

APPENDIX 1.0

Notice of Preparation, Initial Study, and Scoping Comments

Notice of Preparation



County of El Dorado
Notice of Preparation of a Draft Environmental Impact Report
and Notice of Public Scoping Meeting for the
El Dorado Hills Apartments Project

Date: April 7, 2017

To: Interested Parties

From: Rommel [Mel] Pabalinas, Senior Planner, County of El Dorado

Subject: Notice of Preparation of a Draft Environmental Impact Report and Notice of Public Scoping Meeting for the El Dorado Hills Apartments Project (File No. A16-0001, Z16-0004, SP86-0002-R3, PD94-0004-R3)

The County of El Dorado (County) will be the lead agency under the California Environmental Quality Act (CEQA) for preparation of an Environmental Impact Report (EIR) for the El Dorado Hills Apartments Project in El Dorado County. The purpose of this 30-day Notice of Preparation (NOP) and the public scoping meeting is to solicit comments from public agencies and interested persons regarding the scope and content of the environmental information and analyses, including the project's potential significant environmental impacts, mitigation measures for those impacts, and reasonable project alternatives that should be included in the Draft EIR. The location, project description, proposed entitlement requests, and potential environmental effects of the proposed El Dorado Hills Apartments Project are summarized in the attached materials.

Please provide written comments to Mr. Rommel (Mel) Pabalinas, Senior Planner, at the address shown, by 5:00 p.m. on May 8, 2017. Keep in mind that there will be another opportunity to submit detailed comments when the Draft EIR is released for public review. Please mail, email, or fax your comments to:

Rommel (Mel) Pabalinas, Senior Planner
El Dorado County Development Services Department, Planning Division
2850 Fairlane Court, Building C
Placerville, CA 95667
Email: rommel.pabalinas@edcgov.us
Fax: (530) 642-0508

The County will hold a public scoping meeting to provide additional information about the project and to receive verbal and written comments.

Date: Tuesday, April 25, 2017

Time: 6:00 p.m. to 8:00 p.m.

Where: El Dorado Hills Fire Department
1050 Wilson Blvd.
El Dorado Hills, CA 95762

The scoping meeting format will be an open house; interested parties may arrive at any time during the 2-hour window to receive information on the project or provide comments.

NOTICE OF PREPARATION OF
A DRAFT ENVIRONMENTAL IMPACT REPORT [EIR]
AND NOTICE OF PUBLIC SCOPING MEETING
FOR THE
EL DORADO HILLS APARTMENTS PROJECT

Project Information

Location:

The proposed El Dorado Hills Apartments Project (project) is located in El Dorado Hills, California, an unincorporated area of El Dorado County (County) that is approximately 23 miles east of Sacramento and 20 miles west of Placerville. The subject assessor's parcels are APN 121-290-60, -61 and -62. Refer to attached Figures 1 and 2.

The proposed project is located within the existing El Dorado Hills Town Center commercial development. The site is bordered by private roads on the north (Mercedes Lane), east (Vine Street), and south (Town Center Boulevard), and by the Town Center Lake to the west. The site is surrounded by commercial buildings and surface parking lots to the north, south, and east.

U.S. Route 50 (US 50), which is approximately 560 feet to the north of the project site, provides regional access; major arterial streets in the area include White Rock Road to the south and Latrobe Road (which becomes El Dorado Hills Boulevard north of US 50) to the west.

Project Description:

The project site is approximately 4.565 acres (198,862 square feet). The project site ranges in elevation from approximately 605 to 620 feet above mean sea level and slopes gently east to west. The site is vacant and undeveloped, but indications of previous disturbance, including mass grading are present. The vegetation on the project site is characterized as disturbed, non-native annual grassland; no large shrubs or trees are present on the site.

Project Characteristics

1. Site Design

The proposed project is a 4-story, 214-unit apartment complex, comprised of two apartment buildings, a parking structure, outdoor recreation areas, and an informal open space area. The apartment units would range from 576 square feet to 1,195 square feet in size, with a mix of 114 studio/1-bedroom units and 100 2-bedroom units. A 5-level parking structure located in the middle of the complex would provide approximately 383 parking spaces for residents and visitors, with an additional five spaces of surface parking provided elsewhere on the project site. The residential buildings would be between 42 and 52 feet in height, with some architectural elements reaching 60 feet. The parking structure would be 60 feet in height.

The project would be designed in conformance with the proposed *El Dorado Hills Town Center East Urban Infill Residential Area Residential Design Guidelines and Development Standards* (EDH Design Guidelines). The proposed project would provide ornamental landscaping within the interior common areas and along the perimeter that would be consistent with the existing landscaping in the Town Center East (TCE) Planned Development area. Way-finding and security lighting would be

provided in conformance to EDH Design Guidelines and County standards. Access to the project site would be limited through the use of perimeter security fencing, varying in height from 3.5 feet to 6.0 feet, depending on location, in conformance to EDH Design Guidelines and County standards.

2. Access/Circulation

The project site would be primarily accessed off Town Center Boulevard with a secondary access off Vine Street. These roads connect to major County roads, including White Rock Road to the south and Latrobe Road to the west. A 20-foot wide emergency vehicular access that connects from Town Center Boulevard to Mercedes Lane is also proposed along the western property line, adjacent to Town Center Lake.

Pedestrian paths would be provided on-site that lead to building access areas. These paths would also connect to the existing sidewalks along Town Center Boulevard and Vine Street, which join the existing pedestrian paths within the Town Center East area.

3. Improvements and Infrastructure

Site construction would include finish grading to establish necessary pads and foundations, construction of retaining walls and site encroachment, and installation of underground utility lines (i.e., water, sewer, storm-drainage, and fire hydrants). Utility lines, which vary in size and location, would be connected to existing service lines along frontage roads. Prior to commencement of any construction, the Project Applicant would be required to obtain construction approvals, including a Grading Permit, Facility Improvement Plan, Facility Plan Report, and Building Permit.

Proposed Entitlement Requests:

- 1) General Plan Amendment (A16-0001) adding new Policy under Objective 2.2.6 (Site Specific Policy Section) increasing the maximum residential density allowed in the General Plan from 24 dwelling units per acre to a maximum of 47 dwelling units per acre for the 4.565 acre site within the El Dorado Hills Town Center East Planned Development.
- 2) El Dorado Hills Specific Plan Amendment (SP86-0002-R3) incorporating multifamily residential use, density, and related standards for the project site. Subject site would be designated as “Urban Infill Residential” within the Village T area of the El Dorado Hills Specific Plan.
- 3) Rezone (Z16-0004) of the project site from General Commercial-Planned Development (CG-PD) to Multi-Family Residential-Planned Development (RM-PD) and revisions to the RM-zone district development standards applicable to the proposed 214-unit apartment project.
- 4) Revision (PD94-0004-R3) to the approved Town Center East Development Plan incorporating multi-family residential use, density, and related design and development standards for the proposed 214-unit apartment project within Planning Area 2 of the Plan area.

