NO _x)	82 lbs/day	
Carbon Monoxide (CO)	8-hour average: 6 parts per million (ppm)	1-hour average: 20 ppm
Particulate Matter (PM ₁₀):	Annual geometric mean: 30 µg/m ³	24-hour average: 50 µg/m ³
Particulate Matter (PM _{2.5}):	Annual arithmetic mean: 15 µg/m ³	24-hour average: 65 µg/m ³
Ozone	8-hour average: 0.12 ppm	1-hour average: .09

El Dorado County AQMD’s guide to air quality assessment includes a table listing project types with potentially significant emissions (El Dorado County AQMD 2002:Table 5.2). ROG and NO_x Emissions may be assumed to not be significant if:

- The project encompasses 12 acres or less of ground that is being worked at one time during construction;
- At least one of the recommended mitigation measures related to such pollutants is incorporated into the construction of the project;
- The project proponent commits to pay mitigation fees in accordance with the provisions of an established mitigation fee program in the district (or such program in another air pollution control district that is acceptable to District); or
- Daily average fuel use is less than 337 gallons per day for equipment from 1995 or earlier, or 402 gallons per day for equipment from 1996 or later

If the project meets one of the conditions above, El Dorado County AQMD assumes that exhaust emissions of other air pollutants from the operation of equipment and vehicles are also not significant.

For fugitive dust (PM₁₀), if dust suppression measures will prevent visible emissions beyond the boundaries of the project, further calculations to determine PM emissions are not necessary. For the other criteria pollutants, including CO, PM_{2.5}, SO₂, NO₂, sulfates, lead, and H₂S, a project is considered to have a significant impact on air quality if it will cause or contribute significantly to a violation of the applicable national or state ambient air quality standard(s).

Naturally occurring asbestos (NOA) is also a concern in El Dorado County because it is known to be present in certain soils and can pose a health risk if released into the air. The AQMD has adopted an El Dorado County Naturally Occurring Asbestos Review Area Map that identifies those areas more likely to contain NOA (El Dorado County 2005).

DISCUSSION:

The El Dorado County AQMD has developed a *Guide to Air Quality Assessment* (2002) to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. 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 82 lbs/day (Table 3.2);
- 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

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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 Rules and Regulations of the El Dorado County AQMD (2000) establishing rules and standards for the reduction of stationary source air pollutants (ROG/VOC, NO_x, and O₃). The EDC/State Clean Air Act Plan has set a schedule for implementing and funding transportation contract measures to limit mobile source emissions. The project would not conflict with or obstruct implementation of either plan. Grading for the purpose of realigning the existing road on the parcels is being proposed as a part of this project. Any potential impacts would be **less than significant**.
- b-c. **Air Quality Standards and Cumulative Impacts:** Grading necessary for the realignment of the existing road on the parcel is proposed as a part of the project and there is potential for future development on the parcels including the construction of single-family dwellings as well as accessory structures. Although potential future development would contribute air pollutants due to construction and possible additional vehicle trips to and from the site, these impacts would be minimal. Existing regulations implemented at issuance of building and grading permits would ensure that any construction related PM₁₀ dust emissions would be reduced to acceptable levels. The El Dorado County AQMD reviewed the application materials for this project and determined that the proposed project is minor, and the project is well below the screening size of projects identified in Table 5.2 "Projects with Potentially Significant ROG and NO_x Operation Emission" (El Dorado County AQMD 2002: Table 5-2) for criteria pollutants. El Dorado County AQMD has determined this project is not expected to cause a significant air quality impact. With full review for consistency with General Plan Policies, any potential impacts would be anticipated to be **less than significant**.
- d. **Sensitive Receptors:** The CEQA Guidelines (14 CCR 15000) identify sensitive receptors as facilities that house or attract children, the elderly, people with illnesses, or others that are especially sensitive to the effects of air pollutants. Hospitals, schools, and convalescent hospitals are examples of sensitive receptors. No sources of substantial pollutant concentrations would be emitted by the proposed project. There would be **no impact**.
- e. **Objectionable Odors:** Table 3-1 of the *Guide to Air Quality Assessment* (El Dorado County AQMD 2002) does not list the proposed use of the parcels for residential uses as a use known to create objectionable odors. The request for a Tentative Parcel Map would not be a source of objectionable odors. There would be **no impact**.

FINDING: The proposed project would not affect the implementation of regional air quality regulations or management plans. The proposed project would not be anticipated to cause substantial adverse effects to air quality, nor exceed established significance thresholds for air quality impacts. Any potential impacts would be **less than significant**.

IV. BIOLOGICAL RESOURCES. <i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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 Wildlife 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			X	

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IV. BIOLOGICAL RESOURCES. <i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
Service?				
c. Have a substantial adverse effect on state or federally protected wetlands (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

Regulatory Setting:

Federal Laws, Regulations, and Policies

Endangered Species Act

The Endangered Species Act (ESA) (16 U.S. Code [USC] Section 1531 *et seq.*; 50 Code of Federal Regulations [CFR] Parts 17 and 222) provides for conservation of species that are endangered or threatened throughout all or a substantial portion of their range, as well as protection of the habitats on which they depend. The U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) share responsibility for implementing the ESA. In general, USFWS manages terrestrial and freshwater species, whereas NMFS manages marine and anadromous species.

Section 9 of the ESA and its implementing regulations prohibit the “take” of any fish or wildlife species listed under the ESA as endangered or threatened, unless otherwise authorized by federal regulations. The ESA defines the term “take” to mean “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct” (16 USC Section 1532). Section 7 of the ESA (16 USC Section 1531 *et seq.*) outlines the procedures for federal interagency cooperation to conserve federally listed species and designated critical habitats. Section 10(a)(1)(B) of the ESA provides a process by which nonfederal entities may obtain an incidental take permit from USFWS or NMFS for otherwise lawful activities that incidentally may result in “take” of endangered or threatened species, subject to specific conditions. A habitat conservation plan (HCP) must accompany an application for an incidental take permit.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) (16 USC, Chapter 7, Subchapter II) protects migratory birds. Most actions that result in take, or the permanent or temporary possession of, a migratory bird constitute violations of the MBTA. The MBTA also prohibits destruction of occupied nests. USFWS is responsible for overseeing compliance with the MBTA.

Bald and Golden Eagle Protection Act

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The federal Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c), first enacted in 1940, prohibits "taking" bald eagles, including their parts, nests, or eggs. The Act provides criminal penalties for persons who "take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof." The Act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." The definition for "Disturb" includes injury to an eagle, a decrease in its productivity, or nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior. In addition to immediate impacts, this definition also covers impacts that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present.

Clean Water Act

Clean Water Act (CWA) Section 404 regulates the discharge of dredged and fill materials into waters of the U.S., which include all navigable waters, their tributaries, and some isolated waters, as well as some wetlands adjacent to the aforementioned waters (33 CFR Section 328.3). Areas typically not considered to be jurisdictional waters include non-tidal drainage and irrigation ditches excavated on dry land, artificially irrigated areas, artificial lakes or ponds used for irrigation or stock watering, small artificial waterbodies such as swimming pools, vernal pools, and water-filled depressions (33 CFR Part 328). Areas meeting the regulatory definition of waters of the U.S. are subject to the jurisdiction of U.S. Army Corps of Engineers (USACE) under the provisions of CWA Section 404. Construction activities involving placement of fill into jurisdictional waters of the U.S. are regulated by USACE through permit requirements. No USACE permit is effective in the absence of state water quality certification pursuant to Section 401 of CWA.

Section 401 of the CWA requires an evaluation of water quality when a proposed activity requiring a federal license or permit could result in a discharge to waters of the U.S. In California, the State Water Resources Control Board (SWRCB) and its nine Regional Water Quality Control Boards (RWQCBs) issue water quality certifications. Each RWQCB is responsible for implementing Section 401 in compliance with the CWA and its water quality control plan (also known as a Basin Plan). Applicants for a federal license or permit to conduct activities that may result in the discharge to waters of the U.S. (including wetlands or vernal pools) must also obtain a Section 401 water quality certification to ensure that any such discharge will comply with the applicable provisions of the CWA.

State Laws, Regulations, and Policies

California Fish and Game Code

The California Fish and Game Code includes various statutes that protect biological resources, including the Native Plant Protection Act of 1977 (NPPA) and the California Endangered Species Act (CESA). The NPPA (California Fish and Game Code Section 1900-1913) authorizes the Fish and Game Commission to designate plants as endangered or rare and prohibits take of any such plants, except as authorized in limited circumstances.

CESA (California Fish and Game Code Section 2050–2098) prohibits state agencies from approving a project that would jeopardize the continued existence of a species listed under CESA as endangered or threatened. Section 2080 of the California Fish and Game Code prohibits the take of any species that is state listed as endangered or threatened, or designated as a candidate for such listing. California Department of Fish and Wildlife (CDFW) may issue an incidental take permit authorizing the take of listed and candidate species if that take is incidental to an otherwise lawful activity, subject to specified conditions.

California Fish and Game Code Section 3503, 3513, and 3800 protect native and migratory birds, including their active or inactive nests and eggs, from all forms of take. In addition, Section 3511, 4700, 5050, and 5515 identify species that are fully protected from all forms of take. Section 3511 lists fully protected birds, Section 5515 lists fully protected fish, Section 4700 lists fully protected mammals, and Section 5050 lists fully protected amphibians.

Streambed Alteration Agreement

Sections 1601 to 1606 of the California Fish and Game Code require that a Streambed Alteration Application be submitted to CDFW for any activity that may substantially divert or obstruct the natural flow or substantially change

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the bed, channel, or bank of any river, stream, or lake. As a general rule, this requirement applies to any work undertaken within the 100-year floodplain of a stream or river containing fish or wildlife resources.

California Native Plant Protection Act

The California Native Plant Protection Act (California Fish and Game Code Section 1900–1913) prohibits the taking, possessing, or sale of any plants with a state designation of rare, threatened, or endangered (as defined by CDFW). The California Native Plant Society (CNPS) maintains a list of plant species native to California that has low population numbers, limited distribution, or are otherwise threatened with extinction. This information is published in the Inventory of Rare and Endangered Plants of California (CNPS 2001). Potential impacts to populations of CNPS-listed plants receive consideration under CEQA review.

Forest Practice Act

Logging on private and corporate land in California is regulated by the Z'Berg-Nejedly Forest Practices Act (FPA), which took effect January 1, 1974. The act established the Forest Practice Rules (FPRs) and a politically-appointed Board of Forestry to oversee their implementation. The California Department of Forestry (CALFIRE) works under the direction of the Board of Forestry and is the lead government agency responsible for approving logging plans and for enforcing the FPRs. A Timber Harvest Plan (THP) must be prepared by a Registered Professional Forester (RPF) for timber harvest on virtually all non-federal land. The FPA also established the requirement that all non-federal forests cut in the State be regenerated with at least three hundred stems per acre on high site lands, and one hundred fifty trees per acre on low site lands.

Local Laws, Regulations, and Policies

The County General Plan also include policies that contain specific, enforceable requirements and/or restrictions and corresponding performance standards that address potential impacts on special-status plant species or create opportunities for habitat improvement. The El Dorado County General Plan designates the Important Biological Corridor (IBC) (Exhibits 5.12-14, 5.12-5 and 5.12-7, El Dorado County, 2003). Lands located within the overlay district are subject to the following provisions, given that they do not interfere with agricultural practices:

- Increased minimum parcel size;
- Higher canopy-retention standards and/or different mitigation standards/thresholds for oak woodlands;
- Lower thresholds for grading permits;
- Higher wetlands/riparian retention standards and/or more stringent mitigation requirements for wetland/riparian habitat loss;
- Increased riparian corridor and wetland setbacks;
- Greater protection for rare plants (e.g., no disturbance at all or disturbance only as recommended by U.S. Fish and Wildlife Service/California Department of Fish and Wildlife);
- Standards for retention of contiguous areas/large expanses of other (non-oak or non-sensitive) plant communities;
- Building permits discretionary or some other type of “site review” to ensure that canopy is retained;
- More stringent standards for lot coverage, floor area ratio (FAR), and building height; and
- No hindrances to wildlife movement (e.g., no fences that would restrict wildlife movement).

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

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- Interfere substantially with the movement of any resident or migratory fish or wildlife species.
- a. **Special Status Species:** The parcel was surveyed for any rare, threatened, or endangered plant species (Attachment 7). The survey did not find any incidences of rare plants on the parcels. However, one of the eight species of concern have been sighted nearby but is not likely to thrive in a forest that has been actively managed and has not been sighted on the subject parcels. No mitigation measures are being recommended for this project and any potential impacts would be **less than significant**.
- b-c. **Riparian Habitat and Wetlands:** No suitable riparian habitat exists for rare, threatened, or endangered species on the subject parcels, and there is no aquatic habitat on the site to support amphibians or fish. The County regulates oak canopy removal, as described below in the Local Policies section. No federally protected wetlands occur on the site. The parcels are located within 50 feet of the perennial Canyon Creek, which is a Water of the United States. Any activity with potential impacts on Canyon Creek would require a permit from the U.S. Corp of Engineers. The proposed project is unlikely to impact the creek in a significant manner and any potential impacts would be **less than significant**.
- d. **Migration Corridors:** Migratory Deer Herd Corridors occur within some areas of El Dorado County. The project site does not include, nor is it adjacent to, any migratory deer herd corridors as shown in the El Dorado County General Plan. The parcels are located in an area known to be critical summer habitat for the migratory herds, however, since no substantial development that would restrict migration is being proposed as a part of this project, any potential impacts would be **less than significant**.
- e. **Local Policies:** Local protection of biological resources includes oak woodland preservation, rare plants and special-status species, and wetland preservation with the goal to preserve and protect sensitive natural resources within the County. The project is not located in the IBC, as addressed above and no trees are proposed to be removed from the subject parcel for the project. The project would not conflict with any local policies or ordinances protecting biological resources and would have **no impact** for this category.
- f. **Adopted Plans:** This project would not conflict with the provisions of an adopted Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. There would be **no impact** as a result of project approval.

FINDING: No significant impacts to protected species, habitat, wetlands, or oak trees were identified for this project. Any potential impacts would be **less than significant**.

V. CULTURAL RESOURCES. <i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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. Disturb any human remains, including those interred outside of formal cemeteries?			X	

Regulatory Setting:

Federal Laws, Regulations, and Policies

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The National Register of Historic Places

The National Register of Historic Places (NRHP) is the nation's master inventory of known historic resources. The NRHP is administered by the National Park Service and includes listings of buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archaeological, or cultural significance at the national, state, or local level. The criteria for listing in the NRHP include resources that:

- A. Are associated with events that have made a significant contribution to the broad patterns of history (events);
- B. Are associated with the lives of persons significant in our past (persons);
- C. Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction (architecture); or
- D. Have yielded or may likely yield information important in prehistory or history (information potential).

State Laws, Regulations, and Policies

California Register of Historical Resources

Public Resources Code Section 5024.1 establishes the California Register of Historical Resources (CRHR). The register lists all California properties considered to be significant historical resources. The CRHR includes all properties listed as or determined to be eligible for listing in the NRHP, including properties evaluated under Section 106 of the National Historic Preservation Act. The criteria for listing in the CRHR are similar to those of the NRHP and include resources that:

- 1. Are associated with the events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- 2. Are associated with the lives of persons important in our past;
- 3. Embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of an important creative individual, or possess high artistic values; or
- 4. Have yielded, or may be likely to yield, information important in prehistory or history.

The regulations set forth the criteria for eligibility as well as guidelines for assessing historical integrity and resources that have special considerations.

The State Office of Historic Preservation sponsors the California Historical Resources Information System (CHRIS), a statewide system for managing information on the full range of historical resources identified in California. CHRIS provides an integrated database of site-specific archaeological and historical resources information. The State Office of Historic Preservation also maintains the CRHR, which identifies the State's architectural, historical, archeological and cultural resources.

Public Resources Code (Section 5024.1[B]) states that any agency proposing a project that could potentially impact a resource listed on the CRHR must first notify the State Historic Preservation Officer and must work with the officer to ensure that the project incorporates "prudent and feasible measures that will eliminate or mitigate the adverse effects."

California Health and Safety Code Section 7050.5 requires that, in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC).

Section 5097.98 of the California Public Resources Code stipulates that whenever NAHC receives notification of a discovery of Native American human remains from a county coroner pursuant to subdivision (c) of Section 7050.5 of

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the Health and Safety Code, it shall immediately notify those persons it believes to be most likely descended from the deceased Native American. The decedents may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The descendants shall complete their inspection and make their recommendation within 24 hours of their notification by NAHC. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

CEQA and CEQA Guidelines

Section 21083.2 of CEQA requires that the lead agency determine whether a project may have a significant effect on unique archaeological resources. A unique archaeological resource is defined in CEQA as an archaeological artifact, object, or site about which it can be clearly demonstrated that there is a high probability that it:

- Contains information needed to answer important scientific research questions, and there is demonstrable public interest in that information;
- Has a special or particular quality, such as being the oldest of its type or the best available example of its type; or
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Measures to avoid, conserve, preserve, or mitigate significant effects on these resources are also provided under CEQA Section 21083.2.

Section 15064.5 of the CEQA Guidelines notes that “a project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.” Substantial adverse changes include physical changes to the historic resource or to its immediate surroundings, such that the significance of the historic resource would be materially impaired. Lead agencies are expected to identify potentially feasible measures to mitigate significant adverse changes in the significance of a historic resource before they approve such projects. Historic resources are those that are:

- listed in, or determined to be eligible for listing in, the California Register of Historical Resources (CRHR) (Public Resources Code Section 5024.1[k]);
- included in a local register of historic resources (Public Resources Code Section 5020.1) or identified as significant in an historic resource survey meeting the requirements of Public Resources Code Section 5024.1(g); or
- determined by a lead agency to be historically significant.

CEQA Guidelines Section 15064.5 also prescribes the processes and procedures found under Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.95 for addressing the existence of, or probable likelihood of, Native American human remains, as well as the unexpected discovery of any human remains within the project site. This includes consultation with the appropriate Native American tribes.

CEQA Guidelines Section 15126.4 provides further guidance about minimizing effects to historical resources through the application of mitigation measures. Mitigation measures must be legally binding and fully enforceable.

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 property that is historically or culturally 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

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- Conflict with adopted environmental plans and goals of the community where it is located.

a-b. Historic or Archeological Resources: A complete records search of the California Historic Resources Information System (CHRIS) found no records of prehistoric-period cultural resources and no historic-period cultural resources in the project area. Any potential impacts would be **less than significant**.

c. Human Remains: No human remains are known to exist within the project site. However, there is the possibility that subsurface construction activities associated with the proposed project, such as grading, could potentially damage or destroy previously uncovered human remains. However, if human remains should be discovered, implementation of standard conditions of approval to address discovery of human remains consistent with California Health and Safety Code Section 7050.5 would ensure that impacts on previously undiscovered human remains would be **less than significant**.

FINDING: No significant cultural resources have been identified on the project site. Standard conditions of approval would apply in the event of accidental discovery during any future construction. As conditioned, any potential impacts would be **less than significant**.

VI. ENERGY. <i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Result in potential significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

Regulatory Setting

Federal Energy Policy Act of 2005

The Federal Energy Policy Act of 2005 (EP Act) was intended to establish a comprehensive, long-term energy policy and is implemented by the U.S. Department of Energy (U.S. DOE). The EP Act addresses energy production in the U.S., including oil, gas, coal, and alternative forms of energy and energy efficiency and tax incentives. Energy efficiency and tax incentive programs include credits for the construction of new energy efficient homes, production or purchase of energy efficient appliances, and loan guarantees for entities that develop or use innovative technologies that avoid the production of greenhouse gases (GHG).

State Laws, Regulations, and Policies

California Building Standards Code (Title 24, California Code of Regulations), including Energy Code (Title 24, Part 6) and Green Building Standards Code (Title 24, Part 11)

California first adopted the California Buildings Standards Code in 1979, which constituted the nation's first comprehensive energy conservation requirements for construction. Since this time, the standards have been continually revised and strengthened. In particular, the California Building Standards Commission adopted the mandatory Green Building Standards Code (CALGreen [California Code of Regulations, Title 24, Part 11]) in January 2010. CALGreen applies to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure. The California Code of

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Regulations, Title 24, Part 6 (also known as the California Energy Code), and associated regulations in CALGreen were revised again in 2013 by the California Energy Commission (CEC). The 2013 Building Energy Efficiency Standards are 25% more efficient than previous standards for residential construction. Part 11 also establishes voluntary standards that became mandatory in the 2010 edition of the code, including planning and design for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants. The standards offer builders better windows, insulation, lighting, ventilation systems, and other features that reduce energy consumption in homes and businesses. The latest update to the California Building Code was published on July 1, 2022, with an effective date of January 1, 2023. The California Building Code applies to all new development, and there are no substantive waivers available that would exempt development from its energy efficiency requirements. The California Building Code is revised on a regular basis, with each revision increasing the required level of energy efficiency.

Senate Bills 1078/107 and Senate Bill 2—Renewables Portfolio Standard

Senate Bill (SB) 1078 and SB 107, California's Renewables Portfolio Standard (RPS), obligates investor-owned utilities (IOUs), energy service providers (ESPs), and Community Choice Aggregations (CCAs) to procure an additional 1% of retail sales per year from eligible renewable sources until 20% is reached, no later than 2010. The California Public Utilities Commission (CPUC) and CEC are jointly responsible for implementing the program. SB 2 (2011) set forth a longer range target of procuring 33% of retail sales by 2020. Implementation of the RPS will conserve nonrenewable fossil fuel resources by generated a greater percentages of statewide electricity from renewable resources, such as wind, solar, and hydropower.

Assembly Bill (AB) 1881 (Chapter 559, Statutes of 2006)

Water conservation reduces energy use by reducing the energy cost of moving water from its source to its user. Assembly Bill (AB) 1881 (Chapter 559, Statutes of 2006) requires the Department of Water Resources (DWR) to adopt an Updated Model Water Efficient Landscape Ordinance (MWELO) and local agencies to adopt DWR's MWELO or a local water efficient landscape ordinance by January 1, 2010 and notify DWR of their adoption (Government Code Section 65595). The water efficient landscape ordinance would apply to sites that are supplied by public water as well as those supplied by private well. Local adoption and implementation of a water efficient landscape ordinance would reduce per capita water use from new development.

Senate Bill X7-7 (Chapter 4, Statutes of 2009)

SB X7-7 (Chapter 4, Statutes of 2009), the Water Conservation Act of 2009, establishes an overall goal of reducing statewide per capita urban water use by 20% by December 31, 2020 (with an interim goal of at least 10% by December 31, 2015). This statute applies to both El Dorado Irrigation District (EID) and the Georgetown Divide Public Utilities District (GDPUD). EID has incorporated this mandate into its water supply planning, as represented in its Urban Water Management Plan 2010 Update (El Dorado Irrigation District 2011) and all subsequent water supply plans. Reducing water use results in a reduction in energy demand that would otherwise be used to transport and treat water before delivery to the consumer.

Assembly Bill 2076, Reducing Dependence on Petroleum

The CEC and Air Resources Board (ARB) are directed by AB 2076 (passed in 2000) to develop and adopt recommendations for reducing dependence on petroleum. A performance-based goal is to reduce petroleum demand to 15% less than 2003 demand by 2020.

Senate Bill 375—Sustainable Communities Strategy

SB 375 was adopted with a goal of reducing fuel consumption and GHG emissions from cars and light trucks. Each metropolitan planning organization (MPO) across California is required to develop a sustainable communities strategy (SCS) as part of their regional transportation plan (RTP) to meet the region's GHG emissions reduction target, as set by the California Air Resources Board. The Sacramento Area Council of Governments (SACOG) is the MPO for the Sacramento region, including the western slope of El Dorado County. SACOG adopted its current Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) on November 18, 2019.

Assembly Bill 1493—Pavley Rules (2002, Amendments 2009, 2012 rule-making)

AB 1493 required the ARB to adopt vehicle standards that will improve the efficiency of light duty autos and lower GHG emissions to the maximum extent feasible beginning in 2009. Additional strengthening of the Pavley standards (referred to previously as "Pavley II," now referred to as the "Advanced Clean Cars" measure) has been proposed for vehicle model years 2017–2025. Together, the two standards are expected to increase average fuel economy to roughly 54.5 miles per

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gallon by 2025. The improved energy efficiency of light duty autos will reduce statewide fuel consumption in the transportation sector.

CEQA and CEQA Guidelines

Section 15126.2(b) of the CEQA Guidelines requires detailed analysis of a project's energy impacts. If analysis of the project's energy use reveals that the project may result in significant environmental effects due to wasteful, inefficient, or unnecessary use of energy, or wasteful use of energy resources, the environmental document shall prescribe mitigation for those impacts. This analysis should include the project's energy use for all project phases and components, including transportation-related energy, during construction and operation. In addition to building code compliance, other relevant considerations may include, among others, the project's size, location, orientation, equipment use and any renewable energy features that could be incorporated into the project.

CEQA Guidelines, Appendix F: Energy Conservation

CEQA requires EIRs to include a discussion of potential energy impacts and energy conservation measures. Appendix F, Energy Conservation, of the State CEQA Guidelines outlines energy impact possibilities and potential conservation measures designed to assist in the evaluation of potential energy impacts of proposed projects. Appendix F places "particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy," and further indicates this may result in an unavoidable adverse effect on energy conservation. Moreover, the State CEQA Guidelines state that significant energy impacts should be "considered in an EIR to the extent relevant and applicable to the project." Mitigation for potential significant energy impacts (if required) could include implementing a variety of strategies, including measures to reduce wasteful energy consumption and altering project siting to reduce energy consumption.

Local Laws, Regulations, and Policies

The County General Plan Public Services and Utilities Element includes goals, objectives, and policies related to energy conservation associated with the County's future growth and development. Among these is Objective 5.6.2 (Encourage Energy-Efficient Development) which applies to energy-efficient buildings, subdivisions, development and landscape designs. Associated with Objective 5.6.2 are two policies specifically addressing energy conservation:

Policy 5.6.2.1: Requires energy conserving landscaping plans for all projects requiring design review or other discretionary approval.

Policy 5.6.2.2: All new subdivisions should include design components that take advantage of passive or natural summer cooling and/or winter solar access, or both, when possible.

Further, the County has other goals and policies that would conserve energy even though not being specifically drafted for energy conservation purposes (e.g., Objective 6.7.2, Policy 6.7.2.3).

DISCUSSION:

- a. **Unnecessary Consumption:** Grading necessary for the realignment of the existing road on the parcel is the only development being proposed as part of the project at this time. However, should any further development be proposed in the future, project-related construction and operation would be consistent with applicable energy legislation, policies, and standards for the purpose of reducing energy consumption and improving efficiency (i.e., reducing wasteful and inefficient use of energy) as described in the Regulatory Setting. With adherence to the above-mentioned codes and regulations, any potential impacts would be **less than significant**.
- b. **Conflict with Energy Plans:** Grading necessary for the realignment of the existing road on the parcel is the extent of the development being proposed for this project. Any future development would be required to be consistent with all applicable state and local plans for renewable energy efficiency and would not obstruct implementation of applicable energy plans. As proposed, any potential impacts would be **less than significant**.

FINDING:

Development being proposed for this project consists of grading for the purposes of realigning the existing road on the parcels. As the project would be required to adhere to applicable legislation, policies and standards, the project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. Any future development would be required to be consistent with all

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applicable state and local plans for renewable energy or energy efficiency. For this energy category, any potential impacts would be **less than significant**.

VII.GEOLOGY AND SOILS. <i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?			X	
b. Result in substantial soil erosion or the loss of topsoil?			X	
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) creating substantial risks to life or property?			X	
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X	
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

Regulatory Setting:

Federal Laws, Regulations, and Policies

National Earthquake Hazards Reduction Act

The National Earthquake Hazards Reduction Act of 1977 (Public Law 95-124) and creation of the National Earthquake Hazards Reduction Program (NEHRP) established a long-term earthquake risk-reduction program to better understand, predict, and mitigate risks associated with seismic events. The following four federal agencies are responsible for coordinating activities under NEHRP: USGS, National Science Foundation (NSF), Federal Emergency Management Agency (FEMA), and National Institute of Standards and Technology (NIST). Since its inception, NEHRP has shifted its focus from earthquake prediction to hazard reduction. The current program objectives (NEHRP 2009) are to:

1. Develop effective measures to reduce earthquake hazards;

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2. Promote the adoption of earthquake hazard reduction activities by federal, state, and local governments; national building standards and model building code organizations; engineers; architects; building owners; and others who play a role in planning and constructing buildings, bridges, structures, and critical infrastructure or “lifelines”;
3. Improve the basic understanding of earthquakes and their effects on people and infrastructure through interdisciplinary research involving engineering; natural sciences; and social, economic, and decision sciences; and
4. Develop and maintain the USGS seismic monitoring system (Advanced National Seismic System); the NSF-funded project aimed at improving materials, designs, and construction techniques (George E. Brown Jr. Network for Earthquake Engineering Simulation); and the global earthquake monitoring network (Global Seismic Network).

Implementation of NEHRP objectives is accomplished primarily through original research, publications, and recommendations and guidelines for state, regional, and local agencies in the development of plans and policies to promote safety and emergency planning.

State Laws, Regulations, and Policies

Alquist–Priolo Earthquake Fault Zoning Act

The Alquist–Priolo Earthquake Fault Zoning Act (Public Resources Code Section 2621 *et seq.*) was passed to reduce the risk to life and property from surface faulting in California. The Alquist–Priolo Act prohibits construction of most types of structures intended for human occupancy on the surface traces of active faults and strictly regulates construction in the corridors along active faults (earthquake fault zones). It also defines criteria for identifying active faults, giving legal weight to terms such as “active,” and establishes a process for reviewing building proposals in and adjacent to earthquake fault zones. Under the Alquist–Priolo Act, faults are zoned and construction along or across them is strictly regulated if they are “sufficiently active” and “well defined.” Before a project can be permitted, cities and counties are required to have a geologic investigation conducted to demonstrate that the proposed buildings would not be constructed across active faults.

Historical seismic activity and fault and seismic hazards mapping in the project vicinity indicate that the area has relatively low potential for seismic activity (El Dorado County 2003). No active faults have been mapped in the project area, and none of the known faults have been designated as an Alquist–Priolo Earthquake Fault Zone.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act of 1990 (Public Resources Code Sections 2690–2699.6) establishes statewide minimum public safety standards for mitigation of earthquake hazards. While the Alquist–Priolo Act addresses surface fault rupture, the Seismic Hazards Mapping Act addresses other earthquake-related hazards, including strong ground shaking, liquefaction, and seismically induced landslides. Its provisions are similar in concept to those of the Alquist–Priolo Act. The state is charged with identifying and mapping areas at risk of strong ground shaking, liquefaction, landslides, and other seismic hazards, and cities and counties are required to regulate development within mapped seismic hazard zones. In addition, the act addresses not only seismically induced hazards but also expansive soils, settlement, and slope stability.

Mapping and other information generated pursuant to the SHMA is to be made available to local governments for planning and development purposes. The State requires: (1) local governments to incorporate site-specific geotechnical hazard investigations and associated hazard mitigation, as part of the local construction permit approval process; and (2) the agent for a property seller or the seller if acting without an agent, must disclose to any prospective buyer if the property is located within a Seismic Hazard Zone. Under the Seismic Hazards Mapping Act, cities and counties may withhold the development permits for a site within seismic hazard zones until appropriate site-specific geologic and/or geotechnical investigations have been carried out and measures to reduce potential damage have been incorporated into the development plans.

California Building Standards Code

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Title 24 CCR, also known as the California Building Standards Code (CBC), specifies standards for geologic and seismic hazards other than surface faulting. These codes are administered and updated by the California Building Standards Commission. CBC specifies criteria for open excavation, seismic design, and load-bearing capacity directly related to construction in California.

The lead agency having jurisdiction over a project is also responsible to ensure that paleontological resources are protected in compliance with CEQA and other applicable statutes. Paleontological and historical resource management is also addressed in Public Resources Code Section 5097.5, "Archaeological, Paleontological, and Historical Sites." This statute defines as a misdemeanor any unauthorized disturbance or removal of a fossil site or remains on public land and specifies that state agencies may undertake surveys, excavations, or other operations as necessary on state lands to preserve or record paleontological resources. This statute would apply to any construction or other related project impacts that would occur on state-owned or state-managed lands. The County General Plan contains policies describing specific, enforceable measures to protect cultural resources and the treatment of resources when found.

DISCUSSION: A substantial adverse effect on geology and soils 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. Seismic Hazards:

- i. According to the California Department of Conservation Division of Mines and Geology, there are no Alquist-Priolo fault zones within El Dorado County (California Geological Survey 2007). The nearest such faults are located in Alpine and Butte Counties. There would be **no impact**.
- ii. The potential for seismic ground shaking in the project area would be considered remote for the reason stated in Section i) above. Any potential impacts due to seismic impacts would be addressed through compliance with the Uniform Building Code. All structures would be built to meet the construction standards of the UBC for the appropriate seismic zone. There would be **no impact** as a result of project approval.
- iii. El Dorado County is considered an area with low potential for seismic activity. There are no landslide, liquefaction, or fault zones (California Geological Survey 2007). There would be **no impact**.
- iv. Grading activities onsite would be required to comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance. Any potential impacts would be **less than significant**.

- b. Soil Erosion:** For development proposals, all grading activities onsite would comply with the El Dorado County Grading, Erosion and Sediment Control Ordinance including the implementation of pre- and post-construction Best Management Practices (BMPs). Implemented BMPs are required to be consistent with the County's California Stormwater Pollution Prevention Plan (SWPPP) issued by the State Water Resources Control Board to eliminate run-off and erosion and sediment controls. Any grading activities exceeding 250 cubic yards of graded material or grading completed for the purpose of supporting a structure must meet the

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provisions contained in the County of El Dorado Grading, Erosion, and Sediment Control Ordinance. Any potential impacts would be **less than significant**.

- c. **Geologic Hazards:** Based on the Seismic Hazards Mapping Program administered by the California Geological Survey, no portion of El Dorado County is located in a Seismic Hazard Zone or those areas prone to liquefaction and earthquake-induced landslides (California Geological Survey 2013). Therefore, El Dorado County is not considered to be at risk from liquefaction hazards. Lateral spreading is typically associated with areas experiencing liquefaction. Because liquefaction hazards are not present in El Dorado County, the county is not at risk for lateral spreading. No grading or development that would cause the soil to become unstable or result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse is being proposed as a part of this project. There would be **no impact** as a result of project approval.
- d. **Expansive Soils:** Expansive soils are those that greatly increase in volume when they absorb water and shrink when they dry out. 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. The central portion of the county has a moderate expansiveness rating while the eastern and western portions have a low rating. Any potential impacts would be **less than significant**.
- e. **Septic Capability:** The subject parcels do not currently have existing on-site wastewater disposal systems, however, a percolation test submitted with the project application indicates the new parcels would be capable of adequately supporting the use of septic tanks for the disposal of wastewater. Any potential impacts would be **less than significant**.
- f. **Paleontological Resources:** The proposed project area is not located in an area that is considered likely to have paleontological resources present. Fossils of plants, animals, or other organisms of paleontological significance have not been discovered within the project area. In this context, the project would not result in impacts to paleontological resources or unique geologic features. All development, including grading for the purpose of creating a road, would be required to comply with standard conditions of approval requiring that all work activities shall be stopped in the event of an unanticipated discovery. Any potential impacts would be **less than significant**.

FINDING: A review of the soils and geologic conditions on the project site determined that the project would not result in a substantial adverse effect. All grading activities would be required to comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance which would address potential impacts related to soil erosion, landslides and other geologic impacts. Any future development would also be required to comply with the Uniform Building Code which would address potential seismic related impacts. For this geology and soils category, any potential impacts would be **less than significant**.

VIII. GREENHOUSE GAS EMISSIONS. <i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Background/Science

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Cumulative greenhouse gases (GHG) emissions are believed to contribute to an increased greenhouse effect and global climate change, which may result in sea level rise, changes in precipitation, habitat, temperature, wildfires, air pollution levels, and changes in the frequency and intensity of weather-related events. While criteria pollutants and toxic air contaminants are pollutants of regional and local concern (see Section III. Air Quality above); GHG are global pollutants. The primary land-use related GHG are carbon dioxide (CO₂), methane (CH₄) and nitrous oxides (N₂O). The individual pollutant's ability to retain infrared radiation represents its "global warming potential" and is expressed in terms of CO₂ equivalents; therefore CO₂ is the benchmark having a global warming potential of 1. Methane has a global warming potential of 21 and thus has a 21 times greater global warming effect per metric ton of CH₄ than CO₂. Nitrous Oxide has a global warming potential of 310. Emissions are expressed in annual metric tons of CO₂ equivalent units of measure (i.e., MTCO₂e/yr). The three other main GHG are Hydrofluorocarbons, Perfluorocarbons, and Sulfur Hexafluoride. While these compounds have significantly higher global warming potentials (ranging in the thousands), all three typically are not a concern in land-use development projects and are usually only used in specific industrial processes.

GHG Sources

The primary man-made source of CO₂ is the burning of fossil fuels; the two largest sources being coal burning to produce electricity and petroleum burning in combustion engines. The primary sources of man-made CH₄ are natural gas systems losses (during production, processing, storage, transmission and distribution), enteric fermentation (digestion from livestock) and landfill off-gassing. The primary source of man-made N₂O is agricultural soil management (fertilizers), with fossil fuel combustion a very distant second. In El Dorado County, the primary source of GHG is fossil fuel combustion mainly in the transportation sector (estimated at 70% of countywide GHG emissions). A distant second are residential sources (approximately 20%), and commercial/industrial sources are third (approximately 7%). The remaining sources are waste/landfill (approximately 3%) and agricultural (<1%).

Regulatory Setting:

Federal Laws, Regulations, and Policies

At the federal level, USEPA has developed regulations to reduce GHG emissions from motor vehicles and has developed permitting requirements for large stationary emitters of GHGs. On April 1, 2010, USEPA and the National Highway Traffic Safety Administration (NHTSA) established a program to reduce GHG emissions and improve fuel economy standards for new model year 2012-2016 cars and light trucks. On August 9, 2011, USEPA and the NHTSA announced standards to reduce GHG emissions and improve fuel efficiency for heavy-duty trucks and buses.

State Laws, Regulations, and Policies

Executive Order (EO) S-3-5 (June 2005) established California's GHG emissions reductions targets and laid out responsibilities among the state agencies for implementing the EO and for reporting on progress toward the targets. This EO established the following targets:

- By 2010, reduce GHG emissions to 2000 levels
- By 2020, reduce GHG emissions to 1990 levels
- By 2050, reduce GHG emissions to 80% below 1990 levels

In September 2006, Governor Arnold Schwarzenegger signed Assembly Bill (AB) 32, the *California Climate Solutions Act of 2006* (Stats. 2006, ch. 488) (Health & Safety Code, Section 38500 et seq.). AB 32 requires a statewide GHG emissions reduction to 1990 levels by the year 2020. AB 32 requires the California Air Resources Board (CARB) to implement and enforce the statewide cap. When AB 32 was signed, California's annual GHG emissions were estimated at 600 million metric tons of CO₂ equivalent (MMTCO₂e) while 1990 levels were estimated at 427 MMTCO₂e. Setting 427 MMTCO₂e as the emissions target for 2020, current (2006) GHG emissions levels must be reduced by 29%. CARB adopted the AB 32 Scoping Plan in December 2008 establishing various actions the state would implement to achieve this reduction (CARB 2008). The Scoping Plan recommends a community-wide GHG reduction goal for local governments of 15%.

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In June 2008, the California Governor's Office of Planning and Research's (OPR) issued a Technical Advisory (OPR, 2008) providing interim guidance regarding a proposed project's GHG emissions and contribution to global climate change. In the absence of adopted local or statewide thresholds, OPR recommends the following approach for analyzing GHG emissions: Identify and quantify the project's GHG emissions, assess the significance of the impact on climate change; and if the impact is found to be significant, identify alternatives and/or Mitigation Measures that would reduce the impact to less than significant levels (CEC 2006).

Impact Significance Criteria

CEQA does not provide clear direction on addressing climate change. It requires lead agencies identify project GHG emissions impacts and their "significance," but is not clear what constitutes a "significant" impact. As stated above, GHG impacts are inherently cumulative, and since no single project could cause global climate change, the CEQA test is if impacts are "cumulatively considerable." Not all projects emitting GHG contribute significantly to climate change. CEQA authorizes reliance on previously approved plans (i.e., a Climate Action Plan (CAP), etc.) and mitigation programs adequately analyzing and mitigating GHG emissions to a less than significant level. "Tiering" from such a programmatic-level document is the preferred method to address GHG emissions. El Dorado County does not have an adopted CAP or similar program-level document; therefore, the project's GHG emissions must be addressed at the project-level.

Unlike thresholds of significance established for criteria air pollutants in El Dorado County AQMD's *Guide to Air Quality Assessment* (February 2002) ("CEQA Guide"), the District has not adopted GHG emissions thresholds for land use development projects. In the absence of County adopted thresholds, EDCAQMD recommends using the adopted thresholds of other lead agencies which are based on consistency with the goals of AB 32. Since climate change is a global problem and the location of the individual source of GHG emissions is somewhat irrelevant, it's appropriate to use thresholds established by other jurisdictions as a basis for impact significance determinations. Projects exceeding these thresholds would have a potentially significant impact and be required to mitigate those impacts to a less than significant level. Until the County adopts a CAP consistent with CEQA Guidelines Section 15183.5, and/or establishes GHG thresholds, the El Dorado County AQMD has recommended the use of thresholds adopted by the Sacramento Metropolitan Air Quality Management District (SMAQMD). The thresholds of significance established by SMAQMD, and used by EDCAQMD, were developed to identify emissions levels for which a project would not be expected to substantially conflict with existing California legislation adopted to reduce statewide GHG emissions needed to move towards climate stabilization. Per the SMAQMD Thresholds of Significance Table, updated April 2020, if a proposed project results in emissions less than 1,100 MTCO₂e/yr during either construction or operation, the proposed project would be anticipated to result in a less-than-significant impact related to GHG emissions.

DISCUSSION:

- a.-b. GHG Emissions:** Emissions of greenhouse gas (GHG) contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on Earth. An individual project's GHG emissions are at a micro-scale level relative to global emissions and effects to global climate change; however, an individual project could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. As such, impacts related to emissions of GHG are inherently considered cumulative impacts.

Implementation of the proposed project is not expected to cumulatively contribute to increases of GHG emissions. Estimated GHG emissions attributable to future development would be primarily associated with increases of carbon dioxide (CO₂) and, to a lesser extent, other GHG pollutants, such as methane (CH₄) and nitrous oxide (N₂O) associated with area sources, mobile sources or vehicles, utilities (electricity and natural gas), water usage, wastewater generation, and the generation of solid waste. The primary source of GHG emissions for the project would be mobile source emissions. The common unit of measurement for GHG is expressed in terms of annual metric tons of CO₂ equivalents (MTCO₂e/yr).

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The El Dorado County AQMD has not formally adopted thresholds for evaluating GHG emissions, but has recommended the use of thresholds adopted by the SMAQMD. The thresholds of significance established by SMAQMD, and used by EDCAQMD, were developed to identify emissions levels for which a project would not be expected to substantially conflict with existing California legislation adopted to reduce statewide GHG emissions needed to move towards climate stabilization. Per the SMAQMD Thresholds of Significance Table, updated April 2020, if a proposed project results in emissions less than 1,100 MTCO₂e/yr during either construction or operation, the proposed project would be anticipated to result in a less-than-significant impact related to GHG emissions.

GHG emissions are quantified with CalEEMod using the same assumptions as presented in the Air Quality section above and compared to the thresholds of significance noted above. The proposed project's required compliance with the current California Building Energy Efficiency Standards Code would ensure the project meets current applicable requirements.

Construction-related GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change, as global climate change is inherently a cumulative effect that occurs over a long period of time and is quantified on a yearly basis. As the only development being proposed as part of the project is the grading required for the realignment of the existing road, construction GHG emissions are not expected to be a cumulatively considerable contribution to global climate change. Any potential impacts would be **less than significant**.

FINDING: For this greenhouse gas emissions category, there would be no significant adverse environmental effect as a result of the project. Any potential impacts would be **less than significant**.

IX. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			X	

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IX. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

Regulatory Setting:

Hazardous materials and hazardous wastes are subject to extensive federal, state, and local regulations to protect public health and the environment. These regulations provide definitions of hazardous materials; establish reporting requirements; set guidelines for handling, storage, transport, and disposal of hazardous wastes; and require health and safety provisions for workers and the public. The major federal, state, and regional agencies enforcing these regulations are USEPA and the Occupational Safety and Health Administration (OSHA); California Department of Toxic Substances Control (DTSC); California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA); California Governor's Office of Emergency Services (Cal OES); and El Dorado County AQMD.

Federal Laws, Regulations, and Policies

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, also called the Superfund Act; 42 USC Section 9601 *et seq.*) is intended to protect the public and the environment from the effects of past hazardous waste disposal activities and new hazardous material spills. Under CERCLA, USEPA has the authority to seek the parties responsible for hazardous materials releases and to ensure their cooperation in site remediation. CERCLA also provides federal funding (through the "Superfund") for the remediation of hazardous materials contamination. The Superfund Amendments and Reauthorization Act of 1986 (Public Law 99-499) amends some provisions of CERCLA and provides for a Community Right-to-Know program.

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act of 1976 (RCRA; 42 USC Section 6901 *et seq.*), as amended by the Hazardous and Solid Waste Amendments of 1984, is the primary federal law for the regulation of solid waste and hazardous waste in the United States. These laws provide for the "cradle-to-grave" regulation of hazardous wastes, including generation, transportation, treatment, storage, and disposal. Any business, institution, or other entity that generates hazardous waste is required to identify and track its hazardous waste from the point of generation until it is recycled, reused, or disposed of.

USEPA has primary responsibility for implementing RCRA, but individual states are encouraged to seek authorization to implement some or all RCRA provisions. California received authority to implement the RCRA program in August 1992. DTSC is responsible for implementing the RCRA program in addition to California's own hazardous waste laws, which are collectively known as the Hazardous Waste Control Law.

Energy Policy Act of 2005

Title XV, Subtitle B of the Energy Policy Act of 2005 (the Underground Storage Tank Compliance Act of 2005) contains amendments to Subtitle I of the Solid Waste Disposal Act, the original legislation that created the

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Underground Storage Tank (UST) Program. As defined by law, a UST is "any one or combination of tanks, including pipes connected thereto, that is used for the storage of hazardous substances and that is substantially or totally beneath the surface of the ground." In cooperation with USEPA, SWRCB oversees the UST Program. The intent is to protect public health and safety and the environment from releases of petroleum and other hazardous substances from tanks. The four primary program elements include leak prevention (implemented by Certified Unified Program Agencies [CUPAs], described in more detail below), cleanup of leaking tanks, enforcement of UST requirements, and tank integrity testing.

Spill Prevention, Control, and Countermeasure Rule

USEPA's Spill Prevention, Control, and Countermeasure (SPCC) Rule (40 CFR, Part 112) apply to facilities with a single above-ground storage tank (AST) with a storage capacity greater than 660 gallons, or multiple tanks with a combined capacity greater than 1,320 gallons. The rule includes requirements for oil spill prevention, preparedness, and response to prevent oil discharges to navigable waters and adjoining shorelines. The rule requires specific facilities to prepare, amend, and implement SPCC Plans.