Environmental Effects and Project Alternatives

Environmental Effects:

Based on a preliminary environmental analysis provided in an Initial Study for the project, the County has determined that the range of issues identified in the CEQA Guidelines, listed below, shall be addressed in the EIR.

- Air Quality
- Cultural Resources
- Land Use and Planning
- Public Services
- Transportation and Traffic
- Utilities, Service Systems and Energy
- Biological Resources
- Greenhouse Gas Emissions
- Noise
- Recreation
- Tribal Cultural Resources
- Mandatory Findings of Significance

A copy of the Initial Study prepared for the project is not attached but may be viewed online at:

<http://edcapps.edcgov.us/Planning/ProjectInquiryDisplay.asp?ProjectID=20754>

In addition to the above areas, the Draft EIR will also evaluate the potential cumulative and growth inducing effects of the project, as required by CEQA. Reasonably foreseeable future projects in the project vicinity will be considered in this analysis.

Comments and suggestions are requested during the 30-day public comment period for the NOP regarding the environmental issues that will be analyzed in the EIR.

Potential Alternatives to be Addressed in the EIR:

In accordance with Section 15126.6 of the State CEQA Guidelines (14 Cal. Code Regs. §15126.6), an EIR must describe “a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” As required by CEQA, the EIR will evaluate a “no project” alternative, which will assume development of the proposed project site under the currently adopted general plan and zoning designations. Additional alternatives to the project will be identified during the environmental review process and evaluated in the EIR. The selected alternatives will be analyzed at a qualitative level of detail in the Draft EIR for comparison against the impacts identified for the proposed project, consistent with the requirements of CEQA.

Public Scoping Meeting

The County will hold a public scoping meeting to provide additional information about the project and to receive verbal and written input. **The public scoping meeting will be held on Tuesday, April 25, 2017 from 6:00 p.m. to 8:00 p.m. at El Dorado Hills Fire Department, 1050 Wilson Boulevard, El Dorado Hills, CA 95762.** The scoping meeting format will be an open house; interested parties may arrive at any time during the 2-hour window to receive information on the project or provide input.

Requests for Additional Information

If you have any questions, please contact Rommel (Mel) Pabalinas at the County of El Dorado, Development Services Department, Planning Division, 2850 Fairlane Court, Building C, Placerville, CA 95667, by telephone at (530) 621-5363, or by email to rommel.pabalinas@edcgov.us.

Attachments:

Figure 1 - Scoping Meeting Location and Project Location Map

Figure 2 - Assessor's Parcel Map

Figure 3 - Preliminary Project Site Plan

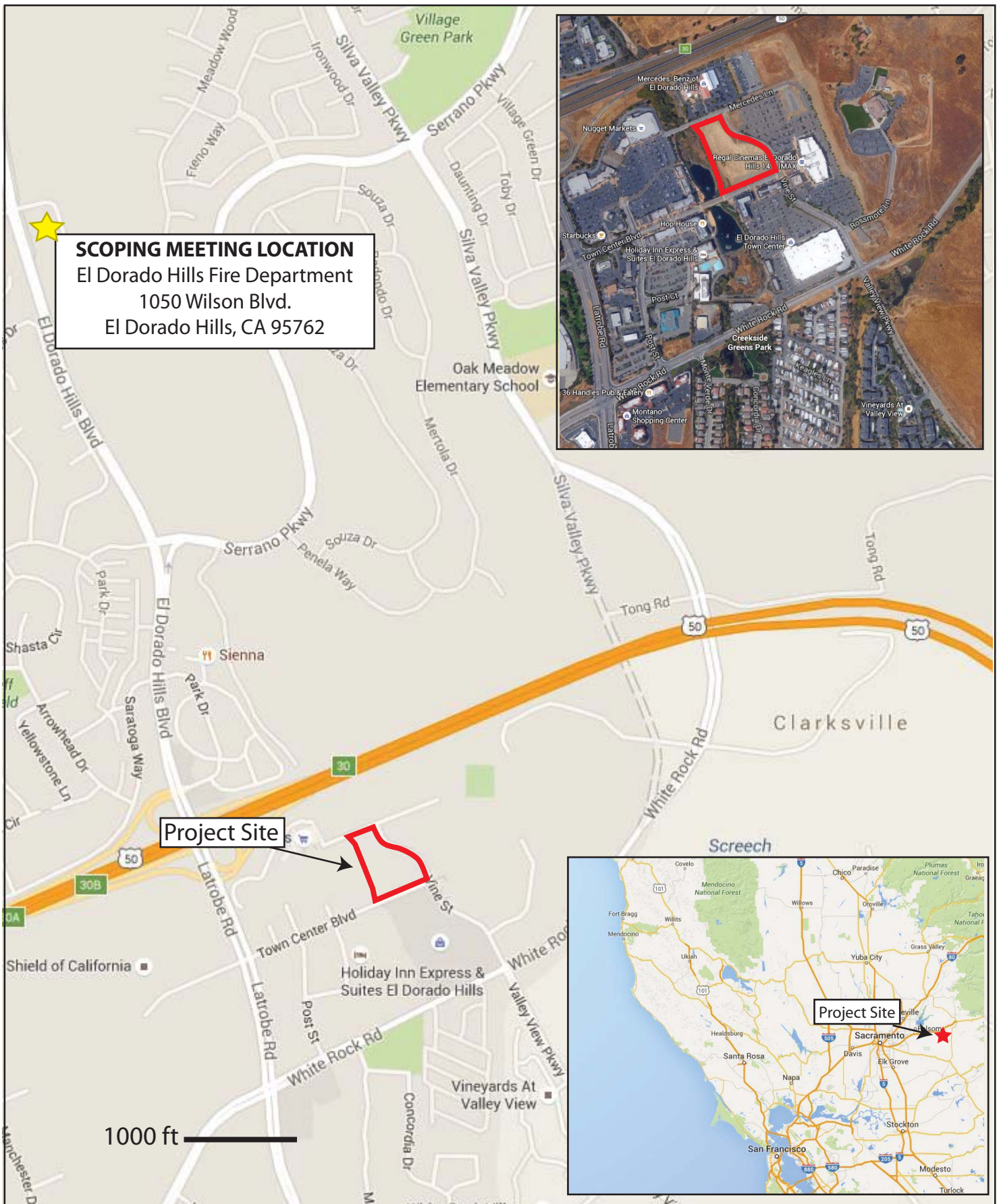
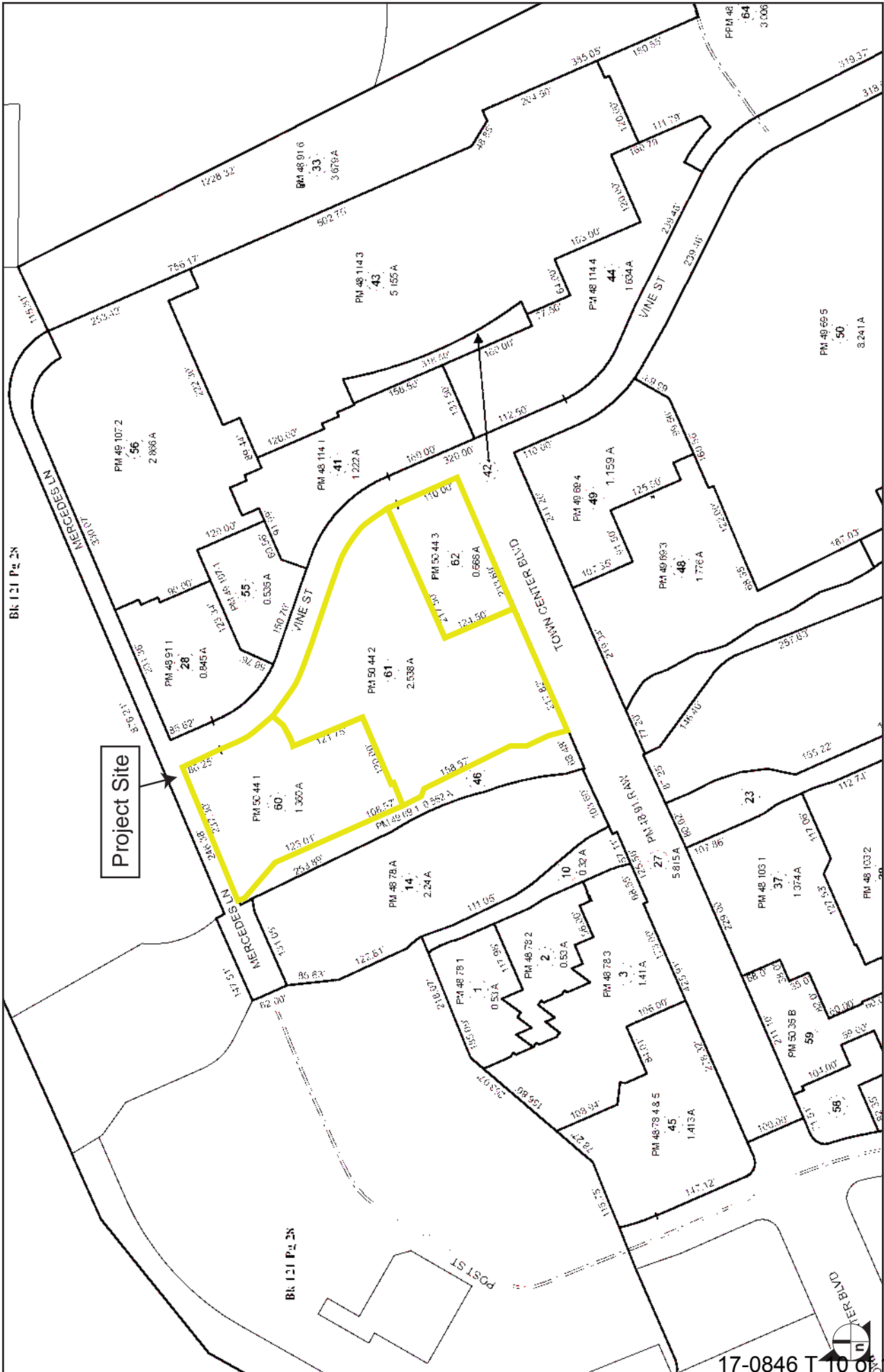