Occupational Safety and Health Administration

OSHA is responsible at the federal level for ensuring worker safety. OSHA sets federal standards for implementation of workplace training, exposure limits, and safety procedures for the handling of hazardous substances (as well as other hazards). OSHA also establishes criteria by which each state can implement its own health and safety program.

Federal Communications Commission Requirements

There is no federally mandated radio frequency (RF) exposure standard; however, pursuant to the Telecommunications Act of 1996 (47 USC Section 224), the Federal Communications Commission (FCC) established guidelines for dealing with RF exposure, as presented below. The exposure limits are specified in 47 CFR Section 1.1310 in terms of frequency, field strength, power density, and averaging time. Facilities and transmitters licensed and authorized by FCC must either comply with these limits or an applicant must file an environmental assessment (EA) with FCC to evaluate whether the proposed facilities could result in a significant environmental effect.

FCC has established two sets of RF radiation exposure limits—Occupational/Controlled and General Population/Uncontrolled. The less-restrictive Occupational/Controlled limit applies only when a person (worker) is exposed as a consequence of his or her employment and is "fully aware of the potential exposure and can exercise control over his or her exposure," otherwise the General Population limit applies (47 CFR Section 1.1310).

The FCC exposure limits generally apply to all FCC-licensed facilities (47 CFR Section 1.1307[b][1]). Unless exemptions apply, as a condition of obtaining a license to transmit, applicants must certify that they comply with FCC environmental rules, including those that are designed to prevent exposing persons to radiation above FCC RF limits (47 CFR Section 1.1307[b]). Licensees at co-located sites (e.g., towers supporting multiple antennas, including antennas under separate ownerships) must take the necessary actions to bring the accessible areas that exceed the FCC exposure limits into compliance. This is a shared responsibility of all licensees whose transmission power density levels account for 5.0 or more percent of the applicable FCC exposure limits (47 CFR 1.1307[b][3]).

Code of Federal Regulations (14 CFR) Part 77

14 CFR Part 77.9 is designed to promote air safety and the efficient use of navigable airspace. Implementation of the code is administered by the Federal Aviation Administration (FAA). If an organization plans to sponsor any construction or alterations that might affect navigable airspace, a Notice of Proposed Construction or Alteration (FAA Form 7460-1) must be filed. The code provides specific guidance regarding FAA notification requirements.

State Laws, Regulations, and Policies

Safe Drinking Water and Toxic Enforcement Act of 1986 – Proposition 65

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The Safe Drinking Water and Toxic Enforcement Act of 1986, more commonly known as Proposition 65, protects the state's drinking water sources from contamination with chemicals known to cause cancer, birth defects, or other reproductive harm. Proposition 65 also requires businesses to inform the public of exposure to such chemicals in the products they purchase, in their homes or workplaces, or that are released into the environment. In accordance with Proposition 65, the California Governor's Office publishes, at least annually, a list of such chemicals. OEHHA, an agency under the California Environmental Protection Agency (CalEPA), is the lead agency for implementation of the Proposition 65 program. Proposition 65 is enforced through the California Attorney General's Office; however, district and city attorneys and any individual acting in the public interest may also file a lawsuit against a business alleged to be in violation of Proposition 65 regulations.

The Unified Program

The Unified Program consolidates, coordinates, and makes consistent the administrative requirements, permits, inspections, and enforcement activities of six environmental and emergency response programs. CalEPA and other state agencies set the standards for their programs, while local governments (CUPAs) implement the standards. For each county, the CUPA regulates/oversees the following:

- Hazardous materials business plans;
- California accidental release prevention plans or federal risk management plans;
- The operation of USTs and ASTs;
- Universal waste and hazardous waste generators and handlers;
- On-site hazardous waste treatment;
- Inspections, permitting, and enforcement;
- Proposition 65 reporting; and
- Emergency response.

Hazardous Materials Business Plans

Hazardous materials business plans are required for businesses that handle hazardous materials in quantities greater than or equal to 55 gallons of a liquid, 500 pounds of a solid, or 200 cubic feet (cf) of compressed gas, or extremely hazardous substances above the threshold planning quantity (40 CFR, Part 355, Appendix A) (Cal OES 2015). Business plans are required to include an inventory of the hazardous materials used/stored by the business, a site map, an emergency plan, and a training program for employees (Cal OES 2015). In addition, business plan information is provided electronically to a statewide information management system, verified by the applicable CUPA, and transmitted to agencies responsible for the protection of public health and safety (i.e., local fire department, hazardous material response team, and local environmental regulatory groups) (Cal OES 2015).

California Occupational Safety and Health Administration

Cal/OSHA assumes primary responsibility for developing and enforcing workplace safety regulations in California. Cal/OSHA regulations pertaining to the use of hazardous materials in the workplace (CCR Title 8) include requirements for safety training, availability of safety equipment, accident and illness prevention programs, warnings about exposure to hazardous substances, and preparation of emergency action and fire prevention plans.

Hazard communication program regulations that are enforced by Cal/OSHA require workplaces to maintain procedures for identifying and labeling hazardous substances, inform workers about the hazards associated with hazardous substances and their handling, and prepare health and safety plans to protect workers at hazardous waste sites. Employers must also make material safety data sheets available to employees and document employee information and training programs. In addition, Cal/OSHA has established maximum permissible RF radiation exposure limits for workers (Title 8 CCR Section 5085[b]), and requires warning signs where RF radiation might exceed the specified limits (Title 8 CCR Section 5085 [c]).

California Accidental Release Prevention

The purpose of the California Accidental Release Prevention (CalARP) program is to prevent accidental releases of substances that can cause serious harm to the public and the environment, to minimize the damage if releases do occur,

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and to satisfy community right-to-know laws. In accordance with this program, businesses that handle more than a threshold quantity of regulated substance are required to develop a risk management plan (RMP). This RMP must provide a detailed analysis of potential risk factors and associated mitigation measures that can be implemented to reduce accident potential. CUPAs implement the CalARP program through review of RMPs, facility inspections, and public access to information that is not confidential or a trade secret.

California Department of Forestry and Fire Protection Wildland Fire Management

The Office of the State Fire Marshal and the California Department of Forestry and Fire Protection (CAL FIRE) administer state policies regarding wildland fire safety. Construction contractors must comply with the following requirements in the Public Resources Code during construction activities at any sites with forest-, brush-, or grass-covered land:

- Earthmoving and portable equipment with internal combustion engines must be equipped with a spark arrestor to reduce the potential for igniting a wildland fire (Public Resources Code Section 4442).
- Appropriate fire-suppression equipment must be maintained from April 1 to December 1, the highest-danger period for fires (Public Resources Code Section 4428).
- On days when a burning permit is required, flammable materials must be removed to a distance of 10 feet from any equipment that could produce a spark, fire, or flame, and the construction contractor must maintain the appropriate fire suppression equipment (Public Resources Code Section 4427).
- On days when a burning permit is required, portable tools powered by gasoline fueled internal combustion engines must not be used within 25 feet of any flammable materials (Public Resources Code Section 4431).

California Highway Patrol

CHP, along with Caltrans, enforce and monitor hazardous materials and waste transportation laws and regulations in California. These agencies determine container types used and license hazardous waste haulers for hazardous waste transportation on public roads. All motor carriers and drivers involved in transportation of hazardous materials must apply for and obtain a hazardous materials transportation license from CHP.

Local Laws, Regulations, and Policies

A map of the fuel loading in the County (General Plan Figure HS-1) shows the fire hazard severity classifications of the SRAs in El Dorado County, as established by CDF. The classification system provides three classes of fire hazards: Moderate, High, and Very High. Fire Hazard Ordinance (Chapter 8.08) requires defensible space as described by the State Public Resources Code, including the incorporation and maintenance of a 30-foot fire break or vegetation fuel clearance around structures in fire hazard zones. The County's requirements on emergency access, signing and numbering, and emergency water are more stringent than those required by state law. The Fire Hazard Ordinance also establishes limits on campfires, fireworks, smoking, and incinerators for all discretionary and ministerial developments.

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 Materials: The project would not involve the routine transportation, use, or disposal of hazardous materials such as construction materials, paints, fuels, landscaping materials, and household cleaning supplies. There would be **no impact** as a result of project approval.

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- c. **Hazardous Materials near Schools:** No schools are located within one-quarter mile from the subject parcel. The proposed project is a residential land division and would not have any hazardous materials associated with the project or the proposed parcels' continued use as residences. There would be **no impact** as a result of project approval.
- d. **Hazardous Sites:** The project site is not included on a list of or near any hazardous materials sites pursuant to Government Code section 65962.5 (DTSC 2015). There would be **no impact** as a result of project approval.
- e-f. **Aircraft Hazards, Private Airstrips:** As shown on the El Dorado County GIS map for Airport Safety Zones, the project is located within the Georgetown Airport Comprehensive Land Use Plan. The closest airport is the Georgetown Airport, located 350-feet east of the subject parcel. The proposed project does not include structures or development that would be in conflict with the approved land use plan. Any future development would be reviewed for compatibility with the surrounding land uses as well as the airport land use plan. With adherence to the guidelines contained the Georgetown Airport Comprehensive Land Use Plan, the proposed project would not result in a safety hazard for people residing or working in the project area. Any potential impacts would be **less than significant**.
- g. **Emergency Plan:** The project was reviewed by the Georgetown Fire Protection District along with the El Dorado County Sheriff's Office for circulation. The proposed project would not impair implementation of any emergency response plan or emergency evacuation plan. There would be **no impact** as a result of project approval.
- h. **Wildfire Hazards:** According to the California Department of Forestry and Fire Protection (Cal Fire) Fire and Resource Assessment Program (FRAP) map of November 21, 2022, the subject parcel is in an area of very high fire hazard severity zone in a State Responsibility Area (SRA). The subject parcels are currently undeveloped, and the proposed project does not include a development component outside of realigning the existing road on the parcels to better align the road for individual parcel access. Cal Fire and the Georgetown Fire Protection District have reviewed the Wildland-Urban Interface Plan written by John Pickett of Live Oak Wildfire Solutions (Attachment 8) and have determined that safety measures related to the development of the proposed parcels shall be addressed at the building permit and grading permit application stages and no mitigation is required as a part of this project. Any potential impacts would be **less than significant**.

FINDING: For this hazards and hazardous materials category, with the incorporation of standard conditions and with adherence to all applicable County codes, any potential impacts would be **less than significant**.

X. HYDROLOGY AND WATER QUALITY. Would the project:				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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	

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X. HYDROLOGY AND WATER QUALITY. Would the project:				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f. Otherwise substantially degrade water quality?			X	
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j. Inundation by seiche, tsunami, or mudflow?				X

Regulatory Setting:

Federal Laws, Regulations, and Policies

Clean Water Act

The Clean Water Act (CWA) is the primary federal law that protects the quality of the nation's surface waters, including lakes, rivers, and coastal wetlands. The key sections pertaining to water quality regulation for the proposed project are CWA Section 303 and Section 402.

Section 303(d) — Listing of Impaired Water Bodies

Under CWA Section 303(d), states are required to identify “impaired water bodies” (those not meeting established water quality standards), identify the pollutants causing the impairment, establish priority rankings for waters on the list, and develop a schedule for the development of control plans to improve water quality. USEPA then approves the State's recommended list of impaired waters or adds and/or removes waterbodies.

Section 402—NPDES Permits for Stormwater Discharge

CWA Section 402 regulates construction-related stormwater discharges to surface waters through the National Pollutant Discharge Elimination System (NPDES), which is officially administered by USEPA. In California, USEPA has delegated its authority to the State Water Resources Control Board (SWRCB), which, in turn, delegates implementation responsibility to the nine Regional Water Quality Control Boards (RWQCBs), as discussed below in reference to the Porter-Cologne Water Quality Control Act.

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The NPDES program provides for both general (those that cover a number of similar or related activities) and individual (activity- or project-specific) permits. General Permit for Construction Activities: Most construction projects that disturb 1.0 or more acre of land are required to obtain coverage under SWRCB's General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order 2009-0009-DWQ as amended by 2010-0014-DWQ and 2012-0006-DWQ). The general permit requires that the applicant file a public notice of intent to discharge stormwater and prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). SWPPP must include a site map and a description of the proposed construction activities, demonstrate compliance with relevant local ordinances and regulations, and present a list of Best Management Practices (BMPs) that will be implemented to prevent soil erosion and protect against discharge of sediment and other construction-related pollutants to surface waters. Permittees are further required to monitor construction activities and report compliance to ensure that BMPs are correctly implemented and are effective in controlling the discharge of construction-related pollutants.

Municipal Stormwater Permitting Program

SWRCB regulates stormwater discharges from municipal separate storm sewer systems (MS4s) through its Municipal Storm Water Permitting Program (SWRCB 2013). Permits are issued under two phases depending on the size of the urbanized area/municipality. Phase I MS4 permits are issued for medium (population between 100,000 and 250,000 people) and large (population of 250,000 or more people) municipalities and are often issued to a group of co-permittees within a metropolitan area. Phase I permits have been issued since 1990. Beginning in 2003, SWRCB began issuing Phase II MS4 permits for smaller municipalities (population less than 100,000).

El Dorado County is covered under two SWRCB Regional Boards. The West Slope Phase II Municipal Separate Storm Sewer Systems (MS4) NPDES Permit is administered by the Central Valley Regional Water Quality Control Board (CVRWQCB) (Region Five). The Lake Tahoe Phase I MS4 NPDES Permit is administered by the Lahontan RWQCB (Region Six). The current West Slope MS4 NPDES Permit was adopted by the SWRCB on February 5, 2013. The Permit became effective on July 1, 2013 for a term of five years and focuses on the enhancement of surface water quality within high priority urbanized areas.

On May 19, 2015 the El Dorado County Board of Supervisors formally adopted revisions to the Storm Water Quality Ordinance (Ordinance 4992). Previously applicable only to the Lake Tahoe Basin, the ordinance establishes legal authority for the entire unincorporated portion of the County. The purpose of the ordinance is to 1) protect health, safety, and general welfare, 2) enhance and protect the quality of Waters of the State by reducing pollutants in storm water discharges to the maximum extent practicable and controlling non-storm water discharges to the storm drain system, and 3) cause the use of Best Management Practices to reduce the adverse effects of polluted runoff discharges on Waters of the State.

National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program (NFIP) to provide subsidized flood insurance to communities complying with FEMA regulations that limit development in floodplains. The NFIP regulations permit development within special flood hazard zones provided that residential structures are raised above the base flood elevation of a 100-year flood event. Non-residential structures are required either to provide flood proofing construction techniques for that portion of structures below the 100-year flood elevation or to elevate above the 100-year flood elevation. The regulations also apply to substantial improvements of existing structures.

State Laws, Regulations, and Policies

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (known as the Porter-Cologne Act), passed in 1969, dovetails with the CWA (see discussion of the CWA above). It established the SWRCB and divided the state into nine regions, each overseen by an RWQCB. SWRCB is the primary State agency responsible for protecting the quality of the state's surface water and groundwater supplies; however, much of the SWRCB's daily implementation authority is delegated to the nine RWQCBs, which are responsible for implementing CWA Sections 401, 402, and 303[d]. In general,

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SWRCB manages water rights and regulates statewide water quality, whereas RWQCBs focus on water quality within their respective regions.

The Porter–Cologne Act requires RWQCBs to develop water quality control plans (also known as basin plans) that designate beneficial uses of California’s major surface-water bodies and groundwater basins and establish specific narrative and numerical water quality objectives for those waters. Beneficial uses represent the services and qualities of a waterbody (i.e., the reasons that the waterbody is considered valuable). Water quality objectives reflect the standards necessary to protect and support those beneficial uses. Basin plan standards are primarily implemented by regulating waste discharges so that water quality objectives are met. Under the Porter–Cologne Act, basin plans must be updated every 3 years.

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:** No additional waste discharge is expected to occur as part of the project. Erosion control would be required as part of any building or grading permit. Stormwater runoff from any potential development would contain water quality protection features in accordance with a potential NPDES stormwater permit, as deemed applicable. The project would comply with County ordinances and standards regarding waste discharge. Therefore, the project would not be expected to violate water quality standards. Any potential impacts would be **less than significant**.
- b. **Groundwater Supplies:** The geology of the Western Slope portion of El Dorado County is principally hard, crystalline, igneous, or metamorphic rock overlain with a thin mantle of sediment or soil. Groundwater in this region is found in fractures, joints, cracks, and fault zones within the bedrock mass. These discrete fracture areas are typically vertical in orientation rather than horizontal as in sedimentary or alluvial aquifers. Recharge is predominantly through rainfall infiltrating into the fractures. Movement of this groundwater is very limited due to the lack of porosity in the bedrock. Wells are typically drilled to depths ranging from 80 to 300 feet in depth. There is no evidence that the project will substantially reduce or alter the quantity of groundwater in the vicinity, or materially interfere with groundwater recharge in the area of the proposed project. Any potential impacts to groundwater supplies would be **less than significant**.
- c-f. **Drainage Patterns:** No adverse increase in overall runoff and flows from existing levels is anticipated from this project. Any future development would be required to conform to the El Dorado County Grading, Erosion Control, and Sediment Ordinance County Code Section 110.14. This includes the use of BMPs to minimize degradation of water quality during any future construction. Grading permits for the realignment of the existing road on the parcel would be expected to conform to all relevant County codes. Any potential impacts would be **less than significant**.
- g-j. **Flood-related Hazards:** The project site is not located within any mapped special flood hazard areas as shown on Firm Panel Number 06017C0175E, revised September 26, 2008, and would not result in the construction of any structures that would impede or redirect flood flows (FEMA 2008). No dams that would result in potential hazards related to dam failures are located in the project area. The risk of exposure to seiche, tsunami, or mudflows would be remote. There would be **no impact** as a result of project approval.

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FINDING: For this project, no significant hydrological impacts are expected with the approval of the project either directly or indirectly. For this hydrology category, any potential impacts are anticipated to be **less than significant**.

XI. LAND USE AND PLANNING. <i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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

Regulatory Setting:

California State law requires that each City and County adopt a general plan "for the physical development of the City and any land outside its boundaries which bears relation to its planning." Typically, a general plan is designed to address the issues facing the City or County for the next 15-20 years. The general plan expresses the community's development goals and incorporates public policies relative to the distribution of future public and private land uses. The El Dorado County General Plan was adopted in 2004 with amendments occurring in several times from adoption through 2019. The 2021-2029 Housing Element was adopted in 2021.

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 project is located adjacent to the Georgetown Rural Center in a Rural Region of the County. Rural Regions are intended to provide a land use pattern that maintains the open character of the County, preserves its natural resources, recognizes the constraints of the land and the limited availability of infrastructure and public services, and preserves the agricultural and forest/timber area to ensure its long-term viability for agriculture and timber operations. The project site is surrounded by limited density parcels of similar rural character. The project would not result in the physical division of an established community and is compatible with surrounding uses and with the site's General Plan land use designation. There would be **no impact** as a result of project approval.

b. **Land Use Consistency:** The subject parcel has a General Plan land use designation of Rural Residential (RR) and is zoned Rural Lands – 40-Acre Minimum (RL-40). The purpose of the Rural Lands zone is to identify those lands that are suitable for limited residential development, and although agricultural uses are allowed, these lands generally do not support exclusive agricultural use. The proposed project would combine six nonconforming parcels into three parcels that conform with the General Plan land use designation and the required minimum acreages of the RL-40 zone. There would be **no impact** as a result of project approval.

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FINDING: The proposed use of the land would be consistent with the Zoning Ordinance and General Plan. There would be **no impact** to land use goals or standards resulting from the project.

XII.MINERAL RESOURCES. <i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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

Regulatory Setting:

Federal Laws, Regulations, and Policies

No federal laws, regulations, or policies apply to mineral resources and the Proposed Project.

State Laws, Regulations, and Policies

Surface Mining and Reclamation Act

The Surface Mining and Reclamation Act of 1975 (SMARA) requires that the State Mining and Geology Board identify, map, and classify aggregate resources throughout California that contain regionally significant mineral resources. Designations of land areas are assigned by CDC and California Geological Survey following analysis of geologic reports and maps, field investigations, and using information about the locations of active sand and gravel mining operations. Local jurisdictions are required to enact planning procedures to guide mineral conservation and extraction at particular sites and to incorporate mineral resource management policies into their general plans.

The California Mineral Land Classification System represents the relationship between knowledge of mineral deposits and their economic characteristics (grade and size). The nomenclature used with the California Mineral Land Classification System is important in communicating mineral potential information in activities such as mineral land classification, and usage of these terms are incorporated into the criteria developed for assigning mineral resource zones. Lands classified MRZ-2 are areas that contain identified mineral resources. Areas classified as MRZ-2a or MRZ-2b (referred to hereafter as MRZ-2) are considered important mineral resource areas.

Local Laws, Regulations, and Policies

El Dorado County in general is considered a mining region capable of producing a wide variety of mineral resources. Metallic mineral deposits, including gold, are considered the most significant extractive mineral resources. Exhibit 5.9-6 of the *El Dorado County General Plan Draft EIR* (2003) shows the MRZ-2 areas within the county based on designated Mineral Resource (-MR) overlay areas. The -MR overlay areas are based on mineral resource mapping published in the mineral land classification reports referenced above. The majority of the county's important mineral resource deposits are concentrated in the western third of the county.

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According to General Plan Policy 2.2.2.7, before authorizing any land uses within the -MR overlay zone that will threaten the potential to extract minerals in the affected area, the County shall prepare a statement specifying its reasons for considering approval of the proposed land use and shall provide for public and agency notice of such a statement consistent with the requirements of Public Resources Code section 2762. Furthermore, before finally approving any such proposed land use, the County shall balance the mineral values of the threatened mineral resource area against the economic, social, or other values associated with the proposed alternative land uses. Where the affected minerals are of regional significance, the County shall consider the importance of these minerals to their market region as a whole and not just their importance to the County.

Where the affected minerals are of Statewide significance, the County shall consider the importance of these minerals to the State and Nation as a whole. The County may approve the alternative land use if it determines that the benefits of such uses outweigh the potential or certain loss of the affected mineral resources in the affected regional, Statewide, or national market.

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 mapped as being within a Mineral Resource Zone (MRZ) by the State of California Division of Mines and Geology or in the El Dorado County General Plan. No impacts would be anticipated to occur. The Western portion of El Dorado County is divided into four, 15-minute quadrangles (Folsom, Placerville, Georgetown, and Auburn) mapped by the State of California Division of Mines and Geology showing the location of MRZs. Those areas which are designated MRZ-2a contain discovered mineral deposits that have been measured or indicate reserves calculated. Land in this category is considered to contain mineral resources of known economic importance to the County and/or State. Review of the mapped areas of the County indicates that this site does not contain any mineral resources of known local or statewide economic value. There would be **no impact** as a result of project approval.

FINDING: No impacts to mineral resources are expected either directly or indirectly. For this mineral resources category, there would be **no impacts**.

XIII. NOISE. <i>Would the project result in:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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	

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XIII. NOISE. <i>Would the project result in:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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	

Regulatory Setting:

No federal or state laws, regulations, or policies for construction-related noise and vibration that apply to the Proposed Project. However, the Federal Transit Administration (FTA) Guidelines for Construction Vibration in Transit Noise and Vibration Impact Assessment state that for evaluating daytime construction noise impacts in outdoor areas, a noise threshold of 90 dBA Leq and 100 dBA Leq should be used for residential and commercial/industrial areas, respectively (FTA 2006).

For construction vibration impacts, the FTA guidelines use an annoyance threshold of 80 VdB for infrequent events (fewer than 30 vibration events per day) and a damage threshold of 0.12 inches per second (in/sec) PPV for buildings susceptible to vibration damage (FTA 2006).