FIGURE 1



Project Site

FIGURE 2

Assessor's Parcel Map

SOURCE: County of El Dorado, 2017



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SOURCE: Kephart

FIGURE 3



Preliminary Project Site Plan

Initial Study



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

INITIAL STUDY
ENVIRONMENTAL CHECKLIST

Project Title: A16-0001, Z16-0004, SP86-0002-R3, PD94-0004-R3 / El Dorado Hills Apartments

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

Contact Person: Mel Pabalinas, Senior Planner

Phone Number: (530) 621-5355

Applicant's Name and Address: Alexandros Economou, Spanos Corporation
10100 Trinity Parkway, 5th Floor, Stockton, CA 95219

Project Agent's Name and Address: Chris Schulze, TSD Engineering
31 Natoma Street Suite 160, Folsom, CA 95630

Project Architect/Engineer's Name and Address: Kephart, 2555 Walnut Street, Denver, CO 80205

Project Location: The property is located on the northwest corner of Town Center Boulevard and Vine Street within the Town Center East Commercial Center in El Dorado Hills.

Assessor's Parcel Number: 121-290-60, -61, -62

Acres: 4.565 acres

Sections: Sec.11 T: 9N R: 8E MDM

General Plan Designation: Adopted Plan (AP-El Dorado Hills Specific Plan)

Zoning: General Commercial-Planned Development (CG-PD)

Description of Project:

The proposed project is a 4-story, 214-unit apartment complex, composed of two apartment buildings, a parking structure, outdoor recreation areas, and an informal open space area. The apartment units would range from 576 square feet to 1,195 square feet in size, with a mix of 114 studio/1-bedroom units and 100 2-bedroom units. A 5-level parking structure located in the middle of the complex would provide approximately 383 parking spaces for residents and visitors, with an additional five spaces of surface parking provided elsewhere on the site. The residential buildings would be between 42 and 52 feet in height, with some architectural elements reaching 60 feet. The parking structure that would be located between the two apartment buildings would be 60 feet in height. Four entitlements would be necessary to facilitate construction and occupancy of the proposed project:

- 1) General Plan Amendment adding new Policy under Objective 2.2.6 (Site Specific Policy Section) increasing the maximum residential density allowed in the General Plan from 24 dwelling units per acre to a maximum of 47 dwelling units per acre specifically for the 4.565 acre site within the Town Center East (TCE) Planned Development area identified as Assessor's Parcel Numbers 121-290-60, 61 and 62.
- 2) El Dorado Hills Specific Plan Amendment incorporating multi-family residential use, density, and related standards for the project site. Project site would be designated as "Urban Infill Residential" within the Village T area of the El Dorado Hills Specific Plan.
- 3) Rezone of the project site from General Commercial-Planned Development (CG-PD) to Multi-Family Residential-Planned Development (RM-PD) and revisions to the RM-zone district development standards applicable to the proposed 214-unit apartment project.
- 4) Revision to the approved TCE Development Plan incorporating multi-family residential use, density, and related design and development standards for the proposed 214-unit apartment project within Planning Area 2 of the TCE area.