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.

**TABLE 6-2
NOISE LEVEL PERFORMANCE PROTECTION STANDARDS
FOR NOISE SENSITIVE LAND USES
AFFECTED BY NON-TRANSPORTATION* SOURCES**

Noise Level Descriptor	Daytime 7 a.m. - 7 p.m.		Evening 7 p.m. - 10 p.m.		Night 10 p.m. - 7 a.m.	
	Community	Rural	Community	Rural	Community	Rural
Hourly Leq, dB	55	50	50	45	45	40
Maximum level, dB	70	60	60	55	55	50

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Each of the noise levels specified above shall be lowered by five dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises. These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g., caretaker dwellings).

The County can impose noise level standards which are up to 5 dB less than those specified above based upon determination of existing low ambient noise levels in the vicinity of the project site.

In Community areas the exterior noise level standard shall be applied to the property line of the receiving property. In Rural Areas the exterior noise level standard shall be applied at a point 100' away from the residence. The above standards shall be measured only on property containing a noise sensitive land use as defined in Objective 6.5.1. This measurement standard may be amended to provide for measurement at the boundary of a recorded noise easement between all effected property owners and approved by the County.

*Note: For the purposes of the Noise Element, transportation noise sources are defined as traffic on public roadways, railroad line operations and aircraft in flight. Control of noise from these sources is preempted by Federal and State regulations. Control of noise from facilities of regulated public facilities is preempted by California Public Utilities Commission (CPUC) regulations. All other noise sources are subject to local regulations. Non-transportation noise sources may include industrial operations, outdoor recreation facilities, HVAC units, schools, hospitals, commercial land uses, other outdoor land use, etc.

Source: El Dorado County 2003.

- a. **Noise Exposures:** The project involves the realignment of the existing road located on the parcels. Grading for this portion of the project is not expected to increase noise levels significantly. Construction activities would be limited to daylight hours and require that all construction equipment shall be fitted with factory installed muffling devices and maintained in good working order. Any potential impacts would be **less than significant**.
- b. **Groundborne Shaking:** Grading for the purposes of realigning the existing road on the parcels is proposed as a part of the project. Any groundbourne vibrations or noise sources resulting from the use of grading equipment would be temporary and would not cause a significant permanent impact. Any potential impacts would be **less than significant**.
- c. **Permanent Noise Increases:** The project consists of the combination of six (6) undeveloped parcels into three (3) parcels capable of supporting residential development. Development of residential uses on the proposed parcels would not significantly alter the existing ambient noise levels and at maximum buildout allowed by the applicable zoning codes the project would not increase those levels to a significant degree. Any potential impacts would be **less than significant**.
- d. **Short Term Noise:** Grading required to realign the existing road on the parcels is being proposed as a part of the project. Grading operations would be required to comply with the noise performance standards contained in the General Plan. Construction activities would be limited to daylight hours and would require that all construction equipment be fitted with factory installed muffling devices and maintained in good working order. Any potential impacts would be **less than significant**.
- e-f. **Aircraft Noise:** The project site is located within a mile of the nearest airport (Georgetown Airport) and is located within a County Airport Use Plan area. However, as shown by the County GIS mapping data, the project area is outside the 60dBA CNEL noise contour which is considered an acceptable level. Therefore, the project would not expose people residing or working in the project area to excessive noise from aircraft or airport operations. Any potential impacts would be **less than significant**.

FINDING: With adherence to County Code, no significant direct or indirect impacts to noise levels are expected. For this noise category, the thresholds of significance would not be exceeded. Any potential impacts would be **less than significant**.

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XIV. POPULATION AND HOUSING. <i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, 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

Regulatory Setting:

No federal or state laws, regulations, or policies apply to population and housing and the proposed project.

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. **Population Growth:** The subject parcel is zoned Rural Lands – 40-Acre Minimum (RL-40) and is intended to be used for limited residential development. The proposed project does not include the construction of any new homes, and any future development would be minimal and would likely be intended to house existing residents of the County or surrounding area. As such, the project is unlikely to result in a demand for new housing or induce substantial population growth. Any potential impacts would be **less than significant**.
- b. **Housing Displacement:** The land division would not cause the demolition or displacement of any existing housing stock as no demolition, residential construction, or residential development is being proposed as a part of the project. There would be **no impact** as a result of project approval.
- c. **Replacement Housing:** The project site is currently undeveloped and would not cause the demolition of any existing housing stock. Therefore, the project would not necessitate the construction of any replacement housing. **No impact** would occur as a result of project approval.

FINDING:

The project would not displace housing. There would be no potential for a significant impact due to substantial growth either directly or indirectly. For this population and housing category, the thresholds of significance would not be anticipated to be exceeded. Any potential impacts would be **less than significant**.

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XV. 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>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Fire protection?			X	
b. Police protection?			X	
c. Schools?				X
d. Parks?				X
e. Other public facilities?				X

Regulatory Setting:

Federal Laws, Regulations, and Policies

California Fire Code

The California Fire Code (Title 24 CCR, Part 9) establishes minimum requirements to safeguard public health, safety, and general welfare from the hazards of fire, explosion, or dangerous conditions in new and existing buildings. Chapter 33 of CCR contains requirements for fire safety during construction and demolition.

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 project was distributed to and reviewed by the Georgetown Fire Protection District. The project site is located in a developed part of the County that currently receives fire service. Because no new residential structures are being proposed as a part of this project, it is unlikely the approval of the project would result in the need for new fire personnel or facilities. The Fire District would review any future improvement plans at the time of grading and/or building permit submittal to ensure compliance with applicable fire safety requirements. As proposed, any potential impacts would be **less than significant**.

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- b. Police Protection:** Police protection services would be provided by the El Dorado County Sheriff's Office. The project does not propose any residential development or construction at this time. Future development of residential uses on the proposed parcels is not anticipated to create a significant increase in demand of law enforcement protection. Any potential impacts would be **less than significant**.
- c-e. Schools, Parks, and Other Public Facilities:** There are no components of the proposed project that would include any permanent population-related increases that would substantially contribute to increased demand on schools, parks, or other public facilities that would result in the need for new or expanded facilities. There would be **no impact** as a result of project approval.

FINDING: The project does not propose any new residential development or construction. As such, the project would not be anticipated to result in a significant increase of public services to the project. Any potential impacts would be **less than significant**.

XVI. RECREATION.				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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

Regulatory Setting:

National Trails System

The National Trails System Act of 1968 authorized The National Trails System (NTS) in order to provide additional outdoor recreation opportunities and to promote the preservation of access to the outdoor areas and historic resources of the nation. The Appalachian and Pacific Crest National Scenic Trails were the first two components, and the System has grown to include 20 national trails.

The National Trails System includes four classes of trails:

1. National Scenic Trails (NST) provide outdoor recreation and the conservation and enjoyment of significant scenic, historic, natural, or cultural qualities. The Pacific Coast Trail falls under this category. The PCT passes through the Desolation Wilderness area along the western plan area boundary.
2. National Historic Trails (NHT) follow travel routes of national historic significance. The National Park Service has designated two National Historic Trail (NHT) alignments that pass through El Dorado County, the California National Historic Trail and the Pony Express National Historic Trail. The California Historic Trail is a route of approximately 5,700 miles including multiple routes and cutoffs, extending from Independence and Saint Joseph, Missouri, and Council Bluffs, Iowa, to various points in California and Oregon. The Pony Express NHT commemorates the route used to relay mail via horseback from Missouri to California before the advent of the telegraph.
3. National Recreation Trails (NRT) are in, or reasonably accessible to, urban areas on federal, state, or private lands. In El Dorado County there are 5 NRTs.

State Laws, Regulations, and Policies

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The California Parklands Act

The California Parklands Act of 1980 (Public Resources Code Section 5096.141-5096.143) recognizes the public interest for the state to acquire, develop, and restore areas for recreation and to aid local governments to do the same. The California Parklands Act also identifies the necessity of local agencies to exercise vigilance to see that the parks, recreation areas, and recreational facilities they now have are not lost to other uses.

The California state legislature approved the California Recreational Trail Act of 1974 (Public Resources Code Section 2070-5077.8) requiring that the Department of Parks and Recreation prepare a comprehensive plan for California trails. The California Recreational Trails Plan is produced for all California agencies and recreation providers that manage trails. The Plan includes information on the benefits of trails, how to acquire funding, effective stewardship, and how to encourage cooperation among different trail users.

The 1975 Quimby Act (California Government Code Section 66477) requires residential subdivision developers to help mitigate the impacts of property improvements by requiring them to set aside land, donate conservation easements, or pay fees for park improvements. The Quimby Act gave authority for passage of land dedication ordinances to cities and counties for parkland dedication or in-lieu fees paid to the local jurisdiction. Quimby exactions must be roughly proportional and closely tied (nexus) to a project's impacts as identified through traffic studies required by CEQA. The exactions only apply to the acquisition of new parkland; they do not apply to the physical development of new park facilities or associated operations and maintenance costs.

The County implements the Quimby Act through Section 16.12.090 of the County Code. The County Code sets standards for the acquisition of land for parks and recreational purposes, or payments of fees in lieu thereof, on any land subdivision. Other projects, such as ministerial residential or commercial development, could contribute to the demand for park and recreation facilities without providing land or funding for such facilities.

Local Laws, Regulations, and Policies

The 2004 El Dorado County General Plan Parks and Recreation Element establishes goals and policies that address needs for the provision and maintenance of parks and recreation facilities in the county, with a focus on providing recreational opportunities and facilities on a regional scale, securing adequate funding sources, and increasing tourism and recreation-based businesses. The Recreation Element describes the need for 1.5 acres of regional parkland, 1.5 acres of community parkland, and 2 acres of neighborhood parkland per 1,000 residents.

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. Parks and Recreational Services: The proposed project consists of the combining of six (6) rural zoned parcels to create three (3) parcels maintaining the existing zoning and would not increase the local population such that it would increase the use of existing neighborhood or regional parks causing substantial physical deterioration of those facilities. There would be **no impact** as a result of project approval.

FINDING:

No significant impacts to open space or park facilities would result as part of the project and no new or expanded recreation facilities would be necessary as a result of project approval. For this recreation category, there would be **no impact**.

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XVII. TRANSPORTATION. <i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Conflict with an applicable program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?				X
b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) (Vehicle Miles Traveled)?			X	
c. Substantially increase hazard due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d. Result in inadequate emergency access?			X	

Regulatory Setting:

Federal Laws, Regulations, and Policies

No federal laws, regulations, or policies apply to transportation/traffic and the proposed project.

State Laws, Regulations, and Policies

Caltrans manages the state highway system and ramp interchange intersections. This state agency is also responsible for highway, bridge, and rail transportation planning, construction, and maintenance.

Local Laws, Regulations, and Policies

According to Policy TC-Xd in the Transportation Element of the County General Plan, Level of Service (LOS) for County-maintained roads and state highways within the unincorporated areas of the county shall not be worse than LOS E in the Community Regions or LOS D in the Rural Centers and Rural Regions. Level of Service is defined in the latest edition of the Highway Capacity Manual (Transportation Research Board, National Research Council). There are some roadway segments that are excepted from these standards and are allowed to operate at LOS F. According to Policy TC-Xe, “worsen” is defined as any of the following number of project trips using a road facility at the time of issuance of a use and occupancy permit for the development project:

- A. A two percent increase in traffic during a.m., p.m. peak hour, or daily
- B. The addition of 100 or more daily trips, or
- C. The addition of 10 or more trips during the a.m. or p.m. peak hour.

DISCUSSION:

The Transportation and Circulation Policies contained in the County General Plan establish a framework for review of thresholds of significance and identification of potential impacts of new development on the County’s road system. These policies are enforced by the application of the Transportation Impact Study (TIS) Guidelines, the County Design and Improvements Standards Manual, and the County Encroachment Ordinance, with review of individual development projects by the Transportation and Long-Range Planning Divisions of the Community Development Agency. A substantial adverse effect to traffic would occur if the implementation of the project would:

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- 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 (LOS) 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. **Conflicts with a Transportation Plan, Policy or Ordinance:** No substantial traffic increases would result from the proposed project. The County Department of Transportation (DOT) reviewed the project and determined that the On-Site Transportation Review (OSTR) could be waived, and a Traffic Impact Study would not be required for the project. The project as proposed would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. There would be **no impact** as a result of project approval.
- b. **Vehicle Miles Traveled:** Per Resolution 141-2020, there is a presumption of less than significant impacts for projects that generate or attract less than 100trips per day. The proposed project would create three (3) parcels. There is no residential development being proposed as a part of the project, and any future development on the residentially zoned parcels would not be expected to exceed 100 trips per day. Any potential impacts would be **less than significant**.
- c. **Design Hazards:** The proposed project involves the realignment of the existing road on the parcels to allow for better access to each proposed parcel. The County Department of Transportation reviewed the project and did not have any concerns regarding potential design hazards related to sharp curves or dangerous intersections. Any potential impacts would be **less than significant**.
- d. **Emergency Access:** Fire Safe Regulations state that on-site roadways shall “provide for safe access for emergency wildland fire equipment and civilian evacuation concurrently and shall provide unobstructed traffic circulation during wildfire emergency”. As shown in the WUI Fire Plan (Attachment 8) and site plan submitted with the project application packet (Attachment 9), the project would accommodate the required fire access. As such, the proposed project is considered to allow for adequate access and on-site circulation for emergency vehicles. Any potential impacts would be **less than significant**.

FINDING: The project would not exceed the thresholds for transportation identified within the General Plan. For this transportation category, the thresholds of significance would not be exceeded, and any potential impacts would be **less than significant**.

XVII. TRIBAL CULTURAL RESOURCES. <i>Would the project: Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i>		Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a.	Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			X	
b.	A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American			X	

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Regulatory Setting:

Federal Laws, Regulations, and Policies

No federal laws, regulations, or policies apply to Tribal Cultural Resources (TCRs) and the proposed project.

State Laws, Regulations, and Policies

Assembly Bill (AB) 52

AB 52, which was approved in September 2014 and effective on July 1, 2015, requires that CEQA lead agencies consult with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of a proposed project, if so requested by the tribe. The bill, chaptered in CEQA Section 21084.2, also specifies that a project with an effect that may cause a substantial adverse change in the significance of a TCR is a project that may have a significant effect on the environment.

Defined in Section 21074(a) of the Public Resources Code, TCRs are:

1. Sites, features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe that are either of the following:
 - a. Included or determined to be eligible for inclusion in the California Register of Historical Resources; or
 - b. Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

TCRs are further defined under Section 21074 as follows:

- b. A cultural landscape that meets the criteria of subdivision (a) is a TCR to the extent that the landscape is geographically defined in terms of the size and scope of the landscape; and
- c. A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “nonunique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a TCR if it conforms with the criteria of subdivision (a).

Mitigation measures for TCRs must be developed in consultation with the affected California Native American tribe pursuant to newly chaptered Section 21080.3.2, or according to Section 21084.3. Section 21084.3 identifies mitigation measures that include avoidance and preservation of TCRs and treating TCRs with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource.

DISCUSSION:

In general, significant impacts are those that diminish the integrity, research potential, or other characteristics that make a TCR significant or important. To be considered a TCR, a resource must be either: (1) listed, or determined to be eligible for listing, on the national, state, or local register of historic resources, or: (2) a resource that the lead agency chooses, in its discretion, to treat as a TCR and meets the criteria for listing in the state register of historic resources pursuant to the criteria set forth in Public Resources Code Section 5024.1(c). A substantial adverse change to a TCR would occur if the implementation of the project would:

- Disrupt, alter, or adversely affect a TCR such that the significance of the resource would be materially impaired

a-b. Tribal Cultural Resources. On December 10, 2021 El Dorado County dispatched letters via certified mail to the seven Tribes that have previously requested to be notified of projects within the County. These Tribes include: Colfax-Todds Valley Consolidated Tribe, Ione Band of Miwok Indians, Nashville-El Dorado Miwok-Maidu-Nishinam Tribe, Shingle Springs Band of Miwok Indians, United Auburn Indian Community of the Auburn Rancheria, Washoe Tribe of California and Nevada, and T’si-Akim Maidu. No tribes responded with the request to

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consult on the project. It was determined that there is low potential for impacts related to TCRs in the immediate vicinity of the project area, and no further analysis recommended. Any potential impacts would be **less than significant**.

FINDING: No significant TCRs are known to exist on the project site. As a result, the proposed project would not cause a substantial adverse change to a TCR and any potential impacts would be **less than significant**.

XIX. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g. Comply with federal, state, and local statutes and regulations related to solid waste?			X	

Regulatory Setting:

Federal Laws, Regulations, and Policies

Energy Policy Act of 2005

The Energy Policy Act of 2005, intended to reduce reliance on fossil fuels, provides loan guarantees or tax credits for entities that develop or use fuel-efficient and/or energy efficient technologies (USEPA 2014). The act also increases the amount of biofuel that must be mixed with gasoline sold in the United States (USEPA 2014).

State Laws, Regulations, and Policies

California Integrated Waste Management Act of 1989

The California Integrated Waste Management Act of 1989 (Public Resources Code, Division 30) requires all California cities and counties to implement programs to reduce, recycle, and compost wastes by at least 50 percent by 2000

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(Public Resources Code Section 41780). The state, acting through the California Integrated Waste Management Board (CIWMB), determines compliance with this mandate. Per-capita disposal rates are used to determine whether a jurisdiction's efforts are meeting the intent of the act.

California Solid Waste Reuse and Recycling Access Act of 1991

The California Solid Waste Reuse and Recycling Access Act of 1991 (Public Resources Code Sections 42900-42911) requires that all development projects applying for building permits include adequate, accessible areas for collecting and loading recyclable materials.

California Integrated Energy Policy

Senate Bill 1389, passed in 2002, requires the California Energy Commission (CEC) to prepare an Integrated Energy Policy Report for the governor and legislature every 2 years. The report analyzes data and provides policy recommendations on trends and issues concerning electricity and natural gas, transportation, energy efficiency, renewable energy, and public interest energy research. The 2014 Draft Integrated Energy Policy Report Update includes policy recommendations, such as increasing investments in electric vehicle charging infrastructure at workplaces, multi-unit dwellings, and public sites.

Title 24–Building Energy Efficiency Standards

Title 24 Building Energy Efficiency Standards of the California Building Code are intended to ensure that building construction, system design, and installation achieve energy efficiency and preserve outdoor and indoor environmental quality. The standards are updated on an approximately 3-year cycle. The latest update to the California Building Code was published on July 1, 2022, with an effective date of January 1, 2023.

Urban Water Management Planning Act

California Water Code Sections 10610 *et seq.* requires that all public water systems providing water for municipal purposes to more than 3,000 customers, or supplying more than 3,000 acre-feet per year (AFY), prepare an urban water management plan (UWMP).

Other Standards and Guidelines

Leadership in Energy & Environmental Design

Leadership in Energy & Environmental Design (LEED) is a green building certification program, operated by the U.S. Green Building Council (USGBC) that recognizes energy efficient and/or environmentally friendly (green) components of building design (USGBC 2015). To receive LEED certification, a building project must satisfy prerequisites and earn points related to different aspects of green building and environmental design (USGBC 2015). The four levels of LEED certification are related to the number of points a project earns: (1) certified (40–49 points), (2) silver (50–59 points), (3) gold (60–79 points), and (4) platinum (80+ points) (USGBC 2015). Points or credits may be obtained for various criteria, such as indoor and outdoor water use reduction, and construction and demolition (C&D) waste management planning. Indoor water use reduction entails reducing consumption of building fixtures and fittings by at least 20% from the calculated baseline and requires all newly installed toilets, urinals, private lavatory faucets, and showerheads that are eligible for labeling to be WaterSense labeled (USGBC 2014). Outdoor water use reduction may be achieved by showing that the landscape does not require a permanent irrigation system beyond a maximum 2.0-year establishment period, or by reducing the project's landscape water requirement by at least 30% from the calculated baseline for the site's peak watering month (USGBC 2014). C&D waste management points may be obtained by diverting at least 50% of C&D material and three material streams, or generating less than 2.5 pounds of construction waste per square foot of the building's floor area (USGBC 2014).

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;

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- 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. **Wastewater Requirements:** The subject parcels are currently undeveloped. Percolation tests have been performed on each of the proposed new parcels and it has been determined that the parcels are capable of supporting on-site wastewater treatment systems should future residential development be proposed. As proposed, the project would not exceed the wastewater treatment requirements of the Regional Water Quality Control Board. Any potential impacts would be **less than significant**.
- b. **Construction of New Facilities:** The subject parcels do not currently have existing water service, and future water service would utilize wells on the proposed parcels as a water source. As such, the project would not require the construction of new water or wastewater treatment facilities or expansion of existing facilities. There would be **no impact** as a result of project approval.
- c. **New Stormwater Facilities:** Grading required to realign the existing road on the parcels is being proposed as a part of the project. Any grading would be required to adhere to the El Dorado County Grading, Erosion Control and Sediment Ordinance. It is not anticipated that new stormwater drainage facilities would be needed as a result of the project. Any potential impacts would be **less than significant**.
- d. **Sufficient Water Supply:** Water supply for the proposed project would come from wells on each proposed parcel. Well reports were received as a part of the project application and have indicated that the level of production for the proposed parcels is sufficient to serve the project. Any potential impacts to water supply are anticipated to be **less than significant**.
- e. **Adequate Wastewater Capacity:** The proposed parcels would be served by on-site wastewater treatment systems. Percolation tests for each of the proposed parcels determined that the parcels are capable of supporting such systems adequately. Any potential impacts would be **less than significant**.
- f-g. **Solid Waste Disposal and Requirements:** El Dorado Disposal distributes municipal solid waste to Forward Landfill in Stockton and Kiefer Landfill in Sacramento. Pursuant to El Dorado County Environmental Management Solid Waste Division staff, both facilities have sufficient capacity to serve the County. Recyclable materials are distributed to a facility in Benicia and green wastes are sent to a processing facility in Sacramento. County Ordinance No. 4319 requires that new development provide areas for adequate, accessible, and convenient storing, collecting and loading of solid waste and recyclables. This project does not propose to add any activities that would generate additional solid waste. Future development would be required to comply with any applicable local and State requirements. Any potential project impacts would be **less than significant**.

FINDING: No significant utility and service system impacts would be expected with the project, either directly or indirectly. For this utilities and service systems category, the thresholds of significance would not be exceeded. Any potential impacts would be **less than significant**.

Exhibit J: Proposed Negative Declaration and Initial Study

P21-0008/Beam Parcel Map
Initial Study/Environmental Checklist

XX. WILDFIRE. <i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	

The project site is within a State Responsibility Area (SRA) and is within a very high fire hazard severity zone (CAL FIRE 2023).

DISCUSSION:

- a. **Emergency Response or Evacuation Plans:** The project is surrounded by mixture of developed rural residential parcels with existing residential uses and undeveloped, vacant, rural residential zoned parcels, as well as resource zoned parcels. Implementation of the proposed project would alter the existing onsite roadways and provide an access point to the parcels from Spanish Dry Diggins Road. The project would not substantially hinder access to the area in such a way that would interfere with an emergency response or evacuation plan. There is no structural development proposed as a part of the project, and any future structural development would be required to comply with all relevant codes and requirements. Project approval would not substantially increase the risk of wildfire on the project site. Any potential impacts to any adopted emergency response plan or emergency evacuation plan would be **less than significant**.
- b. **Exacerbate Wildfire Risks:** Implementation of the proposed project would not expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. The project is required to adhere to all fire prevention and protection requirements and regulations of El Dorado County including the El Dorado County Fire Hazard Ordinance and the Uniform Fire Code, as applicable. Pertinent measures include, but are not limited to, the use of equipment with spark arrestors and non-sparking tools during development activities. The project would be required to adhere to all requirements regarding fire prevention, the project would be unlikely to exacerbate wildfire risk and any potential impacts would be **less than significant**.
- c. **Installation or Maintenance of Associated Infrastructure:** A realignment of the existing road on the subject parcels is the only change to infrastructure being proposed as a part of the project and would be unlikely to exacerbate fire risk or result in temporary or ongoing impacts to the environment. Any potential impacts would be **less than significant**.