Project Site and Surrounding Land Uses and Setting:			
	Zoning	General Plan	Land Use/Improvements
Site	General Commercial- Planned Development (CG-PD)	Adopted Plan-El Dorado Hills Specific Plan (Commercial)	Vacant
North	General Commercial- Planned Development (CG-PD)	Adopted Plan-El Dorado Hills Specific Plan (Commercial)	Automobile Dealership
South	General Commercial- Planned Development (CG-PD)	Adopted Plan-El Dorado Hills Specific Plan (Commercial)	Restaurants and retail shops
East	General Commercial- Planned Development (CG-PD)	Adopted Plan-El Dorado Hills Specific Plan (Commercial)	Movie Theater
West	General Commercial- Planned Development (CG-PD)	Adopted Plan-El Dorado Hills Specific Plan (Commercial)	Drainage Corridor (Town Center Lake)
<p><u>Briefly describe the environmental setting:</u> The project site is located within the existing El Dorado Hills Town Center (TCE) commercial development. The site is bordered by private roads on the north (Mercedes Lane), east (Vine Street), and south (Town Center Boulevard), and by the Town Center Lake to the west. The site, which is covered by soil, gravel, and sparse vegetation and has been mass-graded, is surrounded by existing commercial development on three sides and a drainage corridor (Town Center Lake) on the west. It is approximately 500 feet south of U.S. Highway 50. The existing topography drains from east to west.</p> <p>The site is located in an area of El Dorado Hills where public services currently exist, including schools (Buckeye Union school district (K-8) and El Dorado Union High School District), fire (El Dorado Hills Fire Department), police (County Sheriff), parks and recreation (El Dorado Hills Community Services District), and potable water, recycled water, and sewer services (El Dorado Irrigation District). Roads, drainage, and other amenities within the TCE area are privately maintained by the Town Center East Association.</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. El Dorado County Community Development Agency Transportation Division 2. El Dorado County Community Development Agency Environmental Health Division 3. El Dorado County Air Quality Management District 4. El Dorado County Community Development Agency Building Services 5. El Dorado Hills Fire Department 6. El Dorado Irrigation District 			

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

	Aesthetics		Agriculture and Forestry Resources	X	Air Quality
X	Biological Resources	X	Cultural Resources		Geology / Soils
X	Greenhouse Gas Emissions		Hazards & Hazardous Materials		Hydrology / Water Quality
X	Land Use / Planning		Mineral Resources	X	Noise
	Population / Housing	X	Public Services	X	Recreation
X	Transportation/Traffic	X	Tribal Cultural Resources	X	Utilities / Service Systems / Energy
X	Mandatory Findings of Significance				

DETERMINATION

On the basis of this initial evaluation:

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

Signature:  Date: 3/31/17

Printed Name: Mel Pabalinas, Project Planner For: County of El Dorado

PROJECT DESCRIPTION

Background

The project site is within the Village T area of a larger master planned community identified as the El Dorado Hills Specific Plan (EDHSP) area. The EDHSP was approved in July 1988, along with a certified Environmental Impact Report (EIR [SCH No. 86122912]), by the El Dorado County Board of Supervisors (Board). Village T comprises the El Dorado Hills Town Center East (TCE) Commercial Development Plan area, a 925,000-square-foot commercial center. In August 1995, the Board approved development of the TCE project. In conjunction with approval of the TCE project, the Board adopted a Negative Declaration.

Since approval of the TCE project, development of the Village T area has occurred in phases. All roads (both public and private), site accesses, and amenities (such as Town Center Lake, trails) within the TCE area have been constructed, and the majority of the planned buildings have been built. The project site is one of the few remaining vacant properties in the TCE area.

On December 2, 2014, the Board certified an Initial Study/Subsequent Mitigated Negative Declaration (IS/MND) tiered from the previous CEQA documentation for a 250-unit apartment complex on the project site, and approved entitlements for that project. The legal validity of the IS/MND and the other approvals are the subject of ongoing litigation; although a trial court has issued a judgment and writ in that litigation, the trial court's rulings are currently stayed, pending the outcome of an appeal.

The proposed project is a modified version of the project that was approved in December 2014 and is now in litigation. The project applicant is seeking revisions and modifications of the existing approvals to the extent necessary to authorize the modified project. The litigation concerning the original version of the project will continue to its conclusion, unless the County approves the modified project and certifies the EIR, and those approvals and certification become final and effective, before the appellate proceedings terminate.

Project Description

Project Location

The project site is located on the northwest corner of Town Center Boulevard and Vine Street within the TCE area. The site is bounded by Town Center Boulevard to the south, Vine Street to the east, and Mercedes Lane to the north. (Refer to **Figure 1, Regional and Project Vicinity Map**). As illustrated in **Figure 2, Project Site**, the project site is surrounded by commercial buildings and surface parking lots to the north, south, and east; Town Center Lake is immediately to the west of the project site.

U.S. Route 50 (US 50), which is approximately 500 feet to the north of the project site, provides regional access; major arterial streets in the area include White Rock Road to the south and Latrobe Road (which becomes El Dorado Hills Boulevard north of US 50) to the west.

Description of the Project Site and Existing Land Uses

The project site is approximately 4.565 acres (198,862 square feet). The project site ranges in elevation from approximately 605 to 620 feet above mean sea level and slopes gently east to west. The site is vacant and undeveloped, but indications of previous disturbance, including mass grading are present. The vegetation on the project site is characterized as disturbed, non-native annual grassland; no large shrubs or trees are present on the site.

Project Characteristics

1. **Site Design**

The proposed project is a 4-story, 214-unit apartment complex, composed of two apartment buildings, a parking structure, outdoor recreation areas, and an informal open space area. The apartment units would range from 576 square feet to 1,195 square feet in size, with a mix of 114 studio/1-bedroom units and 100 2-bedroom units. A 5-level parking structure located in the middle of the complex would accommodate approximately 383 parking spaces for residents and visitors, with an additional five spaces of surface parking provided elsewhere on the site. The residential buildings would be between 42 and 52 feet in height, with some architectural elements reaching 60 feet, and the parking structure would be 60 feet in height.

The project would be designed in conformance with the proposed *El Dorado Hills Town Center East Urban Infill Residential Area Residential Design Guidelines and Development Standards* (EDH Design Guidelines). The proposed project would provide ornamental landscaping within the interior common areas and along the perimeter that would be consistent with the existing landscaping in the TCE area. Way-finding and security lighting would be provided in conformance to EDH Design Guidelines and County standards. Access to the project site would be limited through the use of perimeter security fencing, varying in height from 3.5 to 6 feet depending on location, in conformance to EDH Design Guidelines and County standards.

Details of the project design are included in **Figures 2** through **14**.

2. **Access/Circulation**

The project site would be primarily accessed via Town Center Boulevard with a secondary access via Vine Street (**Figure 2**). These roads connect to major County roads, including Latrobe Road to the west and White Rock Road to the south (at Vine Street). A 25-foot wide emergency vehicular access that connects from Town Center Boulevard to Mercedes Lane is also proposed along the western property line, adjacent to Town Center Lake.

Pedestrian paths would be provided on-site that lead to building entrance areas. These paths would also connect to the existing sidewalks along Town Center Boulevard and Vine Street which join the existing pedestrian paths within the TCE area.