Exhibit J: Proposed Negative Declaration and Initial Study

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- d. **Runoff, Post-Fire Slope Instability, or Drainage Changes:** The proposed project would combine six (6) parcels to form three (3) parcels. The project has been reviewed by the Georgetown Fire Protection District and is not anticipated to exacerbate wildfire risks. The project area slopes from 2100 feet in elevation in the northwest to 2600 feet in the southeast. As the project area slopes toward Canyon Creek, it is unlikely that people or structures would be exposed to significant risk from downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes. Any potential impacts would be **less than significant**.

FINDING: As conditioned and with adherence to El Dorado County Code of Ordinances, for this wildfire category, any potential impacts would be **less than significant**.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE. <i>Does the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Have the potential to substantially 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, substantially 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. No substantial evidence contained in the project record has been found that would indicate that this project would have the potential to significantly degrade the quality of the environment. As conditioned or mitigated, and with adherence to County permit requirements, this project would not have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of California history, pre-history, or tribal cultural resources. Any potential impacts from the project would be **less than significant** due to the design of the project and required standards that would be implemented prior to issuance of a building permit and/or any required project specific improvements on the property.
- b. Cumulative impacts are defined in Section 15355 of the California Environmental Quality Act (CEQA) Guidelines as *two or more individual effects, which when considered together, would be considerable or which would compound or increase other environmental impacts*.

Exhibit J: Proposed Negative Declaration and Initial Study

P21-0008/Beam Parcel Map
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The project would not involve development or changes in land use that would result in an excessive increase in population growth. No impacts causing increased demand for public services are anticipated to occur as a result of project approval. Project approval would result in a decrease in density due to the reconfiguration of six parcels into three parcels. Any potential impacts would be offset by the payment of fees as required by service providers to extend the necessary infrastructure services. The project would not be anticipated to contribute substantially to increased traffic in the area and the project would not require an increase in the wastewater treatment capacity of the County. Due to the small size of the proposed project, types of activities proposed, and site-specific environmental conditions, which have been disclosed in the Project Description and analyzed in Items I through XX, there would be no significant impacts anticipated related to aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and service systems, or wildfire that would combine with similar effects such that the project's contribution would be cumulatively considerable. For these issue areas, either **no impacts**, or **less than significant** impacts would be anticipated.

As outlined and discussed in this document, as conditioned and with compliance with County Codes, this project would be anticipated to have a **less than significant** project-related environmental effect. Therefore, the project would not cause substantial adverse effects on human beings, either directly or indirectly. Based on the analysis in this study, it has been determined that the project would have **less than significant** cumulative impacts.

- c. Based on the discussion contained in this document, no potentially significant impacts to human beings are anticipated to occur with respect to potential project impacts. The project would include any physical changes to the site, and any future development would be required to be permitted through the County and other agencies as appropriate. Adherence to these standard conditions would be expected to reduce potential impacts to a **less than significant** level.

FINDINGS: It has been determined that the proposed project would not result in significant environmental impacts. The project would not exceed applicable environmental standards, nor significantly contribute to cumulative environmental impacts. Any potential impacts would be **less than significant**.

Exhibit J: Proposed Negative Declaration and Initial Study

P21-0008/Beam Parcel Map
Initial Study/Environmental Checklist

INITIAL STUDY ATTACHMENTS

Attachment 1: Location Map
Attachment 2: Aerial Photo
Attachment 3: Assessor's Parcel Map
Attachment 4: General Plan Land Use Map
Attachment 5: Zoning Map
Attachment 6: Tentative Parcel Map
Attachment 7: Biological Resources Assessment
Attachment 8: WUI Fire Plan
Attachment 9: Application Packet

SUPPORTING INFORMATION SOURCE LIST

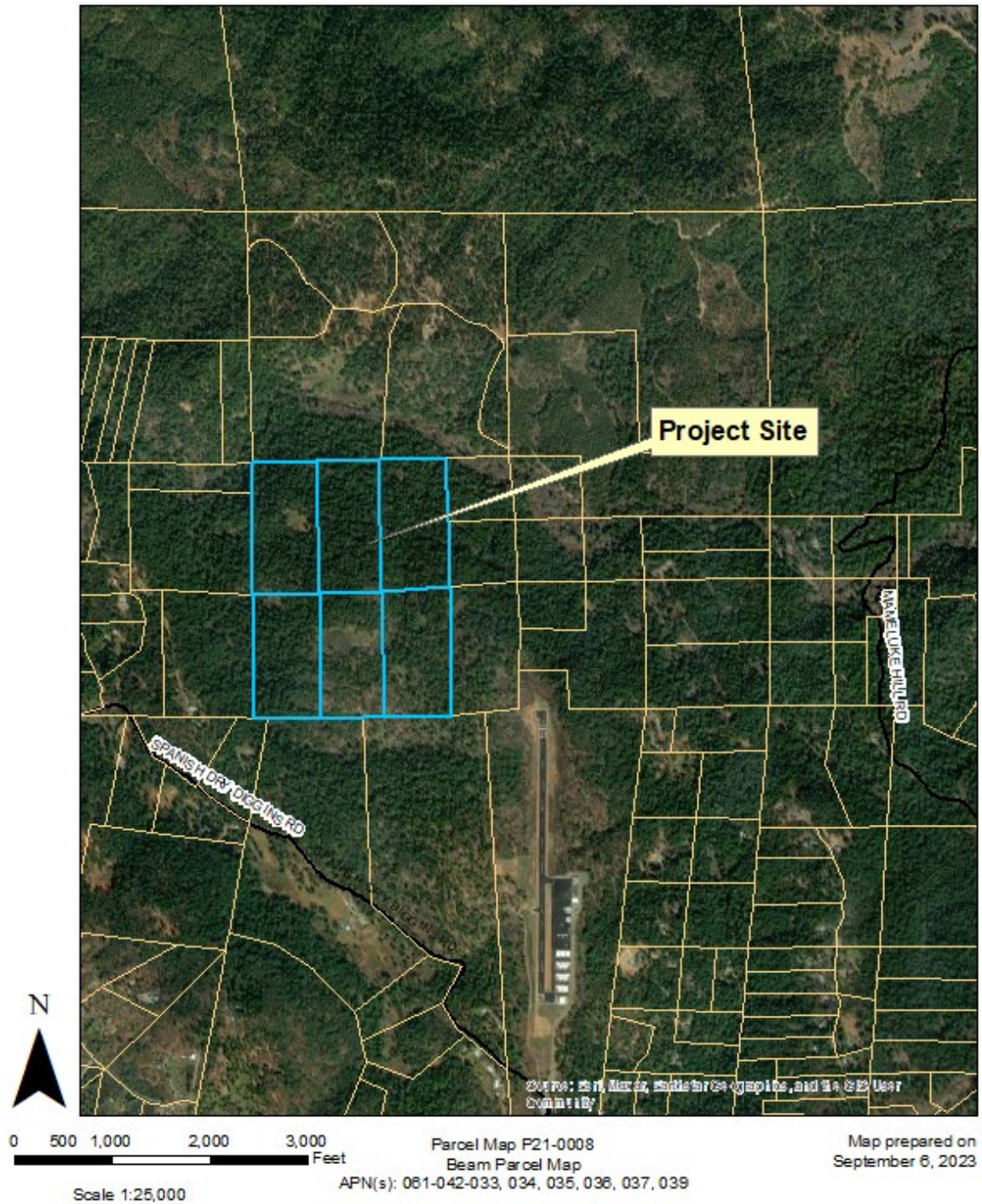
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Exhibit J: Proposed Negative Declaration and Initial Study

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Initial Study/Environmental Checklist

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Attachment 1: Location Map



Attachment 2: Aerial Photo

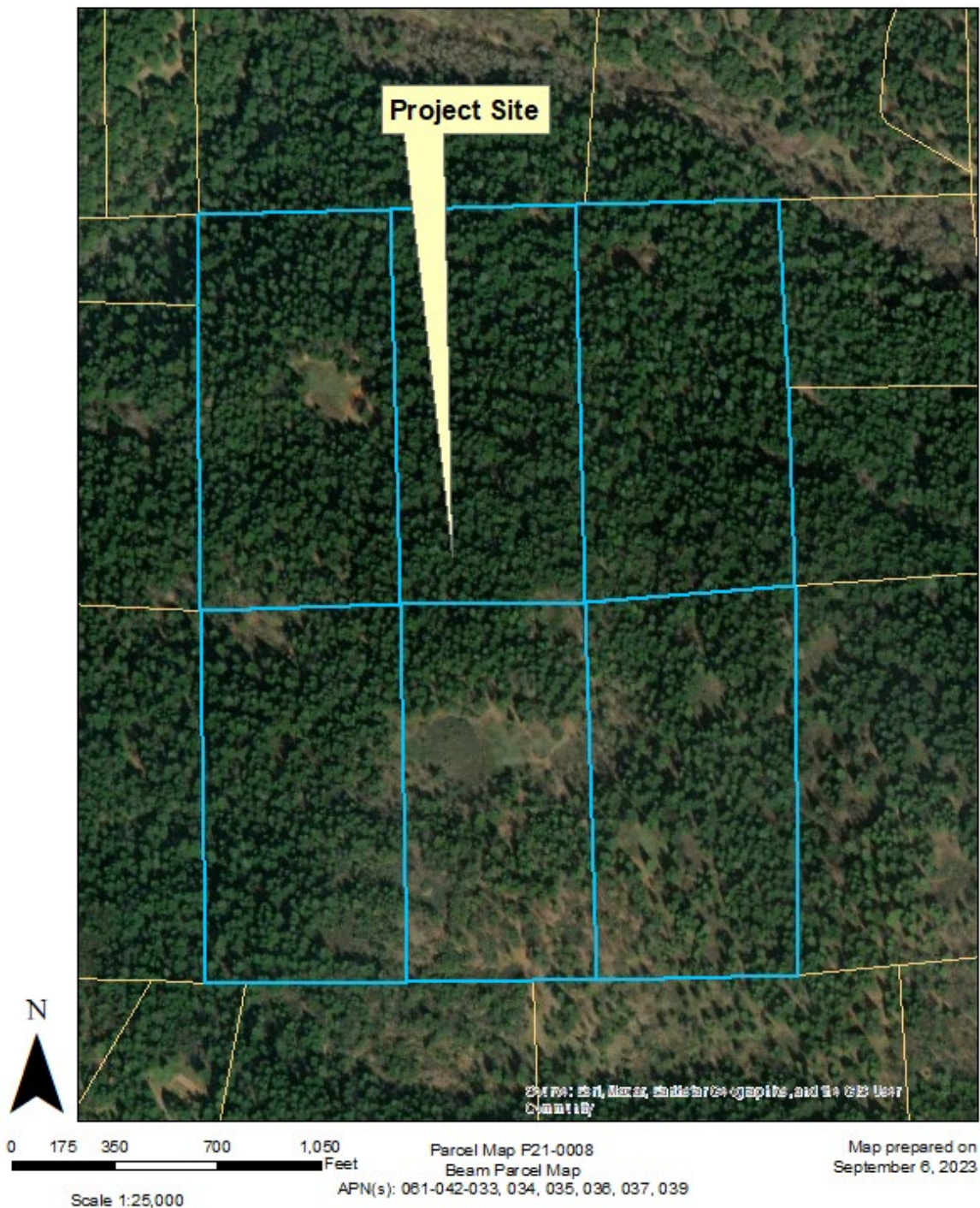
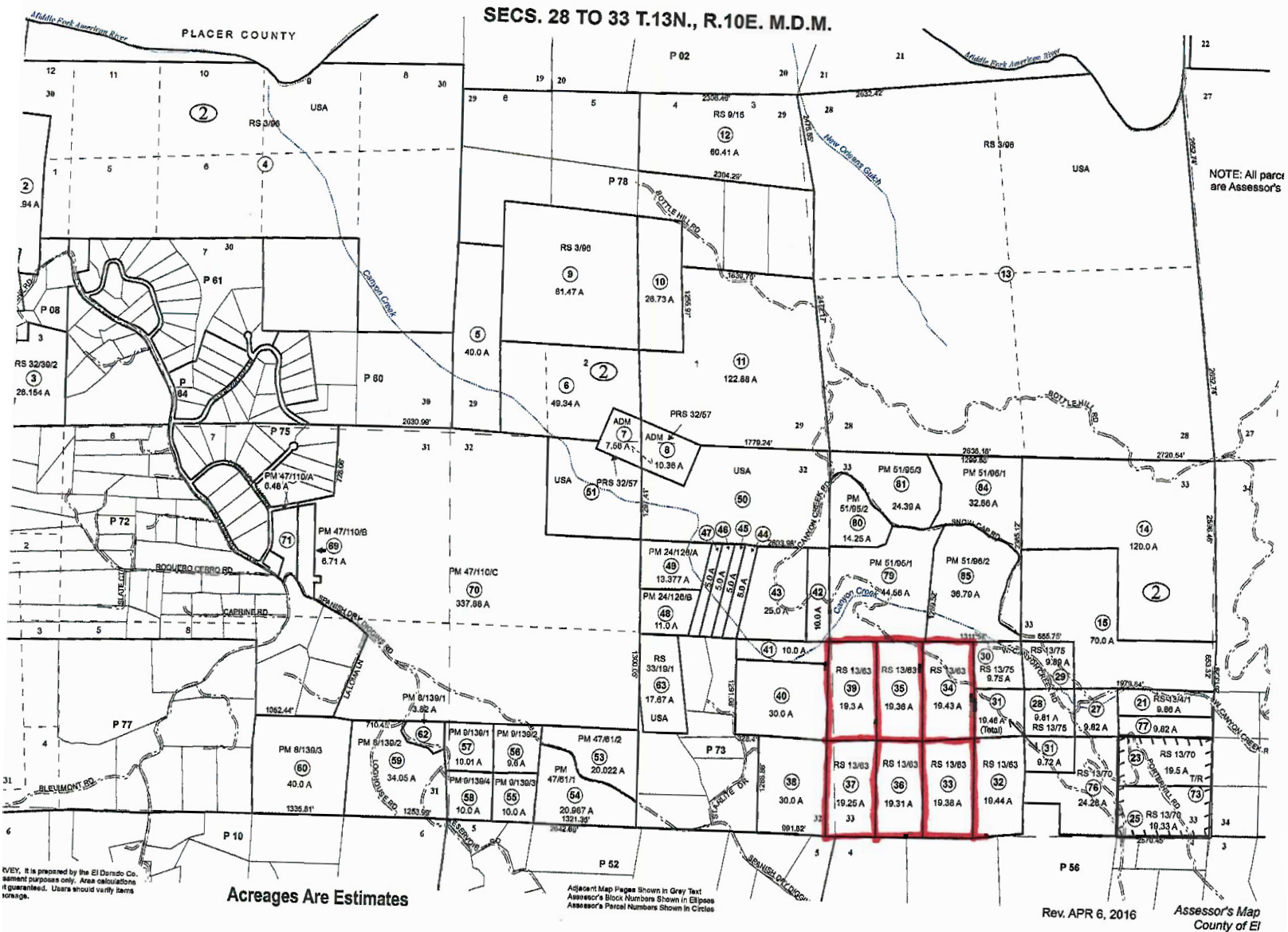


Exhibit J: Proposed Negative Declaration and Initial Study
Attachment 3: Assessor's Parcel Map



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Beam Parcel Map

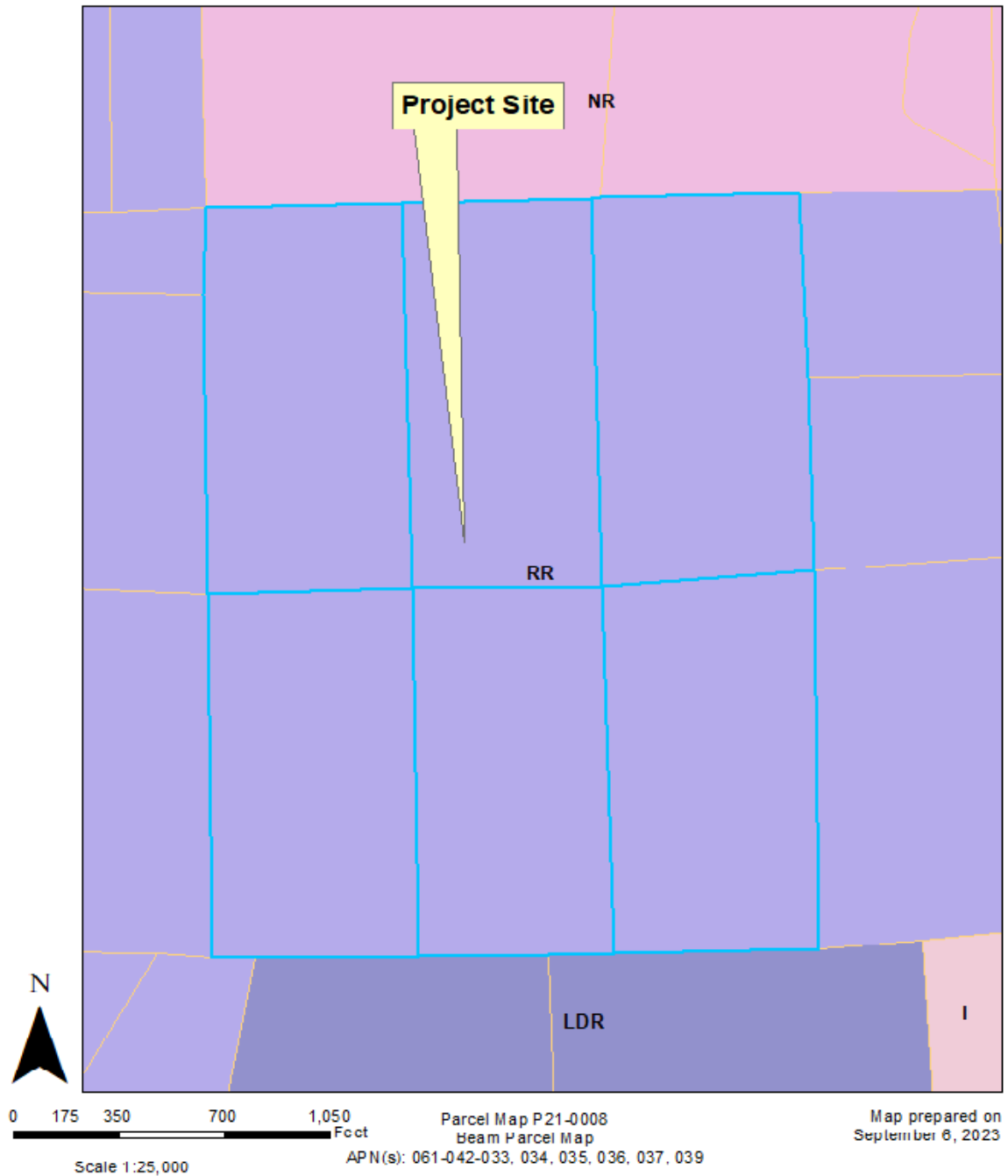
APN(s): 061-042-033, 034, 035, 036, 037, 039

Parcel Map P21-0008

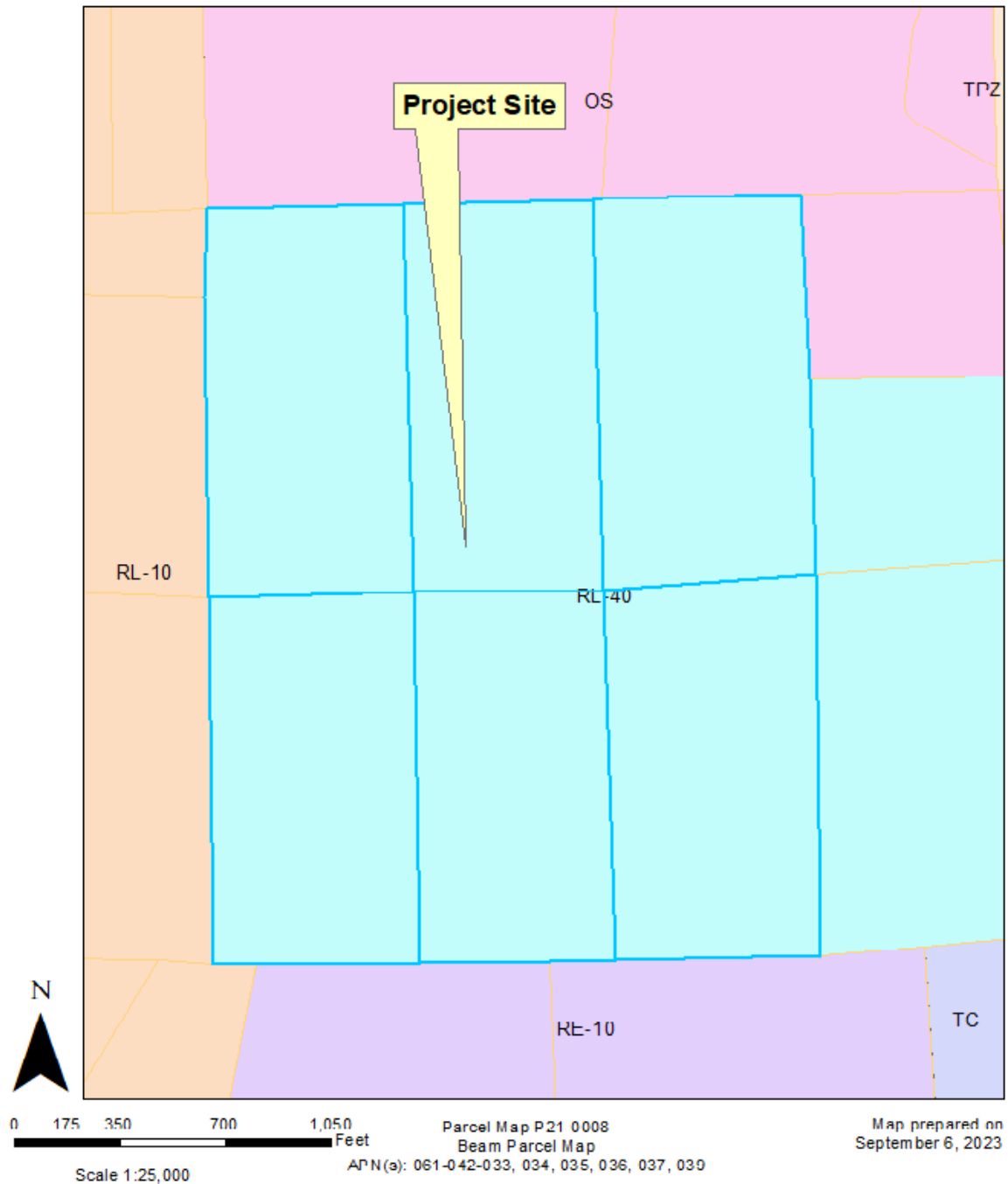
Beam Parcel Map

APN(s): 061-042-033, 034, 035, 036, 037, 039

Attachment 4: General Plan Land Use Map



Attachment 5: Zoning Map



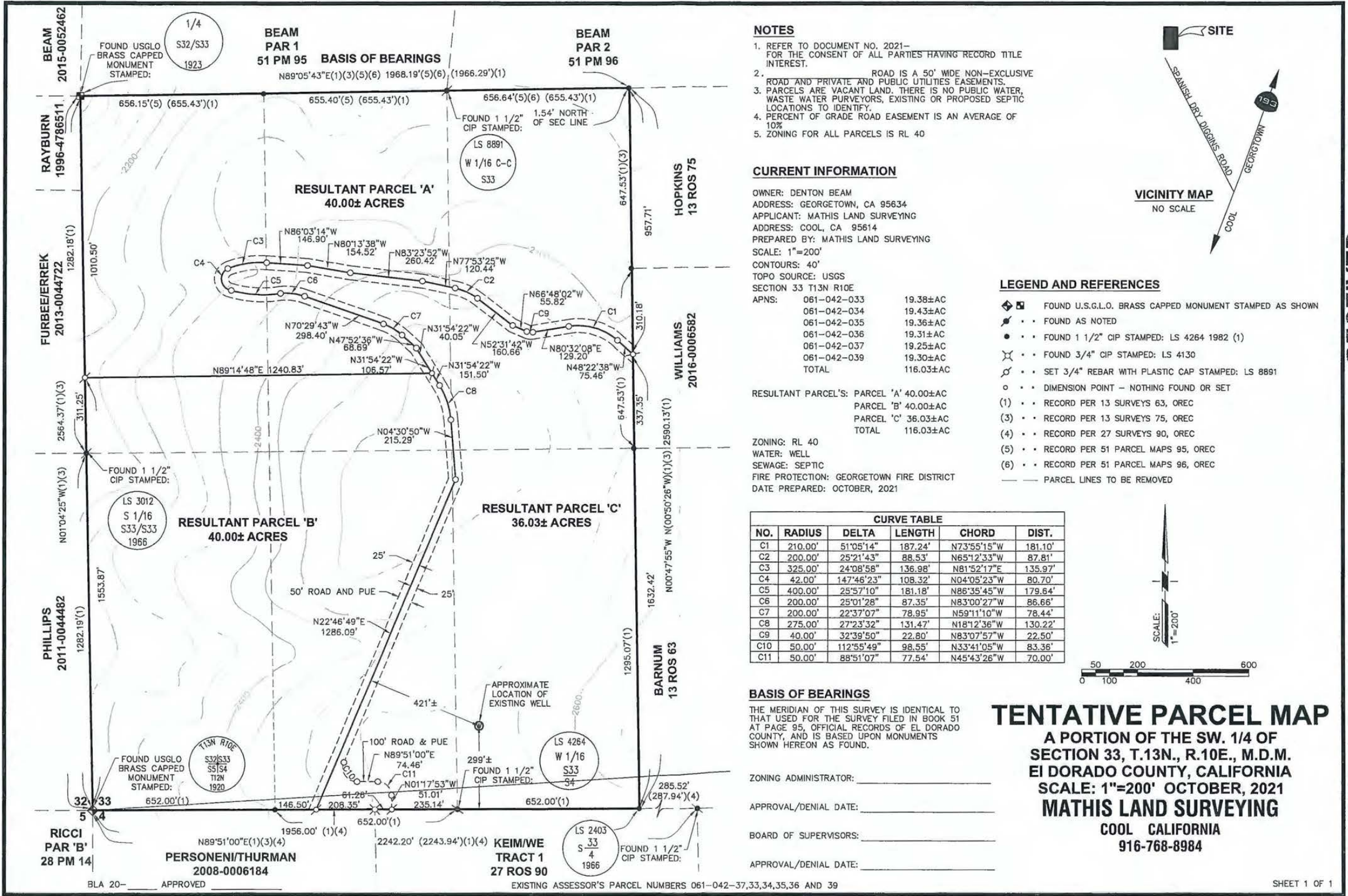


Exhibit J: Proposed Negative Declaration and Initial Study

Attachment 7: Biological Resources Assessment



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RE: Fire Plan for the Parcels:

061-042-033 19.38±AC

061-042-034 19.43±AC

061-042-035 19.36±AC

061-042-036 19.31 ±AC

061-042-037 19.25±AC

061-042-039 19.30±AC

TOTAL 116.03±AC

Introduction

Denton Beam plans to combine six parcels into three to correct parcel subdivision irregularities identified by the El Dorado County Surveying Department. Additionally, Mr. Beam intends to realign the road through the property so that the new parcels have adequate access. There are currently no construction plans for the property. Mr. Beam must obtain a biological assessment to merge the parcels and restore development rights.

Report Summary

The Biological Resources Assessment Report includes the biological results of the background research, biological resources field surveys, data analysis, and impact assessment for the Project area.

The key findings of this report include the following:

- Canyon Creek is located north of the parcel boundaries, and there are five ephemeral drainages originating on the subject parcels. The ephemeral drainages do not have any evidence bed, bank, or channel and likely only rarely flow any water.
- California Native Plant Society (CNPS) List 1, 2, 3, or 4 species have been documented in the area, but no suitable habitat is observed on the parcels. Depending on the project, it may be necessary to conduct a field survey during the flowering season.
- The forest, with management, can be restored to a healthy composition and structure that. Past forest thinning since regeneration has led to the development of a healthy overstory, only with a dense and decadent understory of native chaparral.

Parcel Description and History

The subject parcels are 116 acres over six parcels located north of Georgetown and south of Canyon Creek, a tributary to the Middle Fork of the American River. The parcels are in a transitional location with black oak woodland and Sierra Nevada mixed conifer forest types. The overstory is widely spaced blue oak, valley oak, black oak, and mixed conifers. The overstory is approximately 80 years old and has been thinned three times since regeneration. The overstory appears well stocked, and the property was masticated 15 years ago, which is easily twice the

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fire return interval for the region. The result is a well-spaced overstory with a dense understory comprised of native chaparral, grasses, and several infestations of Scotch broome. The parcel has not been impacted by fire directly, but wildland fires have burned regionally for decades, and the subject parcel is in a very high fire hazard area. The fire return interval will likely decrease due to non-native species, drought, and climate change.

Slope and Aspect

Slope and aspect combine to create the topographical influences of fire on a slope. The project area generally has west and north-facing slopes. The west-facing slopes are perfectly aligned for solar radiation to heat and dry vegetation. They are moderately well aligned with the southwest winds that drive explosive fire growth in the local area. The steep slopes also promote the pre-heating of fuels and thus the rate and direction of spread. Additionally, west-facing slopes have longer burn periods during the diurnal cycle due to solar drying.

Elevation

Elevation has an important influence on fire behavior by influencing the amount and timing of precipitation and determining exposure to prevailing winds or extreme fire behavior. The subject parcel ranges from 2100 feet in elevation in the northwest to 2600 feet in the southeast. This elevation is characterized as having hot, dry summers with distinct seasons and moderately cool winter with precipitation falling as rain and averaging 36 inches per year. Rainfall in amounts to influence fire behavior is rare after May, and fire season begins in earnest as early as June. This leaves a long hot summer with dry fuel.

Weather

Local weather drives fire behavior in the Sierra Nevada. El Dorado County is exposed to dangerous Diablo winds when low pressure off California's coast and high pressure over the Great Basin result in strong, dry winds from the northeast. The subject parcel is exposed to northeast winds several times each fall. The subject parcel is exposed to strong upslope winds during much of the fire season because of the effects of solar radiation and the diurnal wind cycle in the American River Canyon. Fires are likely to exhibit moderate spread rates with moderate flame lengths during diurnal wind and fuel-driven fires. The subject parcel is also exposed to strong southwest winds from approaching low-pressure systems as they drop from the Gulf of Alaska. During these events, winds pick up from the southwest, and before the arrival of moisture, there can be a very low humidity dry slot for up to a day before the arrival of increased humidities and wetting precipitation. During this period, fires can grow explosively.

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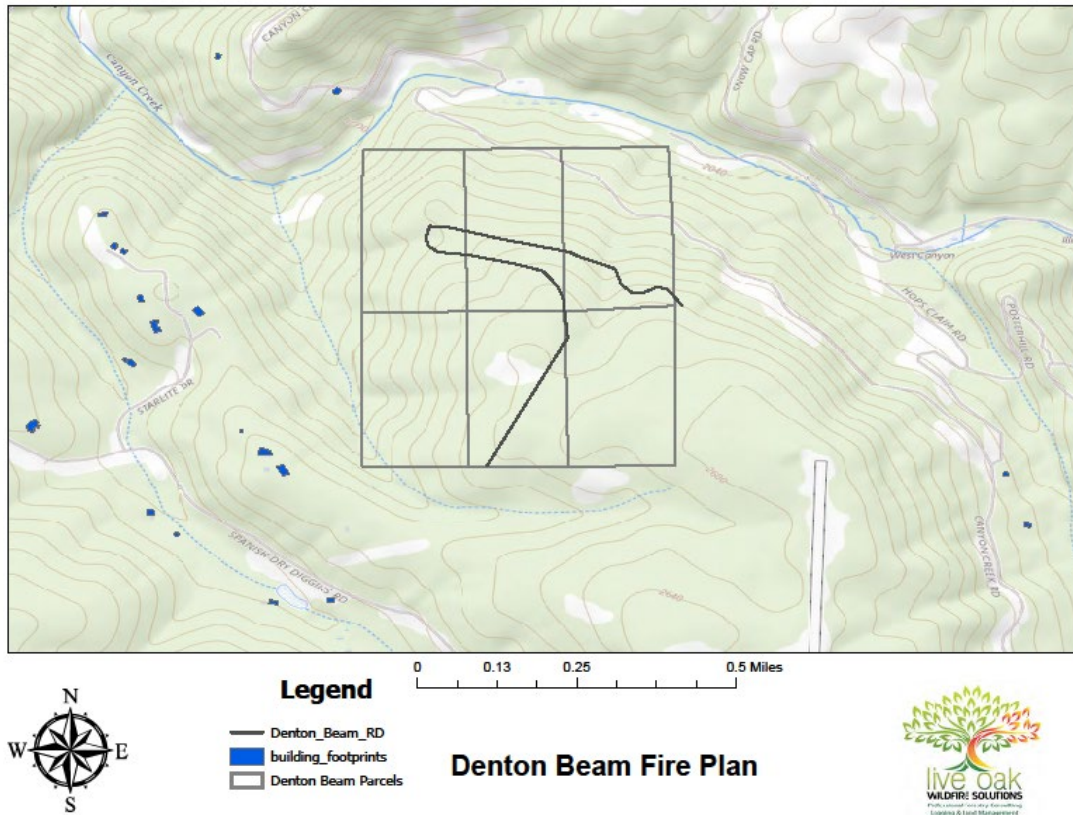
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REGULATORY OVERVIEW

Federal Regulations

Section 404 of the Clean Water Act

The U.S. Army Corps of Engineers ("Corps") and the Environmental Protection Agency ("EPA") regulate the discharge of dredged or fill material into "waters of the U.S." under Section 404 of the Clean Water Act. "Waters of the U.S." include wetlands and lakes, rivers, streams, and their tributaries. Wetlands are defined for regulatory purposes as areas "...inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated solid conditions" as specified in 33 Code of Federal Regulations [CFR] 328.3, 40 CFR 230.3. Generally, wetlands include swamps, marshes, bogs, and similar areas. Lakes, rivers, and streams are defined as "other waters of the U.S." Jurisdictional limits of these features are typically noted by the Ordinary High Water Mark ("OHWM"). The OHWM is the line on the shore established by the fluctuations of water and indicated by physical characteristics such as mark a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas (33 CFR 328 and 33 CFR 329). Areas considered to be non-jurisdictional waters include non-tidal drainage and irrigation ditches excavated on dry land, artificially-

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irrigated areas, artificial lakes or ponds used for irrigation or stock watering, small artificial water bodies such as swimming pools, and water-filled depressions with no outlet for drainage (33 CFR, Part 328). On April 21, 2020, the EPA and the Corps published the Navigable Waters Protection Rule to define "Waters of the United States" in the Federal Register. It includes four simple categories of jurisdictional waters, provides clear exclusions for many water features that traditionally have not been regulated, and defines terms in the regulatory text that have never been defined.

Under the final Rule, four clear categories of waters are federally regulated:

- The territorial seas and traditional navigable waters,
- Perennial and intermittent tributaries to those waters,
- Certain lakes, ponds, and impoundments, and
- Wetlands adjacent to jurisdictional waters.

As of June 22, 2020, the final Rule details 12 categories of exclusions, features that are not "waters of the United States," such as:

- features that only contain water in direct response to rainfall (e.g., ephemeral features);
- groundwater;
- many ditches;
- prior converted cropland; and
- waste treatment systems.

~Applicability to Denton Beam Property.

The parcels are located within 50 feet of the perennial Canyon Creek, which is a Water of the United States. Any activity with potential impacts on Canyon Creek could require a permit from the U.S. Corp of Engineers. However, it is unlikely any activity that could have an impact on the creek would be permitted for development in any case.

Section 401 of the Clean Water Act

Section 401 of the CWA requires an applicant for any federal permit which may result in a discharge into the waters of the U.S. to obtain a certification from the state that the discharge will comply with provisions of the CWA. The nine regions of the State Water Quality Control Board administer this program. Any condition of water quality certification would be incorporated into the Corps permit. California has a policy of no-net-loss of wetlands and typically requires mitigation for impacts to wetlands before it will issue a water quality certification. This Project is located under the jurisdiction of Region 5, the Central Valley Regional Water Quality Control Board ("RWQCB").

~Applicability to Denton Beam Property

Some commercial logging activities occurring within 75 feet of Canyon Creek will require a permit from the RWQCB. The Water Board issues permits for commercial logging projects whether on or off the property, in this case, Canyon Creek. The RWQCB does not require a permit for projects determined to be a minor alteration of vegetation, such as mastication or prescribed fire, that do not pose a risk to water quality. Other commercial activities will be required to follow applicable setback regulations, and would be subject to enforcement action if they have an impact on Canyon Creek. 2.1.3

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Exhibit J: Proposed Negative Declaration and Initial Study

Attachment 7: Biological Resources Assessment



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Endangered Species Act of 1973

Consultation with the USFWS would be necessary if a proposed action may affect a federally listed species or occupied habitat. This consultation will proceed under Section 7 of the Endangered Species Act (ESA) if a federal action is part of the proposed action or through Section 10 of the ESA if no such nexus is available (USFWS, 1973).

~Applicability to Denton Beam Property

There are three federally protected species listed under the ESA that have previously been documented within the USGS quad of the subject parcels (CDFW 2023), the threatened California red-legged frog (*Rana draytonii*), and the northern clade and southern clade of the foothill yellow-legged frog. Red-legged frogs prefer ponds and cannot tolerate the competition typical of flowing waters. The southern clade of the yellow-legged frog extends just Georgetown. It is likely that yellow-legged frogs migrate up Canyon Creek for reproduction and then migrate back to the American River drainage for summer, even though there are no documented populations. Yellow-legged frogs are known to migrate up and down different-order creeks to limit predation on eggs. Therefore, checking for frogs before ground-disturbing activities within 75 feet of Canyon Creek in spring is a best practice, regardless of permit requirements.

California State Regulations

California Endangered Species Act

The California Department of Fish and Wildlife (CDFW) has jurisdiction over plant and wildlife species listed as threatened or endangered under section 2080 of the CDFW Code. The California Endangered Species Act (CESA) prohibits the take of state-listed threatened and endangered species. The state Act differs from the federal Act in that it does not include habitat destruction in its definition of take. The CDFW defines take as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." The CDFW may authorize take under the CESA through Section 2081 agreements. If the results of a biological survey indicate that a state-listed species would be affected by the project, the CDFW will issue an Agreement under Section 2081 of the CDFW Code and would establish a Memorandum of Understanding for the protection of state-listed species. CDFW maintains lists for Candidate-Endangered Species and Candidate-Threatened Species.

California Special Species of Concern

Fully Protected and Special Status Species California designates Species of Special Concern (SSC) are species of limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational values. These species do not have the same legal protection as list species but may be added to official lists in the future (CDFW 2014). In the 1960s, California created a designation to provide additional protection for rare species. This designation remains today and is referred to as a "Fully Protected" species, and those listed "may not be taken or possessed at any time" (CDFW 2014). No species designated as Fully Protected species are known to occur within or adjacent to the Project area. California special status species are identified by the California Natural Diversity Database (CNDDB) and include those species considered to be of greatest conservation need by the CDFW.

~Applicability to Denton Beam Property The following species are either state listed or a Species of Special Concern as listed by the California Department of Wildlife. Foothill yellow-legged frog, (*Rana boylei*) is State ESA-listed as threatened (CDFW 2020); however, the CESA-listed species has not been documented within the Canyon Creek drainage. As mentioned above, it is a best practice to conduct surveys prior to ground-disturbing activities within 75 feet of Canyon Creek. California red-legged frog, (*Rana draytonii*) is State ESA-listed species but requires permanent ponded water. No habitat exists on the parcels. Northern goshawk (*Accipiter gentilis*) occurs within the area, but only at higher elevations

Parcel Map P21-0008

Beam Parcel Map

APN(s): 061-042-033, 034, 035, 036, 037, 039

Parcel Map P21-0008

Beam Parcel Map

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Exhibit J: Proposed Negative Declaration and Initial Study

Attachment 7: Biological Resources Assessment



John Pickett, RPF #2976

1635 Crystal Air Dr., South Lake Tahoe,
CA 96150 (775) 220-7675
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where old-growth or open-grown forest structures exist. It is not necessary that the forest necessarily have large trees, but goshawk prefer more open stands with large trees for nesting and hunting. The forest structure that develops in California after a clearcut harvest is generally unsuitable for a goshawk. Maintaining forest structure and stocking approximating historic densities both benefits forest health and creates suitable habitat for goshawk and California spotted owl. Currently, there is no suitable habitat on the parcels. California spotted owl (*Strix occidentalis occidentalis*) occurs within the area of the parcels; however, for the same reasons mentioned for goshawk, no suitable habitat exists on the subject parcels. Northern California ringtail cat (*Bassariscus astutus raptor*) is listed as a Species of Special Concern because of their affinity for riparian corridors and complex forest structures with snags and down woody debris. It is likely that ringtail cats use the Canyon Creek corridor for hunting. Maintaining "habitat piles" and coarse woody debris provides suitable habitat for ringtail cats and other rodent predators. Western pond turtle (*Emys marmorata*) occurs in the area, but the parcels have no ponded water.

Porter-Cologne Water Quality Control Act & Section 1601 and Section 1607 of CDFG Code

These acts and codes pertain to projects with potential impacts on water quality or waterways. The northern section of the subject parcel are within 50 feet of Canyon Creek, which is considered Waters of the State as defined by the State Water Resources Board (State Board 2014).

~Applicability to Denton Beam Property

Any activity that can impact water quality is regulated by the RWQCB as discussed above. And while Canyon Creek is adjacent to the parcels, its proximity and location downhill from the parcels require that impacts be considered before regulated ground-disturbing activity on the subject parcels. In general, following county code on siting development away from watercourses will protect the creek; however, commercial development and commercial timber harvest will create permit filing requirements.

California Department of Fish and Game Code Sections 3503, 3503.5, and 3800:

Nesting Migratory Bird and Raptors

Sections 3503, 3503.5, and 3800 of the CDFG Code prohibit the take, possession, or destruction of birds, their nests or eggs. Implementation of the take provisions requires that project-related disturbance within active nesting territories be reduced or eliminated during critical phases of the nesting cycle (approximately February 15 – August 31). A disturbance that causes nest abandonment and/or loss of reproductive effort (e.g. killing or abandonment of eggs or young), or the loss of habitat upon which birds are dependent, is considered "taking", and is potentially punishable by fines and/or imprisonment (LCC 2013).

~Applicability to Denton Beam Property

The migratory bird nesting season runs from approximately February 15 through August 31, and during this time it is a best practice to check for nesting birds, either early in the morning, or the evening before. Commercial development may require more formal surveys.

California Environmental Quality Act Guidelines Section 15380.

California Environmental Quality Act (CEQA) Guidelines section 15380(b) provides that a species not listed on the federal or state list of protected species may be considered rare or endangered if the species can be shown to meet certain specific criteria. This section was included in the guidelines to deal primarily with situations in which a public agency is reviewing a project that may have a significant effect on, for example, "candidate species" that has not yet been listed by the USFWS or CDFW. CEQA, therefore, enables an agency to protect a species from significant project impacts until the respective government agencies have an opportunity to list the species as protected, if warranted (CNRA 2012).

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Plants appearing on the California Native Plant Society (CNPS) California Rare Plant Rank (CRPR) are considered to meet CEQA's Section 15380 criteria. Ranks include:

- 1A - Plants presumed extirpated in California and either rare or extinct elsewhere,
- 1B) plant rare, threatened, or endangered in California and elsewhere,
- 2A) plants presumed extirpated in California, but more common elsewhere, and
- 2B) plants rare, threatened, or endangered in California, but more common elsewhere.

Impacts to these species would therefore be considered "significant," requiring mitigation.

The following species are listed as 2B or higher and occurring within the quad containing the subject parcel:

- *Chlorogalum grandiflorum*, Red Hills soaproot 1B.2 – There are several sightings within the Otter Creek drainage, but none in the Canyon Creek drainage. Red Hills soaproot relies on refugia from disturbance, and there is likely no suitable habitat on the parcels.
- *Packera layneae*, Laynes ragwort 1B.2 – This species has been seen in the nearby Pine Hill Preserve in gabbro soils.
- *Calystegia vanzuukiae*, Van Zuks morning-glory 1B.3 – Van Zuks morning-glory grows in gabbro and serpentine soils typical of the Pine Hill Preserve. There is no suitable habitat on the parcels.
- *Carex cyrtostachya*, Sierra arching sedge 1B.2 – Sierra arching sedge is a wetland species and there is no suitable habitat on the subject parcels.
- *Rhynchospora capitellata*, brownish beaked-rush 2B.2 – Brownish beaked-rush is actually a sedge, and is a wetland species. There is no suitable habitat on the subject parcels.
- *Arctostaphylos nissenana*, Nissenan manzanita 1B.2. Nissenan manzanita relies on refugia such as mountain ridges and rock outcrops where this smaller manzanita can compete. There is no suitable habitat on the parcels.
- *Poa sierrae*, Sierra blue grass 1B.3. Sierra blue grass thrives around wet seeps and springs. There is no suitable habitat on the subject parcels.
- *Horkelia parryi*, Parrys horkelia 1B.2. Parry horkelia grows in low-growing outcrops of dark green mats. The species has only had a single sighting within 3 miles of the subject parcels. This species is not likely to thrive in a forest that has been actively managed; however, a survey should be conducted before conducting certain development projects.

Local Regulations

The following El Dorado County permits

El Dorado County Oak Resources Conservation Ordinance

Permits for removing heritage oak trees are required for any non-exempt action requiring discretionary development entitlements or approvals from the County or ministerial actions requiring a building or

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grading permit issued by the County. An OakResources Technical Report prepared by a certified arborist, qualified wildlife biologist, or Registered Professional Forester is required before issuing a permit to remove any Oak Resources. Required care, inspection, and documentation of replacement plantings(including replacement of any dead trees) shall be performed by all permittees for a seven (7) year period from the date of the planting. Exemptions from mitigation do not apply to Heritage Trees, individual valley oak trees, and valley oak woodlands(unless these trees are dead, dying, or diseased).The ORMP requires mitigation for permitted oak tree removal, under the ORMP including: on-site retention; replacement planting on-site and off-site; and in-lieu fees that will be used to acquire land and/or conservation easements to conserve oak woodlands and to plant and maintain native oak trees. (Under the prior General Plan Policy tree canopy retention was the only mitigation option available.) All mitigation requires additional permits depending upon the mitigation option chosen. To encourage on-site retention of oak woodlands, the ORMP requires increasing mitigation ratios based on the amount of oak woodland removed: Removing 50 percent or less requires a 1-to-1 ratio of mitigation, removing up to 75 percent requires a 1.5-to-1ratio of mitigation, and removing up to 100 percent requires a 2-to-1 ratio of mitigation. Mitigation of oak woodlands would consist of one of the following options:

- On-site retention;
- replacement planting on-site and off-site;
- and/or in-lieu fees.