3. **Improvements and Infrastructure**

Site construction would include finish grading to establish necessary pads and foundations, construction of retaining walls and site encroachment, and installation of underground utility lines (i.e., potable water, recycled water, sewer, storm drainage, and fire hydrants) (**Figure 15**). Utility lines, which vary in size and location, would be connected to existing service lines along frontage roads. Prior to commencement of any construction, the project applicant would be required to obtain various construction approvals, including a Grading Permit, Facility Improvement Plan, Facility Plan Report, and Building Permit from El Dorado County.

Project Schedule

Construction of the project is anticipated to take approximately 18 months, commencing in mid-2018 with completion in late 2019.

Project Approvals

Four entitlements would be necessary to facilitate construction and occupancy of the proposed 214-unit apartment complex. The project applicant has requested amendments to the County General Plan and El Dorado Hills Specific Plan. The project would also require rezoning and revisions to the TCE Development Plan. These amendments and modifications are as follows:

- 1) General Plan Amendment adding new Policy under Objective 2.2.6 (Site Specific Policy Section) increasing the maximum residential density allowed in the General Plan from 24 dwelling units per acre to a maximum of 47 dwelling units per acre specifically for the 4.565 acre site within the TCE Planned Development area identified as Assessor's Parcel Numbers 121-290-60, 61 and 62.
- 2) El Dorado Hills Specific Plan Amendment incorporating multi-family residential use, density, and related standards for the project site. Subject site would be designated as "Urban Infill Residential" within the Village T area of the El Dorado Hills Specific Plan.
- 3) Rezone of the project site from General Commercial-Planned Development (CG-PD) to Multi-Family Residential-Planned Development (RM-PD) and revisions to the RM-zone district development standards applicable to the proposed 214-unit apartment project.
- 4) Revision to the approved TCE Development Plan incorporating multi-family residential use, density, and related design and development standards for the proposed 214-unit apartment project within Planning Area 2 of the TCE area.

Project Notifications

As discussed below, the project described above may cause potentially significant adverse impacts to the environment. An EIR shall be prepared to address all such potential impacts.

This Initial Study (IS) is being made available as part of the Notice of Preparation (NOP) and scoping process as required under CEQA Guidelines Section 15082 for public and agency review and comment for a 30-day period. Written comments on this IS should be submitted to the project planner indicated on page 1, above, and will be incorporated into the EIR.

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. 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. 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.
5. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
6. 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.
7. The explanation of each issue should identify:
 - a. the significance criteria or threshold, if any, used to evaluate each question; and
 - b. the mitigation measure identified, if any, to reduce the impact to less than significant.

ENVIRONMENTAL IMPACTS

I. AESTHETICS. <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. Several highways in El Dorado County have been designated by the California Department of Transportation (Caltrans) as 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 SR 89 within the county, and those portions of SR 88 along the southern border of the county.

There are no officially designated state scenic corridors in the vicinity of the project site.

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.

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 EIR (p. 5.3-3). This list includes areas along highways where viewers can see large water bodies (e.g., Lake Tahoe and Folsom Reservoir), river canyons, rolling hills, forests, or historic structures or districts that are reminiscent of El Dorado County's heritage.

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 under the Wild and Scenic Rivers Act may designate rivers or river sections to be Wild and Scenic Rivers. To date, no river sections in El Dorado County have been nominated for or granted Wild and Scenic River status.

Discussion:

- a. **Scenic Vista or Resource:** The topography of the project site is essentially flat and consists of a vacant, sparsely vegetated lot that was mass-graded as part of the TCE development. A scenic vista is generally defined as an expansive view of highly valued landscape as observable from a publicly accessible vantage point. While the project site is visible from nearby public roadways, no scenic vistas have been officially designated in the General Plan (El Dorado County 2003) for the project site or vicinity, and the project site does not contain scenic resources, as designated in the General Plan (El Dorado County, 2003, p. 5.3-3 through 5.3-5). For these reasons, the impact of the project on a scenic vista or resource would be less than significant and no further analysis is required in the EIR.
- b. **Scenic Resources within a Scenic Highway:** There are no officially designated state scenic corridors in the vicinity of the project site. The project site is a vacant, sparsely vegetated lot and does not contain any features that qualify as scenic resources. Therefore, the development of the site with the proposed building would not affect visual resources associated with any state-designated or local scenic highway. There would be no impact with regard to this criterion and no further analysis is required in the EIR.
- c. **Visual Character:** The proposed project would not degrade the visual character or quality of the site. As previously discussed, the project applicant has prepared draft *El Dorado Hills TCE Urban Infill Residential Area Residential Design Guidelines and Development Standards* (EDH Design Guidelines) to apply specifically to the project. The EDH Design Guidelines have been reviewed by County staff, and will be approved by County officials as part of the project entitlements. The purpose of the EDH Design Guidelines is to identify project-specific modifications to the TCE Development Plan to accommodate development of the site for multi-family residential uses in a manner that would be consistent with the visual character of surrounding commercial and retail development. It is also intended to ensure consistency with the zoning code (as amended by the project) and General Plan policies.

The EDH Design Guidelines establish a maximum residential building height of 60 feet, up to a maximum of five stories, and maximum parking structure height of 60 feet with up to five levels. All parking for residents and visitors would be within in the project's parking structure. Surrounding commercial and retail buildings range from one to three stories. Visually dominant features in the immediate area are the movie theater and adjoining restaurant/retail establishments to the east of the site, behind which is a taller cut slope, and an auto dealership to the north. When viewed from the west and south (Town Center Boulevard and Town Center Lake), the proposed complex would appear taller and would block views of the theater and the cut slope.

When viewed from Town Center Boulevard on the south (e.g., from restaurant and retail establishments), the project would be taller than the auto dealership. The building would not be visible from the Cresleigh Subdivision and the

mobile home community on White Rock Road because that area is topographically lower than the project site and there is no direct line of sight to the project site.

When viewed from Vine Street and Mercedes Lane (private streets) towards the south and southwest, the project would be taller than the two-story buildings to the south and west. The proposed project would become the visually dominant feature in the immediate area and would be partially visible from US 50, Latrobe Road, and El Dorado Hills Boulevard. As described below, the architecture would be visually consistent and compatible with TCE development, and massing would be minimized through changes in roof plane, façade elements, and other details. In addition, the EDH Design Guidelines specify setbacks and a maximum building site coverage of 55 percent of the total site, and they provide for commonly owned open space (a minimum of 30 percent of the total site). These elements of the Guidelines will reduce the appearance of the overall scale of the project from these viewpoints. When viewed from El Dorado Hills residential locations north of US 50 that are higher in elevation than the TCE area, the apartment complex would be a noticeable change because the site would no longer be vacant. The project would contribute to, but would not substantially change the visual character of the TCE area because the project would be visually and architecturally compatible with surrounding TCE development.