A security deposit is required for all discretionary projects proposing on-site oak tree/oak woodland retention and/or replacement planting as mitigation. No grading or other on-site work shall be permitted until the security deposit is posted. The in-lieu fee for the removal of oak woodlands is calculated based on the total cost per acre, which is currently set at \$8,285. The in-lieu fee for the removal of individual oak trees is calculated on a total cost per inch which is currently set at \$153 for a non-Heritage Tree and \$459 per inch for a Heritage Tree at a 3-to-1 ratio. The per-inch fee shall be multiplied by the total number of trunk diameter inches removed. The in-lieu fees collected will be deposited in the County's Oak Woodland Conservation Fund. That fund will be used to acquire land and/or conservation easements to conserve oak woodlands, provide for native oak tree planting, and for ongoing conservation area monitoring and management activities.

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Exhibit J: Proposed Negative Declaration and Initial Study

Attachment 8: WUI Fire Plan



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RE: Fire Plan for the Parcels:

061-042-033 19.38±AC

061-042-034 19.43±AC

061-042-035 19.36±AC

061-042-036 19.31 ±AC

061-042-037 19.25±AC

061-042-039 19.30±AC

TOTAL 116.03±AC

Introduction

Denton Beam plans to combine six parcels into three to correct parcel subdivision irregularities identified by the El Dorado County Surveying Department. Additionally, Mr. Beam intends to realign the road through the property so that the new parcels have adequate access. There are currently no construction plans for the property. Mr. Beam must obtain a fire plan to merge the parcels and obtain a grading permit for the road alignment.

This fire plan anticipates the construction of commercial or residential structures on the property. This property is located over 500 feet from the closest structure and therefore is not within the defensible space of neighboring properties. No action is required until construction is imminently planned.

Parcel Description

Vegetation

The subject parcels are 116 acres over six parcels and are the area of analysis in this fire plan. The parcels are in a transitional location with black oak woodland and Sierra Nevada mixed conifer forest types. The overstory is widely spaced blue oak, valley oak, black oak, and conifers. The overstory appears well stocked, and the property had been masticated some 15 years ago. The result is a well-spaced overstory with a dense understory comprised of native chaparral, grasses, and several infestations of Scotch broome. The parcel has not been impacted by fire directly, but wildland fires have burned regionally for decades, and the subject parcel is in a very high fire hazard area. The fire return interval will likely decrease due to non-native species, drought, and climate change.

The subject parcel is a transitional mixed conifer oak woodland forest type with many live healthy and thriving oaks and conifers dominating the overstory. The overstory trees are thrifty and healthy. The site is likely a Site Quality Class 1, indicating some of California's most productive timber-growing soils. Timber production is a realistic goal, and the standing timber is likely of value. Surface fuels have regrown after mastication was completed some 15 years before. The understory is composed of decadent canyon live oaks and chaparral. The canyon live oak chaparral mixture is defined as a Shrub Fuel Model SH-7 described in *Standard Fire Behavior Fuel Models: A Comprehensive Set for Use with Rothermel's Surface Fire Spread Model. General Technical Report RMRS-GTR-153, Scott and Burgen*. This explosive fuel model can produce some of the most dangerous fires in the region.

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Slope and Aspect

Slope and aspect combine to create the topographical influences of fire on a slope. The project area generally has west and north-facing slopes. The west-facing slopes are perfectly aligned for solar radiation to heat and dry vegetation. They are moderately well aligned with the southwest winds that drive explosive fire growth in the local area. The steep slopes also promote the pre-heating of fuels and thus the rate and direction of spread. Additionally, west-facing slopes have longer burn periods during the diurnal cycle due to solar drying.

The north-facing slopes will be dominated by diurnal canyon winds that then magnify fire-driven winds. The Canyon Creek drainage will dominate fire behavior in the region.

Elevation

Elevation has an important influence on fire behavior by influencing the amount and timing of precipitation and determining exposure to prevailing winds or extreme fire behavior. The subject parcel ranges from 2100 feet in elevation in the northwest to 2600 feet in the southeast. This elevation is characterized as having hot, dry summers with distinct seasons and moderately cool winter with precipitation falling as rain and averaging 36 inches per year. Rainfall in amounts to influence fire behavior is rare after May, and fire season begins in earnest as early as June. This leaves a long hot summer with dry fuel.

Weather

Local weather drives fire behavior in the Sierra Nevada. El Dorado County is exposed to dangerous Diablo winds when low pressure off California's coast and high pressure over the Great Basin result in strong, dry winds from the northeast. The subject parcel is exposed to northeast winds several times each fall. The subject parcel is exposed to strong upslope winds during much of the fire season because of the effects of solar radiation and the diurnal wind cycle in the American River Canyon. Fires are likely to exhibit moderate spread rates with moderate flame lengths during diurnal wind and fuel-driven fires. The subject parcel is also exposed to strong southwest winds from approaching low-pressure systems as they drop from the Gulf of Alaska. During these events, winds pick up from the southwest, and before the arrival of moisture, there can be a very low humidity dry slot for up to a day before the arrival of increased humidities and wetting precipitation. During this period, fires can grow explosively.

Fire Hazard on the Subject Parcel

The subject parcel is exposed to a considerable hazard from a volatile fuel mix and canyon winds. The SH7 fire model burns with moderate spread rates but with very high flame lengths. The GR4 fuel model is readily mitigated with mowing but burns intensely when left fallow. And while this is an active fuel model, it is possible to moderate this hazard by reducing fuels between the best and healthiest conifers, spacing canyon live oak trees, clearing around evacuation routes and roads, and then using methods to reduce the total tonnage of biomass available to burn.

The nearby 2016 Bottle Fire was precisely this, a fuel and topographically driven fire with strong diurnal wind influence. On the afternoon of the fire, humidities were very low, ranging from 15-20 percent, with light east winds increasing to over 18 miles per hour from the southwest during the afternoon. This wind pattern drove very high rates of spread with dangerous runs during the

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late afternoon. The subject parcel is also exposed to strong southwest winds from approaching low-pressure systems as they drop from the Gulf of Alaska. During these events, winds will pick up from the southwest. Before the arrival of moisture, there can be a very low humidity dry slot for up to a day before the arrival of increased humidities and wetting precipitation. During this period, fires can grow explosively.

Mitigations

The following section applies when structures are constructed on the parcel, and no development plan is being considered.

Dr. Jack Cohen of the U.S. Forest Service's Rocky Mountain Research Station made the statement in his definition of the home ignition zone that "it is a homes construction and immediate surroundings that will determine a home's probability of ignition, not its site on a fire-prone landscape." From his research, we now moderate exposure to fire hazard by working in three zones around the structures and other areas with human habitation. The SH7 fire model is brush and grass driven with only moderate flame lengths. In this fuel model reducing fuel for a boundary of 200 feet or to the slope break will effectively limit the pre-heating of structures on the property. In many fuel types, it is necessary to reduce fuels up to 300 feet on steep slopes, but this is not likely to lead to substantial reductions in risk on the subject parcel.

Fuel Break Around Structures

Oak trees vary in flammability with canyon live oak burning with great energy and blue oak rarely burning except in chaparral form. Spacing oaks with 10 feet between canopies will reduce the potential for ignition. It is also true that establishing blue oak will greatly reduce the rate with which the brush grow and will again favor bunch grass over non-native annuals. Blue oaks do not regenerate well in grazing regimes, so again it is valuable to consult with the El Dorado County Conservation District on methods to promote blue oak regeneration.

Defensible Space

Defensible space around the structures is going to be critically important because of the likely ember production from dead oak on the property and in the Sand Fire scar. Defensible space is divided into three zones. The wildland fuel zone, the Lean, Clean, and Green Zone and the Non-combustible zone.

- The wildland fuel zone should effectively extend 200 feet or to the slope break from the structure with the annual mowing of grasses and brush.
- The Lean, Clean and Green Zone extends from the structure to 30 feet. This zone must be mowed when grasses or brush are greater than 4 inches tall. No flammable vegetation may be present.
- The non-combustible zone extends from the structure to five feet. The subject parcel will be subject to massive ember wash during the next wildland fire. The maintenance of a non-combustible zone in combination with fire safe venting and Class A roofing is the primary mitigation for ember ignition. Ember ignition generally occurs when embers strike a wall or fall in wind vertices and accumulate at the bottom of the wall or in an inside corner of the structure. If there is any flammable material in this area the structure

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will be at increased risk. This area should likely be graveled in and treated with herbicide so that no vegetation can grow in this area. No leaf litter should be allowed to accumulate.

Prescription for Fuels Reduction

The SH7 fuel model is a chaparral fuel model that can exhibit quite extreme fire behavior. Flame lengths can be quite high. In this fuel model, it is imperative to create a 200 to 300-foot buffer around the home and structures to enable firefighters to engage a fire. The SH7 is too volatile for direct attack during extreme fire weather.

The basic prescription for fuels reduction on the property is to create gaps of at least 20-feet between oak crowns or 40 feet of space between conifer boles. Retain the dominant and codominant conifers on the parcel. Then retain mature trees greater than 25 feet from another designated leave tree. Retain all trees greater than 24 inches DBH for pine and 36 inches DBH for oak. Retain trees in the following order: Ponderosa pine, black oak, blue oak, valley oak, canyon live oak, and gray pine.

It is my opinion that the above prescription complies with the El Dorado Oak Management Program and is exempt because it is a fire-safe treatment related to an existing structure.

The shaded fuel break units can be treated using three different treatment methodologies.

- Mastication – A skid steer-mounted masticator can effectively mow canyon live oak. An example is the Fecon FTX350. The downside is that it will leave significant mulch depths that will be slow to decay.
- Tree shear or hot saw, skid, and chip – In this treatment, a tree sheer or hot saw cuts the excess trees creating at least 30-foot crown spacing. The sheer bunches the cut material, which is then skidded to a landing for processing. This is an excellent treatment for live oak, with the caveat that chipping and hauling are expensive.
- Tree shear or hot saw, machine grapple pile, and burn - In this treatment, trees, focusing on the canyon live oak, are cut and piled. The piles can be up to 15'x15' but must be at least 10 feet from residual trees. Pile burning can be completed during the winter period.

Evacuation Routes

The subject parcel cannot be made safe for humans during a wildland fire event, so early evacuation along safe routes is necessary. It is recommended that a written evacuation plan be created for the subject parcel if construction takes place. During fire season, particularly on red flag days, people should be able to monitor local news and look for smoke in the region of the property. If there is smoke anywhere near the historic Bottle Fire scar, people should leave the property and crest the ridge to the south while awaiting further information.

Conclusion

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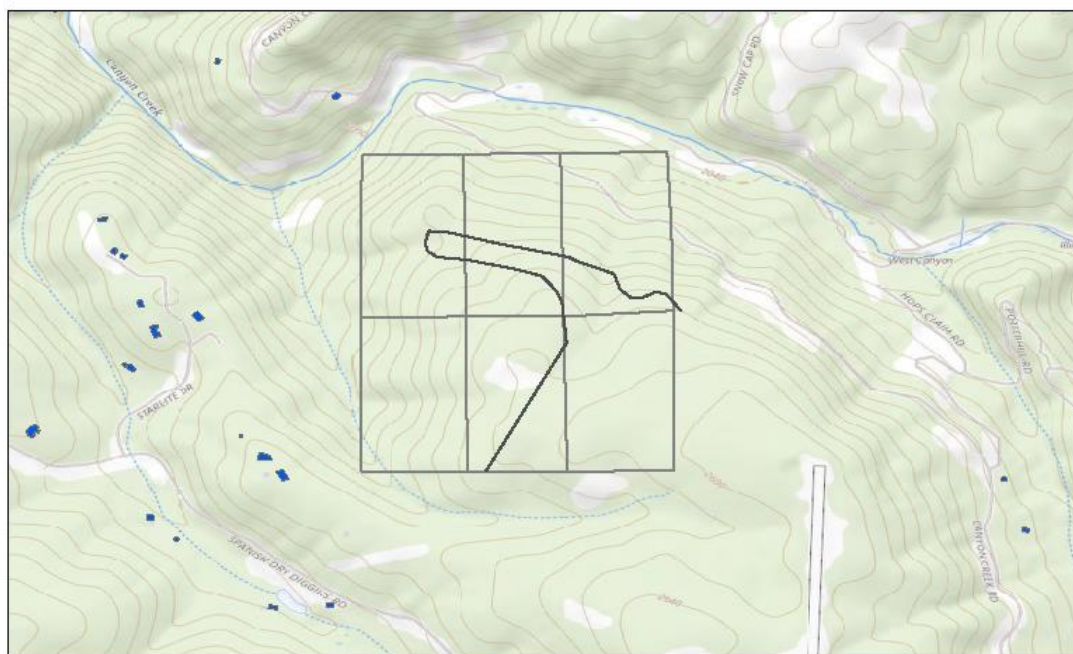
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The project area is in a high fire hazard area with dense canyon live oak, and native chaparral composing the primary fuel types. The parcel has a fuel model SH7 capable of supporting high rates of spread. Effective fuel reduction can be achieved by thinning and maintaining fuel with prescribed fire or herbicides. This property has extremely steep slopes, and it is unlikely that fuels can be modified in a way to make the parcel resilient to catastrophic fire without consistent fuels treatments. Frequent prescribed fire and herbicide use can mitigate the risk, and a prescribed fire plan will be infinitely valuable.



Legend

- Denton Beam RD
- building footprints
- Denton Beam Parcels

0 0.13 0.25 0.5 Miles

Denton Beam Fire Plan



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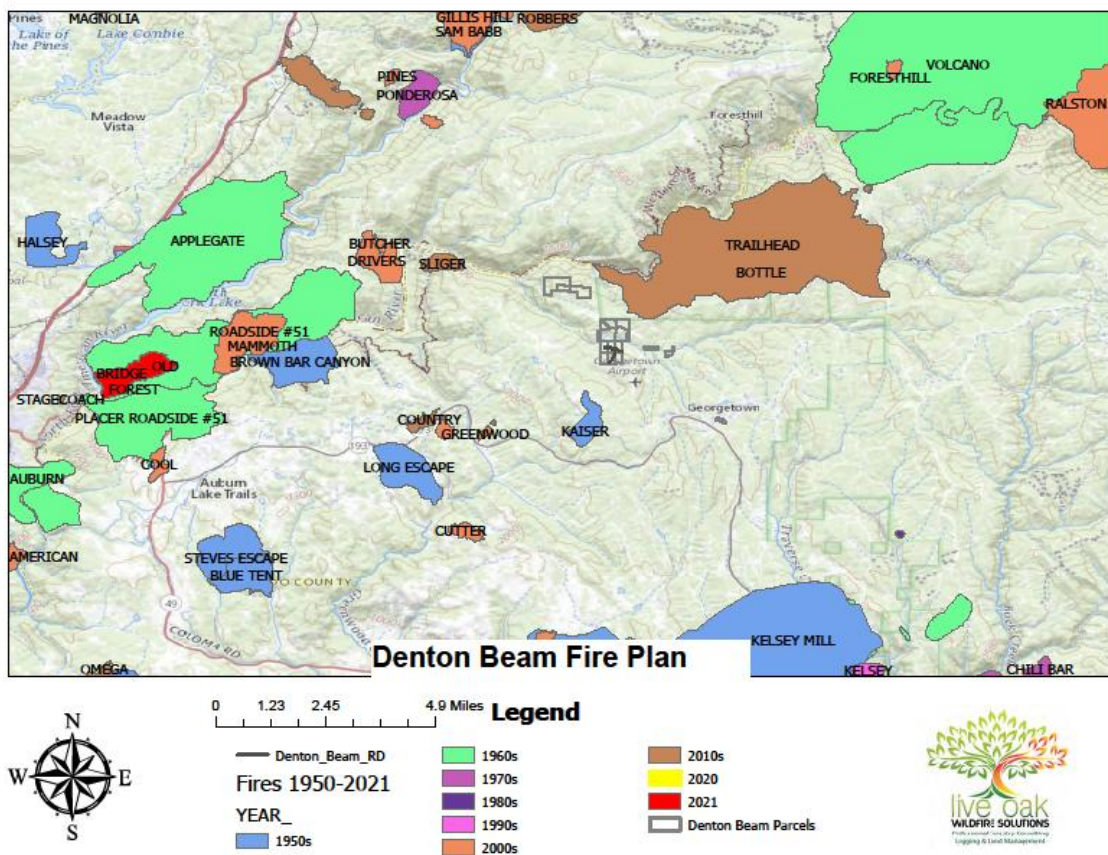
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Exhibit J: Proposed Negative Declaration and Initial Study
Attachment 9: Application Packet

RECEIVED



**COMMUNITY DEVELOPMENT SERVICES
PLANNING AND BUILDING DEPARTMENT**

2850 Fairlane Court, Placerville, CA 95667
Phone: (530) 621-5355 www.edcgov.us/Planning/

FILE # _____

ASSESSOR'S PARCEL NUMBER(s) 061-042-033, 034, 035, 036, 037 & 039

PROJECT NAME/REQUEST: (Describe proposed use) Creating 3 parcels out of the APN's listed above.

IF SUBDIVISION/PARCEL MAP: Create _____ lots, ranging in size from _____ to _____ acre(s) / square feet

IF ZONE CHANGE: From _____ to _____ IF GENERAL PLAN AMENDMENT: From _____ to _____

IF TIME EXTENSION, REVISION, or CORRECTION: Original approval date _____ Expiration date _____

APPLICANT/AGENT Mathis Land Surveying

Mailing Address 5020 Ellinghouse Dr. Suite B, Cool <pick from list> CA 95614

P.O. Box or Street City State ZIP

Phone (916) 768-8984 FAX ()

PROPERTY OWNER Denton A. Beam

Mailing Address P.O. Box 4360 Georgetown, CA <pick from list> 95634

P.O. Box or Street City State ZIP

Phone (916) 296-9430 FAX ()

LIST ADDITIONAL PROPERTY OWNERS ON SEPARATE SHEET IF APPLICABLE

ENGINEER/ARCHITECT Mathis Land Surveying

Mailing Address 5020 Ellinghouse Dr. Suite B, Cool <pick from list> CA 95614

P.O. Box or Street City State ZIP

Phone (916) 768-8984 FAX ()

LOCATION: The property is located on the <pick from list> North side of Spanish Dry Diggins

1.3 feet/miles <pick from list> of the intersection with Georgetown Rd (193)

in the Georgetown <or pick from list> area. PROPERTY SIZE _____ Acreage / Square Feet

Dent. A. Beam Oct 29 - 2021
Signature of property owner or authorized agent Date

FOR OFFICE USE ONLY

Date _____ Fee \$ _____ Receipt # _____ Rec'd by _____ Census _____

Zoning _____ GPD _____ Supervisor District _____ Sec _____ Twn _____ Rng _____

ACTION BY: ☐ PLANNING COMMISSION
☐ ZONING ADMINISTRATOR

ACTION BY BOARD OF SUPERVISORS

Hearing Date _____

Hearing Date _____

Approved _____ Denied _____
(Findings and/or conditions attached)

Approved _____ Denied _____
(Findings and/or conditions attached)

Executive Secretary _____

APPEAL: Approved _____ Denied _____

P21-0008 Revised 11/2017

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LETTER OF AUTHORIZATION

I (We), the undersigned, Owner(s) of Record with vested interest in Assessor's Parcel No. 061-042-033, 032, 033, 034, 035, 036, 037, 039, hereby authorize Mathis Land Surveying to act as my agent or representative to prepare and process the necessary documents relative to my property with the County of El Dorado, on my behalf.

Signed:

Denton A. Beam

Date: 9-2-2021

Print Name:

Denton A. Beam

Signed:

Date: _____

Print Name:

Owner(s) of Record: Denton A. Beam

Mailing Address: P.O. Box 4360

City: Georgetown

State: Ca

Zip: 95634

Phone: 916-296-7430

Email: dentonbeam@gmail.com

For multiple owners, attach additional pages as needed.

Agent for Applicant(s): Mathis Land Surveying

Mailing Address: 5020 Ellinghouse Dr. Suite B

City: Cool

State: Ca

Zip: 95614

Phone: 916 768 8984

Email: mathislandsurveying@yahoo.com

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SV AOE Application

P21-0008

Revised 6-2015

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Exhibit J: Proposed Negative Declaration and Initial Study
Attachment 9: Application Packet

Tentative Parcel Map
Page 17

AFFIDAVIT OF PREVIOUS LAND DIVISION ACTIVITY (*)

THE UNDERSIGNED hereby certifies that he is the person who executed the following statements, that he has read the same and knows the contents thereof, and that the facts stated herein are true and correct:

1. Have you at any time owned or held any interest whatsoever in any land which included the parcel proposed for division in this application, or which was contiguous to the parcel proposed for subdivision.

☒ Yes

☐ No

If "yes", explain and attach copies of the deeds to such property, if available, the Assessor's Parcel Number, and period of ownership.

Two parcel maps 51-96 & 51-95 were completed on property North of these parcels. See attached document

2. Have you ever proposed, participated in, or been involved in any manner whatsoever in the subdivision or splitting of a parcel of which the present parcel proposed to be subdivided in this application, was a part or contiguous thereto?

☒ Yes

☐ No

If so, give the relevant details, including date, parcel map number, and your role in the subdivision.

date is 2-19-16 parcel maps 51-95 & 51-96.
Mathis Land Surveying was the surveyor who prepared the parcel maps.

OWNER'S SIGNATURE

Dan A. Beam

DATE 9-2-2021

APPLICANT'S SIGNATURE DATE

Juanita Mathis

(*) THIS FORM MUST BE COMPLETED BY BOTH THE APPLICANT AND RECORD OWNER(S)

2021 SEP 16 AM 10:
RECEIVED
PLANNING DEPARTMENT

P21-0008

Parcel Map P21-0008

Beam Parcel Map

APN(s): 061-042-033, 034, 035, 036, 037, 039

Parcel Map P21-0008

Beam Parcel Map

APN(s): 061-042-033, 034, 035, 036, 037, 039

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Exhibit J: Proposed Negative Declaration and Initial Study
Attachment 9: Application Packet

RECORDING REQUESTED BY:
Inter County Title Company

AND WHEN RECORDED MAIL TO:

Denton Beam
P.O. Box 4360
Georgetown, CA 95634

20169005116900004
El Dorado, County Recorder
William Schultz Co Recorder Office
DOC 2016-0051169-00
Acct 1002-Inter-County Title
Tuesday, OCT 25, 2016 14:05:06
Ttl Pd \$112.00 Nbr-0001807226
CLG/C1/1-4

THIS SPACE FOR RECORDER'S USE ONLY:

Title Order No.: PV 226465 TO
AP#: 061-042-33,34,36,37

GRANT DEED

Escrow No.: AU-55018008-JM

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX is \$88.00

☒ computed on full value of property conveyed, or
☐ computed on full value less value of liens or encumbrances remaining at time of sale.
☒ Unincorporated area ☐ City of AND

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Stuart Porter and Britt Porter, Trustees of the Porter Living Trust dated August 29, 2003

hereby GRANT(s) to:

Denton A. Beam, Trustee of the Denton A. Beam 1990 Trust

the real property in the County of El Dorado, State of California, described as:

LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND MADE A PART HEREOF

Also Known as: 33,34,36,37 Spanish Dry Diggin, Georgetown, CA 95634

DATED: September 29, 2016

Signature Page attached hereto
and made a part hereof

MAIL TAX STATEMENTS TO PARTY SHOWN ABOVE:

Parcel Map P21-0008
Beam Parcel Map
APN(s): 061-042-033, 034, 035, 036, 037, 039

Parcel Map P21-0008
Beam Parcel Map
APN(s): 061-042-033, 034, 035, 036, 037, 039

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Exhibit J: Proposed Negative Declaration and Initial Study
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Title Order No.: PV 226465 TO
33,34,36,37

Escrow No.: AU-55018008-JM

AP#: 061-042-

SIGNATURE PAGE

Title of Document: GRANT DEED

Date of Document: September 29, 2016

Stuart Porter and Britt Porter, Trustees of the Porter
Living Trust dated August 29, 2003

BY: [Signature] TRUSTER
Stuart Porter, Trustee

BY: _____
Britt Porter, Trustee

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF KERN

On October 14, 2016 before me, Kelley D Aisher A Notary Public
personally appeared Stuart Porter

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



Parcel Map P21-0008
Beam Parcel Map
APN(s): 061-042-033, 034, 035, 036, 037, 039

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Exhibit J: Proposed Negative Declaration and Initial Study
Attachment 9: Application Packet

Title Order No.: PV 226465 TO
33,34,36,37

Escrow No.: AU-55018008-JM

AP#: 061-042-

SIGNATURE PAGE

Title of Document: GRANT DEED

Date of Document: September 29, 2016

Stuart Porter and Britt Porter, Trustees of the Porter
Living Trust dated August 29, 2003

BY: _____
Stuart Porter, Trustee

BY: Britt Porter trustee
Britt Porter, Trustee

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF Placer

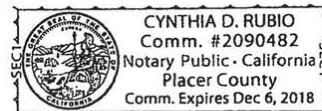
On October 10, 2016 before me, Cynthia D. Rubio A Notary Public
personally appeared Britt Porter

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Cynthia D. Rubio (Seal)



Parcel Map P21-0008
Beam Parcel Map
APN(s): 061-042-033, 034, 035, 036, 037, 039

Parcel Map P21-0008
Beam Parcel Map
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Exhibit J: Proposed Negative Declaration and Initial Study
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PV-226465-TO

EXHIBIT A

DESCRIPTION

All that certain real property situated in the County of El Dorado, State of California, more particularly described as follows:

PARCEL NO. 1:

The West half of the Southeast quarter of the Southwest quarter of Section 33, Township 13 North, Range 10 East, M.D.B.&M.