The residential architectural guidelines component of the EDH Design Guidelines establish a comprehensive set of standards intended to reinforce the vision and guiding principles of TCE. The architecture would be consistent and compatible with the context of the existing community and neighborhood (both TCE and Town Center West). Building elements would incorporate the use of high-quality materials similar in aesthetic quality to the existing Town Center buildings. Any proposed plan for the apartment complex would be reviewed by the TCE Design Review Committee. Parking would be located on the interior of the complex (within the parking structure) to maximize the architectural character of the building facades and to minimize the impact of parking as seen from the surrounding areas. The site design and layout would create a seamless transition between the project's common open space and TCE area's public open spaces and would include pedestrian and visual connections.

The overall architectural character would reflect simple, utilitarian form through the use of modern materials and contemporary architecture, consistent with the style of the TCE area. Architectural massing would be simple and regular. Changes in roof plane, recesses in the façade, varied building setbacks, and other architectural techniques would be used to give the buildings interest and avoid the appearance of long, unchanging facades. Covered, shaded, and protected areas (e.g., through the use of porches, patios, verandas, courtyards, loggias, trellises, or arbors) would create visual depth and interest.

Classic elements such as stucco, heavy timbers, brick or stone veneer are examples of varied and durable materials and colors that would be used to blend with the surrounding natural and built environment. Building exterior colors would define building form, details, and massing through the use of natural earth tones for large building elements with brighter tones providing small detail accents, as illustrated in **Figures 7** through **12**.

Walls and fences would be designed to be compatible with surrounding and adjacent architecture and would not exceed eight feet unless approved by the Design Review Committee. Building utilities and equipment would be screened with fences, walls, dense plantings, or decorative architectural features. Signage would be complementary in character, materials, and style to other buildings within the TCE development.

The EDH Design Guidelines also include landscape guidelines that are intended to ensure the project blends with the character and theme of the TCE development. They specify the use of water-conserving plants, a plant palette, plant sizes and placement, shading, landscape furniture and art, walls and fences, and hardscape and paving. **Figure 14** shows a conceptual landscape plan. In addition, the EDH Design Guidelines provide a minimum of 30 percent commonly owned open space, as shown in **Figure 13**.

With implementation of the standards and architectural design elements of the EDH Design Guidelines, the proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings. Impacts would be less than significant and no further analysis is required in the EIR.

- d. Light and Glare:** The project site is located in a well-lit commercial area with high levels of ambient nighttime lighting, including street lights, architectural and security lighting, indoor building illumination (light emanating from the interior of structures which passes through windows) and automobile headlights. Artificial light impacts are largely a function of proximity. The project site is located within a commercial environment, so that light emanating from any one source contributes to rather than is solely responsible for lighting impacts on a particular receptor. Since development surrounding the project site is already impacted by lighting from existing development within the area, new light sources must occupy a highly visible amount of the field of view of light-sensitive uses to have any notable effect.

Glare is a common phenomenon in the TCE area, due mainly to the occurrence of a high number of days per year with direct sunlight and the nature of the TCE area, which includes large areas of surface parking that results in a large concentration of potentially reflective surfaces. Potential reflective surfaces in the project vicinity include automobiles traveling on the local streets and parked in the surface parking areas in the vicinity of the project site and exterior building windows. Excessive glare not only restricts visibility, but increases the ambient heat reflectivity in a given area. Nighttime glare is primarily associated with bright point-source lighting that contrasts with existing low ambient light conditions.

The proposed project would be constructed on an infill site. Given the commercial/retail uses surrounding the project site, there are no nearby uses sensitive to nighttime light levels.

The EDH Design Guidelines include residential lighting guidelines that require lighting be designed consistent with County policies and ordinances. They require the use of cutoff-type fixtures to minimize light spillage and glare. The project would include exterior lighting including pole lighting in the common area and security wall lighting. A preliminary Photometric Plan has been prepared for the project based on selected lighting fixtures, and included with the Planned Development Application. As shown on the Photometric Plan, the proposed lighting would be consistent with the County lighting ordinance, which includes shielding to avoid potential glare affecting day or nighttime views for those that live or travel through the area. Compliance with the EDH Design Guidelines and Photometric Plan would ensure that light and glare impacts would be less than significant. No further analysis is required in the EIR.

II. AGRICULTURE AND FOREST 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:

	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 agricultural 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.

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 and Fire Protection (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

There are no local laws and regulations related to agriculture and forestry that would be applicable to the proposed project given its location within a developed urban area.

Discussion:

- a. **Farmland Mapping and Monitoring Program:** The project site consists of a vacant, sparsely vegetated lot, and is located in a developed area of El Dorado Hills. The project site is not used for agriculture, and is not designated as Farmland on maps prepared pursuant to the FMMP. There would be no impact with regard to this criterion and no further analysis is required in the EIR.
- b. **Agricultural Uses:** The project site is zoned for urban use by El Dorado County. No portion of the project site is zoned for agricultural use. In addition, there is no Williamson Act contract applicable to the project site or its vicinity. Therefore, development of the proposed project on the project site would not conflict with existing zoning for agricultural uses or with a Williamson Act contract. There would be no impact with regard to this criterion and no further analysis is required in the EIR.
- c-d. **Loss of Forest land or Conversion of Forest land:** The project site and surrounding area does not include any forest land or timberland. No portion of the project site is designated as Timberland Preserve Zone (TPZ) or other forestland according to the General Plan and Zoning Ordinance. Therefore, development of the proposed project would not conflict with existing zoning for forest land or timberland use, or result in the loss of forest land or conversion of forest land to non-forest use. There would be no impact with regard to these criteria and no further analysis is required in the EIR.

- e. **Conversion of Prime Farmland or Forest Land:** No Farmland or other agricultural land is present in the vicinity of the project site. Therefore, the proposed project would not involve any changes that could indirectly cause conversion of Farmland to non-agricultural use. There would be no impact with regard to this criterion and no further analysis is required in the EIR.

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 projected air quality violation?	X			
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	X			
d. Expose sensitive receptors to substantial pollutant concentrations?	X			
e. Create objectionable odors affecting a substantial number of people?			X	

Regulatory Setting:

El Dorado County is located within the Mountain Counties Air Basin (MCAB), which contains Nevada, Sierra, Plumas, Amador, Calaveras, Tuolumne, Mariposa counties and a portion of El Dorado and Placer County. California air basin boundary designations generally cover areas that share similar meteorological and geographic conditions. The MCAB includes both the western and eastern slopes of the Sierra Nevada Mountains, including much of the Sierra foothills. The area covered is approximately 11,000 square miles. The El Dorado County Air Quality Management District (EDCAQMD) manages air quality for attainment and permitting purposes within the west slope portion of El Dorado County.

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 the following criteria pollutants: respirable particulate matter (PM10), fine particulate matter (PM2.5), carbon monoxide (CO), nitrogen dioxide (NO₂), ozone (O₃), sulfur dioxide (SO₂), and lead (Pb). Of these criteria pollutants, particulate matter, and ozone pose the greatest threats to human health.