Assessor's Parcel No. 061-042-33-100

PARCEL NO. 2:

The West half of the Northeast quarter of the Southwest quarter of Section 33, Township 13 North, Range 10 East, M.D.B.&M.

Assessor's Parcel No. 061-042-34-100

PARCEL NO. 3:

The East half of the Southwest quarter of the Southwest quarter of Section 33, Township 13 North, Range 10 East, M.D.B.&M.

Assessor's Parcel No. 061-042-36-100

PARCEL NO. 4:

The West half of the Southwest quarter of the Southwest quarter of Section 33, Township 13 North, Range 10 East, M.D.B.&M.

Assessor's Parcel No. 061-042-37100

Parcel Map P21-0008

Beam Parcel Map

APN(s): 061-042-033, 034, 035, 036, 037, 039

Parcel Map P21-0008

Beam Parcel Map

APN(s): 061-042-033, 034, 035, 036, 037, 039

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Exhibit J: Proposed Negative Declaration and Initial Study
Attachment 9: Application Packet

RECORDING REQUESTED BY:
Fidelity National Title Company

When Recorded Mail Document
and Tax Statement To:
Denton A. Beam
P.O. Box 4172
Georgetown, CA 95634

20189000074200003
El Dorado, County Recorder
William Schultz Co Recorder Office
DOC 2018-0000742-00
Acct 5006-Fidelity National Fair Oaks
Tuesday, JAN 09, 2018 14:18:12
Ttl Pd \$64.00 Nbr-0001909550
JDK/C1/1-3

Escrow Order No.: FSSE-9071702169

Property Address: Vacant Land,
Greenwood, CA 95635
APN/Parcel ID(s): 061-042-35-100

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Exempt from fee per GC 27388.1 (a) (2); recorded concurrently in connection with a
transfer subject to the imposition of documentary transfer tax.

GRANT DEED

The undersigned grantor(s) declare(s)

- ☐ This transfer is exempt from the documentary transfer tax.
☒ The documentary transfer tax is \$44.00 and is computed on:
☒ the full value of the interest or property conveyed.
☐ the full value less the liens or encumbrances remaining thereon at the time of sale.
The property is located in ☒ an Unincorporated area.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Jeff Abel and Julie Abel, husband
and wife

hereby GRANT(S) to Denton A. Beam, Trustee of The Denton A. Beam Living Trust, U/A dated November 7, 1990

the following described real property in the Unincorporated Area of the County of El Dorado, State of California:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Dated: January 8, 2018

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.


Jeff Abel


Julie Abel

MAIL TAX STATEMENTS AS DIRECTED ABOVE

Grant Deed
SCA0000129.doc / Updated: 11.20.17

Printed: 01.08.18 @ 02:39 PM
CA-FT-FSSE-01510.080907-FSSE-9071702169

Parcel Map P21-0008
Beam Parcel Map
APN(s): 061-042-033, 034, 035, 036, 037, 039

Parcel Map P21-0008
Beam Parcel Map
APN(s): 061-042-033, 034, 035, 036, 037, 039

Exhibit J: Proposed Negative Declaration and Initial Study
Attachment 9: Application Packet

GRANT DEED
(continued)

APN/Parcel ID(s): 061-042-35-100

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

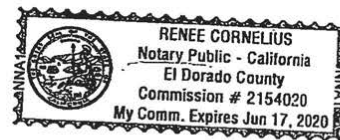
State of California
County of El Dorado
On Jan. 8, 2018 before me, Renée Cornelius, Notary Public,
(here insert name and title of the officer)
personally appeared Jeff Abel and Julie Abel
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

(Seal)



Parcel Map P21-0008
Beam Parcel Map
APN(s): 061-042-033, 034, 035, 036, 037, 039

Parcel Map P21-0008
Beam Parcel Map
APN(s): 061-042-033, 034, 035, 036, 037, 039

Exhibit J: Proposed Negative Declaration and Initial Study
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EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 061-042-35-100

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA IN COUNTY OF EL DORADO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

The East half of the Northwest Quarter of the Southwest Quarter of Section 33, Township 13 North, Range 10 East, Mount Diablo Base and Meridian as designated on that certain Map filed for record June 11, 1985 in Book 13 Records of Survey, Page 63, El Dorado County Records.

Parcel Map P21-0008
Beam Parcel Map
APN(s): 061-042-033, 034, 035, 036, 037, 039

Parcel Map P21-0008
Beam Parcel Map
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Tentative Parcel Map
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EL DORADO COUNTY
PLANNING AND BUILDING DEPARTMENT
COMMUNITY DEVELOPMENT SERVICES
PLANNING AND BUILDING DEPARTMENT

2850 Fairlane Court, Placerville, CA 95667
Phone: (530) 621-5355 www.edcgov.us/Planning/

EL DORADO COUNTY PLANNING SERVICES
ENVIRONMENTAL QUESTIONNAIRE

File Number _____
Date Filed _____

Project Title _____ Lead Agency _____
Name of Owner Denton A. Beam Telephone 916-296-7430
Address Po Box 4360, Georgetown, CA 95234
Name of Applicant Mathis Land Surveying Telephone 916-768-8984
Address 5020 Ellinghouse Dr. Suite B, Cool, Ca 95614
Project Location NE of Georgetown
Assessor's Parcel Number(s) 061-042-033 Acreage 135.47 Zoning RL40
034, 035, 036, 037, 039 ^{Total}

Please answer all of the following questions as completely as possible. Subdivisions and other major projects will require a Technical Supplement to be filed together with this form.

1. Type of project and description: Creating 3 parcels out of the APN's listed above.
2. What is the number of units/parcels proposed? 3

GEOLOGY AND SOILS

3. Identify the percentage of land in the following slope categories:
☒ 0 to 10% ☐ 11 to 15% ☐ 16 to 20% ☐ 21 to 29% ☐ over 30%
4. Have you observed any building or soil settlement, landslides, rock falls or avalanches on this property or in the nearby surrounding area? NO
5. Could the project affect any existing agriculture uses or result in the loss of agricultural land? NO

P21-0008

Parcel Map P21-0008
Beam Parcel Map
APN(s): 061-042-033, 034, 035, 036, 037, 039

Parcel Map P21-0008
Beam Parcel Map
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Tentative Parcel Map
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DRAINAGE AND HYDROLOGY

6. Is the project located within the flood plain of any stream or river? NO
If so, which
one? _____
7. What is the distance to the nearest body of water, river, stream or year-round drainage channel?
300 ± feet Name of the water body? Canyon Creek
8. Will the project result in the direct or indirect discharge of silt or any other particles in noticeable amount into any lakes, rivers or streams? NO
9. Will the project result in the physical alteration of a natural body of water or drainage way?
If so, in what way? NO
10. Does the project area contain any wet meadows, marshes or other perennially wet areas?

VEGETATION AND WILDLIFE

11. What is the predominant vegetative cover on the site (trees, brush, grass, etc.)? Estimate percentage of each:
trees .33%, Brush .33%, Grass .32%
12. How many trees of 6-inch diameter will be removed when this project is implemented?
NONE

FIRE PROTECTION

13. In what structural fire protection district (if any) is the project located? Georgetown Fire Dept.
14. What is the nearest emergency source of water for fire protection purposes (hydrant, pond, etc.)? _____
15. What is the distance to the nearest fire station? approx 5 miles
16. Will the project create any dead-end roads greater than 500 feet in length? NO
17. Will the project involve the burning of any material including brush, trees and construction materials? NO

NOISE QUALITY

18. Is the project near an industrial area, freeway, major highway or airport? Yes
If so, how far? 660 ± feet
19. What types of noise would be created by the establishment of this land use, both during and after construction? NONE

Parcel Map P21-0008
Beam Parcel Map
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Tentative Parcel Map
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AIR QUALITY

20. Would any noticeable amounts of air pollution, such as smoke, dust or odors, be produced by this project? NO

WATER QUALITY

21. Is the proposed water source ☐ public or ☒ private, ☐ treated or ☐ untreated?
22. What is the water use (residential, agricultural, industrial or commercial)? residential

AESTHETICS

23. Will the project obstruct scenic views from existing residential areas, public lands, and/or public bodies of water or roads? NO

ARCHAEOLOGY/HISTORY

24. Do you know of any archaeological or historical areas within the boundaries or adjacent to the project? (e.g., Indian burial grounds, gold mines, etc.) NO

SEWAGE

25. What is the proposed method of sewage disposal? ☒ septic system ☐ sanitation district
Name of district: N/A
26. Would the project require a change in sewage disposal methods from those currently used in the vicinity? NO

TRANSPORTATION

27. Will the project create any traffic problems or change any existing roads, highways or existing traffic patterns? NO
28. Will the project reduce or restrict access to public lands, parks or any public facilities?
NO

GROWTH-INDUCING IMPACTS

29. Will the project result in the introduction of activities not currently found within the community? NO
30. Would the project serve to encourage development of presently undeveloped areas, or increases in development intensity of already developed areas (include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?

Parcel Map P21-0008
Beam Parcel Map
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Exhibit J: Proposed Negative Declaration and Initial Study
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Tentative Parcel Map
Page 16

31. Will the project require the extension of existing public utility lines? NO
If so, identify and give distances: _____

GENERAL

32. Does the project involve lands currently protected under the Williamson Act or an Open Space Agreement? NO
33. Will the project involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances or radioactive material?
NO
34. Will the proposed project result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, trees, minerals or top soil)?
35. Could the project create new, or aggravate existing health problems (including, but not limited to, flies, mosquitoes, rodents and other disease vectors)? NO
36. Will the project displace any community residents? NO

DISCUSS ANY YES ANSWERS TO THE PREVIOUS QUESTIONS (attached additional sheets if necessary) N/A

MITIGATION MEASURES (attached additional sheets if necessary)

Proposed mitigation measures for any of the above questions where there will be an adverse impact: N/A

Form Completed by: Juanita Mathis Date: 10-13-2021

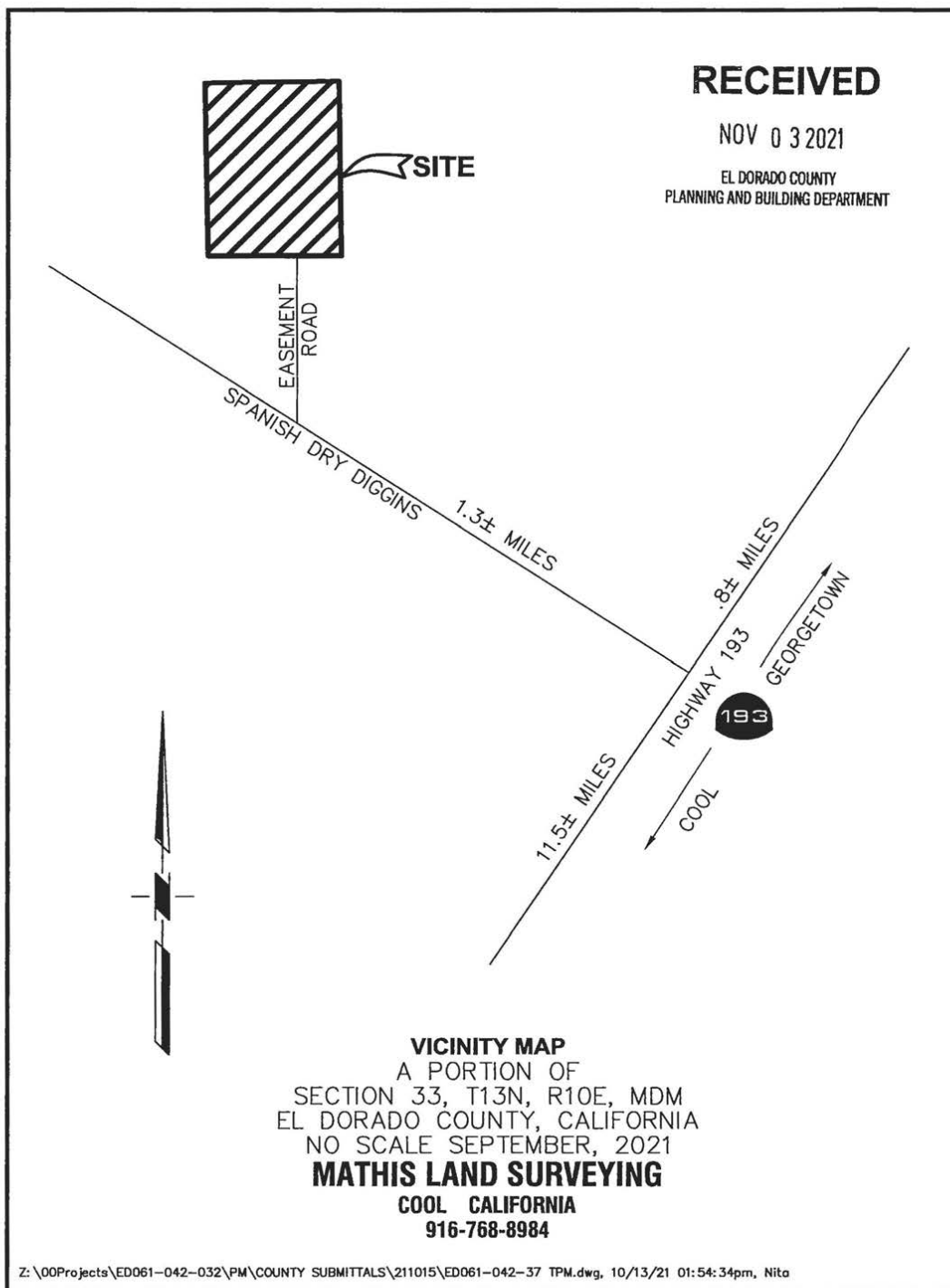
Revised 11/2017

Parcel Map P21-0008
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Exhibit J: Proposed Negative Declaration and Initial Study
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P21-0008

Parcel Map P21-0008

Beam Parcel Map

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Parcel Map P21-0008

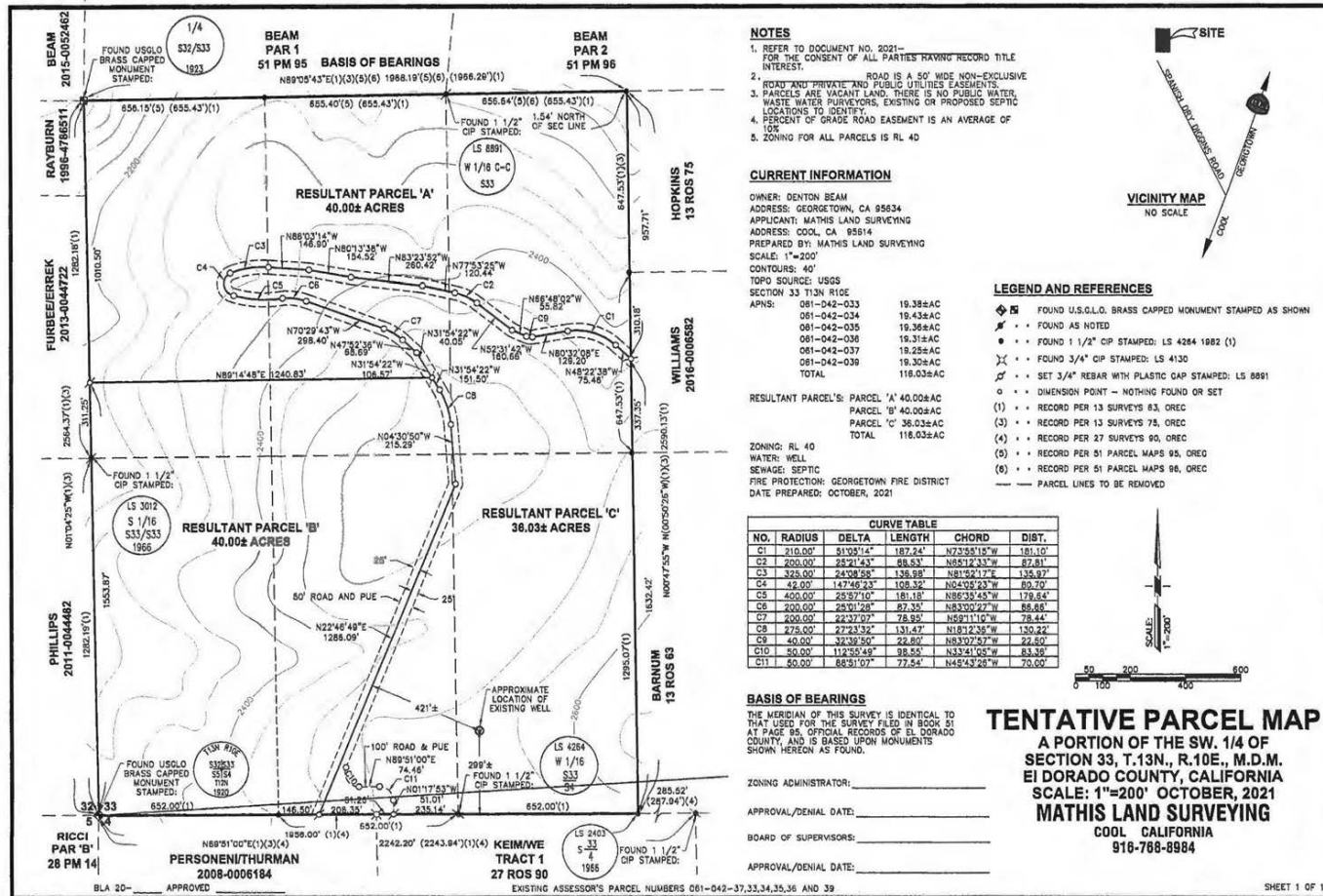
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Exhibit J: Proposed Negative Declaration and Initial Study

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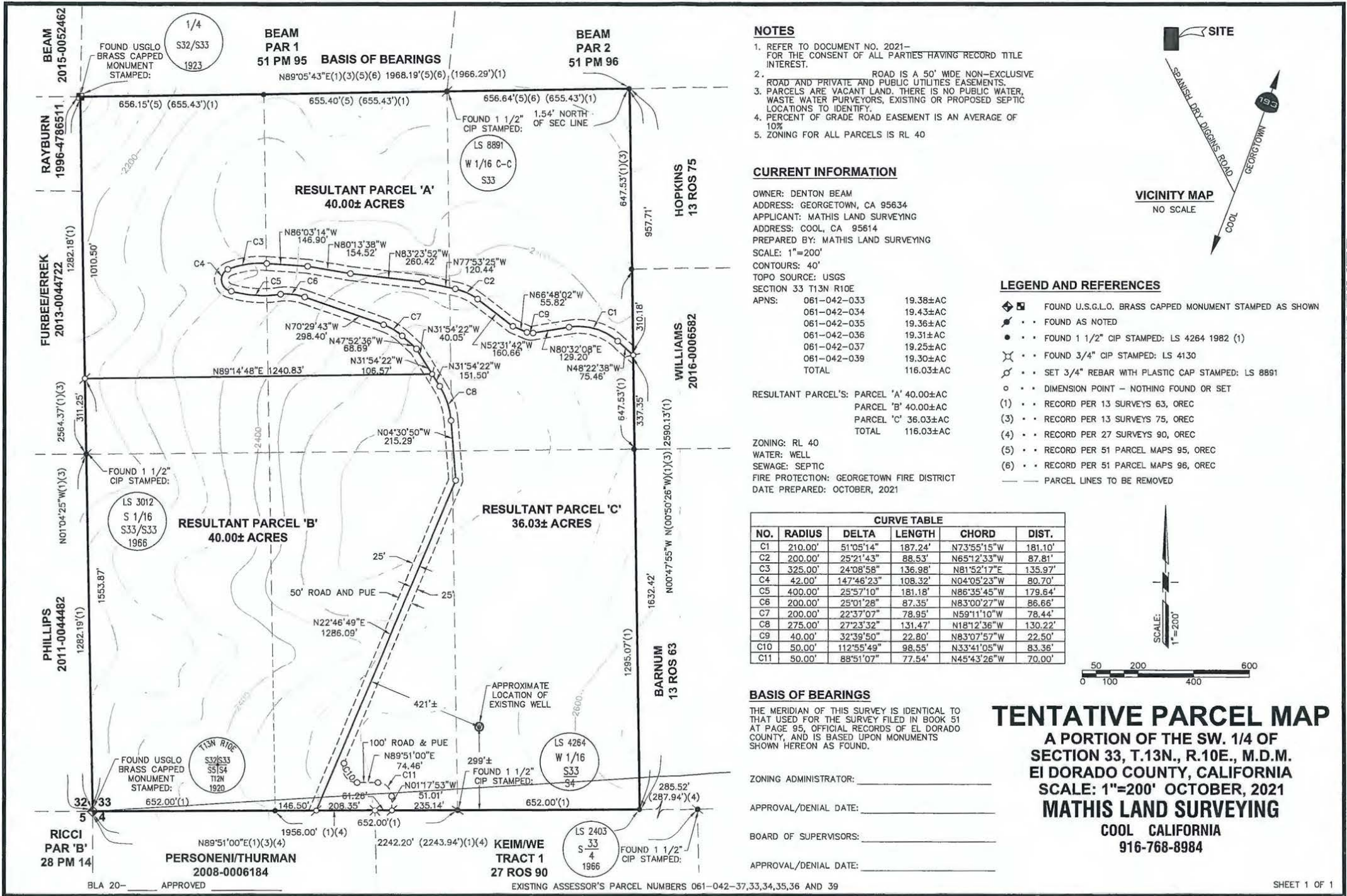
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NOV 03 2021

P21-0008

Parcel Map P21-0008
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P21-0008

Parcel Map P21-0008
Beam Parcel Map
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Parcel Map P21-0008
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