State Laws, Regulations, and Policies

The California Air Resources Board (ARB) 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.

USEPA and ARB 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. ARB 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. ARB also establishes passenger vehicle fuel specifications. National and state ambient air quality standards (AAQS) have been adopted by the USEPA and State of California, respectively, for each criteria pollutant: ozone, particulate matter, carbon monoxide,

nitrogen dioxide, and sulfur dioxide. The USEPA and State also designate regions as “attainment” (within standards) or “nonattainment” (exceeds standards) based on the ambient air quality. The air basin is in nonattainment status for both federal and state ozone standards, the state PM10 standard, and the federal PM2.5 standard, and is in attainment or unclassified status for other pollutants (ARB 2013).

Air quality in the project area is regulated by the EDCAQMD. ARB 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 EDCAQMD regulates air quality through the federal and state Clean Air Acts, district rules, and its permit authority. The EDCAQMD published the *Guide to Air Quality Assessment: Determining Significance of Air Quality Impacts under the California Environmental Quality Act* in February 2002 (EDCAQMD CEQA Guide). This guide outlines quantitative and qualitative significance criteria, methodologies for the estimation of construction and operational emissions, and mitigation measures to reduce such impacts. The EDCAQMD prefers the use of the California Emissions Estimator Model (CalEEMod) for quantification of construction and operational emissions. The quantitative and qualitative significance criteria are similar to the criteria for and developed in coordination with the surrounding air quality districts. County thresholds are included in the chart below.

Criteria Pollutant	El Dorado County Threshold	
Reactive Organic Gases (ROG)	82 lbs/day	
Nitrogen Oxides (NOx)	82 lbs/day	
Carbon Monoxide (CO)	8-hour average: 9 ppm West Slope, 6 ppm Tahoe	1-hour average: 20 ppm
Particulate Matter (PM10):	Annual arithmetic mean: 30 µg/m3	24-hour average: 50 µg/m3
Particulate Matter (PM2.5):	Annual arithmetic mean: 12 µg/m3	24-hour average: 35 µg/m3
Ozone (O ₃)	8-hour average: 0.070 ppm	1-hour average: .09 ppm
<i>ppm = parts per million µg/m3 = microgram per cubic meter</i>		

The EDCAQMD CEQA Guide includes a table (Table 5.2) listing project types with potentially significant operational emissions. ROG and NOx emissions during construction 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, EDCAQMD assumes that exhaust emissions of other air pollutants from the operation of equipment and vehicles are also not significant.

For fugitive dust/particulate matter (PM), 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, PM10, 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 EDCAQMD 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).

Local Laws, Regulations, and Policies

The Public Health, Safety, and Noise Element of the *El Dorado County General Plan* includes the following goals, objectives, and policies regarding air quality:

Goal 6.7, *Air Quality Maintenance*, strives to achieve and maintain ambient air quality standards established by the EPA and ARB, and to minimize public exposure to toxic or hazardous air pollutants and air pollutants that create unpleasant odors. This goal includes:

- Objective 6.7.2, *Vehicular Emissions*, and implementing Policy 6.7.2.5, which encourages use of and facilities for alternative-fuel vehicles, including low-emission vehicles used in construction.
- Objective 6.7.4, *Project Design and Mixed Uses*, and implementing Policies 6.7.4.1, 6.7.4.2, and 6.7.4.4 that encourage project design that protects air quality and minimizes direct and indirect emissions of air contaminants.
- Objective 6.7.6, *Air Pollution-Sensitive Uses*, and implementing Policies 6.7.6.1 and 6.7.6.2, which direct that air pollution sensitive land uses be separated from significant sources of air pollution.
- Objective 6.7.7, *Construction-Related, Short-Term Emissions*, and implementing Policy 6.7.7.1, which requires evaluation of short-term construction, long-term operations, and toxic and odor related impacts, in accordance with EDAQMD CEQA Guidelines, and feasible mitigation for such impacts.

In addition, the Public Health, Safety, and Noise Element includes the following goal that addresses naturally occurring asbestos (NOA).

Goal 6.3, *Geologic and Seismic Hazards*, addresses minimizing threats to life and property from geologic hazards such as NOA through evaluation of NOA hazards and includes Objective 6.3.1, *Building and Site Standards*, and implementing Policies 6.3.1.1, 6.3.1.2, and 6.3.3.3.

Discussion:

- a. **Air Quality Plan:** El Dorado County has adopted the Rules and Regulations of the EDCAQMD establishing rules and standards for the reduction of stationary source air pollutants (ROG/VOC, NOx, and PMs). The EDC/State Clean Air Act Plan has set a schedule for implementing and funding transportation contract measures to limit mobile source emissions. The EIR will address the potential for the proposed project to conflict with or obstruct implementation of the plan.
- b-c. **Air Quality Standards and Cumulative Impacts:** The air basin is in nonattainment status for both federal and state ozone standards, the state PM10 standard, and the federal PM2.5 standard. Construction and operation of the proposed project would likely add incrementally to regional ambient air pollutant emissions, including short- and long-term emissions of criteria air pollutants from mobile and stationary sources. In addition, operation of the proposed project could impact sensitive receptors (i.e., residential uses) by creating the potential for localized carbon monoxide (CO) hotspots. This represents a potentially significant impact. The EIR will estimate the total emissions from construction and operation of the proposed project and evaluate whether the emissions would exceed the EDCAQMD recommended significance thresholds for evaluating impacts from a project's criteria pollutant emissions.
- d. **Sensitive Receptors:** Construction of the proposed project would result in on-site emissions of diesel particulate matter, which the ARB has identified as a toxic air contaminant. Project grading activities could potentially disturb

naturally occurring asbestos. This represents a potentially significant impact. The EIR will evaluate the proposed construction activities to determine whether they would result in a significant effect on sensitive receptors.

- e. **Objectionable Odors:** Construction of the proposed project would require the use of diesel-fueled equipment and architectural coatings, both of which have associated odors. However, these odors would be short-term and temporary and would not be pervasive enough to affect a substantial number of people or be objectionable. Routine operation of the proposed project would not involve activities that typically produce odors, such as wastewater treatment, manufacturing, agriculture, etc. Occasional use of maintenance products on the project site could produce localized odors, but they would be temporary and limited in area. Consequently, short-term construction and long-term operation of the proposed project would not create objectionable odors that could affect a substantial number of persons, nor would the project expose project site occupants to substantial odors, and the impact would be less than significant. No further analysis is required in the EIR.

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 Service?	X			
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	X			
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	X			
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	X			
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Regulatory Setting:

Federal Laws, Regulations, and Policies

Endangered Species Act

The federal 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

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 Sections 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. The 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 Sections 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 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 Sections 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.

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) (Figures 5.12-14, 5.12-5 and 5.12-7, El Dorado County 2003). Lands located within the IBC overlay district are subject to the following provisions, as long as 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-e. Although a biological assessment was completed a number of years ago for the previously proposed project on the site, given the passage of time, a new Biological Resources Assessment will be prepared to include:

- a review of pertinent background information, including the standard biological databases (CNDDDB, CNPS, and USFWS for special-status species in the project region);
- a field assessment of the site to assess vegetation and wildlife habitat types present and to record plant and animal species observed, and a determination of the presence/absence of potential waters of the U.S. as defined by Section 401 of the CWA.

Based on the analysis contained in the Biological Resources Assessment, a Biological Resources section will be prepared for the EIR that will evaluate and disclose the potential for special-status plant and wildlife species to occur on the site, and the potential for project construction to result in significant impacts on special-status species, sensitive natural communities, wetlands, or nesting birds. The EIR will also evaluate whether the project will conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Mitigation measures will be set forth if significant impacts are identified.

f. As shown on the County's Integrated Natural Resources Management Plan (INRMP) Initial Inventory Map (Exhibit 10), the project site is not within the boundaries of a Priority Conservation Area, any Important Biological Corridors, an adopted Habitat Conservation Plan (HCP), a Natural Community Conservation Plan (NCCP), or any other conservation plan, including those specifically listed in Exhibit 10. As such, the proposed project would not conflict with an adopted HCP or NCCP. There would be no impact and no further analysis is necessary in the EIR.

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. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	X			
d. Disturb any human remains, including those interred outside of formal cemeteries?			X	

Regulatory Setting:

Federal Laws, Regulations, and Policies

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 NRHP defines federal criteria for determining the historical significance of archaeological sites, historic buildings and other resources. To be determined eligible for the NRHP, a potential historic property must meet one of four historical significance criteria (listed below), and also must possess sufficient architectural, or historic integrity to retain the ability to convey the resource’s historic significance. A property is eligible for the NRHP if it possesses integrity of location, design, setting, materials, workmanship, feeling, and association, and it:

- A. Is associated with events that have made a significant contribution to the broad patterns of history (events);
- B. is associated with the lives of persons significant in our past (persons);
- C. Embodies the distinctive characteristics of a type, period, or method of construction, or that represents the work of a master, or that possesses high artistic values, or that represents a significant and distinguishable entity whose components may lack individual distinction (architecture); or
- D. Has 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 National Register of Historic Places (NRHP), including properties evaluated under Section 106 of the National Historic Preservation Act. The criteria for listing on the CRHR are similar to those of the NRHP. Criteria for listing in the CRHR 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 California Register of Historic Places

The California Register of Historic Places (CRHP) program encourages public recognition and protection of resources of architectural, historical, archeological and cultural significance, identifies historical resources for state and local planning purposes, determines eligibility for state historic preservation grant funding and affords certain protections under the California Environmental Quality Act. The criteria for listing in the CRHP include resources that:

- A. Are associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.
- B. Are associated with the lives of persons important to local, California, or national history.
- C. Embody the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values.
- D. Have yielded, or have the potential to yield, information important to the prehistory or history of the local area, California or the nation.

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. The CRHR includes properties listed in or formally determined eligible for the National Register and lists selected California Registered Historical Landmarks.

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.

Section 5097.98 of the California Public Resources Code stipulates that whenever the commission receives notification of a discovery of Native American human remains from a county coroner pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, it shall immediately notify those persons it believes to be most likely descended from the deceased

Native American. The descendants 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 the Native American Heritage Commission. 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.
- Although not specifically inclusive of paleontological resources, these criteria may also help to define “a unique paleontological resource or site.”

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 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.

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.

Local Laws, Regulations, and Policies

The County General Plan contains policies describing specific, enforceable measures to protect cultural resources and the treatment of resources when found.

Discussion:

a-c. **Historic, Archaeological, and Paleontological Resources:** The project area appears to have a low to low-moderate sensitivity for both prehistoric and historic cultural resources due to prior clearing and grading. The surrounding area has been undergoing commercial development since late 2000. The former stream channel to the west of the project site has been modified and converted into a pond development with decorative fountains. Historic occupation emphasized valley bottom and open areas for ranching and agriculture with a focus on developing available water resources for both domestic and stock use.

Notwithstanding the above, a *Cultural Resources Assessment Report (CRAR)* will be prepared that will identify, evaluate and determine project effects on cultural resources within the proposed footprint of the project site. The tasks necessary to complete the CRAR include:

1. complete a records search/review of the project area for archaeological and historical resources by the California Historical Resources Information System, North Central Information Center (CSU Sacramento) to determine the prior presence/absence of recorded resources and potential resources within 0.25 miles;
2. review various published compendiums, including the National Register of Historic Places and California Register of Historical Resources;
3. review of materials from previous cultural resources compliance reports completed for both the project area and other adjoining parcels;
4. review of archival literature and records on file with Basin Research Associates for the area;
5. request a search of the Sacred Lands File maintained by the Native American Heritage Commission (NAHC), consult with Native Americans identified by the NAHC, and assist the County with SB 18 and AB 52 Native American consultation;
6. complete a field review of the project site;
7. mark any archaeological resources for future recordation; and
8. prepare a CRAR with conclusions and mitigation measures/recommendations following general practice for reporting cultural resources research results.

Based on the analysis contained in the CRAR, a Cultural Resources section will be prepared for the EIR that will discuss the potential for the project to adversely affect cultural resources, including recommendations for mitigation measures if needed.

d. **Human Remains.** Grading and construction activities associated with project development could unearth previously undiscovered or unrecorded human remains. The treatment of Native American human remains and of associated or unassociated funerary objects discovered during any soil-disturbing activity within the project shall comply with applicable State laws. If human remains are exposed during construction, work in the area must stop and the County Coroner immediately be notified. In the event of the coroner's determination that the human remains are Native American, notification of the Native American Heritage Commission (NAHC) is required. NAHC shall appoint a

Most Likely Descendant (MLD) (Public Resources Code Section 5097.98) who will provide recommendations for the treatment of the remains within 24 hours.

The project applicant, archaeological consultant, and MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. The California Public Resources Code (PRC) allows 48 hours to reach agreement on these matters. If the MLD and the other parties do not agree on the reburial method, the project will follow PRC Section 5097.98(b) which states that ". . . the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance."

The County will require the project applicant to inform the County of any human remains that are encountered during construction. The construction contract documents for the project will be required to include the details and requirements of the PRC Compliance with these protocols that are required by law would reduce the impact to human remains to a less than significant level. No further analysis is required in the EIR.

VI. 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

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: U.S. Geological Survey (USGS), National Science Foundation (NSF), Federal Emergency Management Agency (FEMA), and National Institute of Standards and Technology (NIST). Over time, 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;
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

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.

Local Laws, Regulations, and Policies

The County Grading, Erosion, and Sediment Control Ordinance (Grading Ordinance) (Chapter 110.14 of the County Code) establishes provisions for public safety and environmental protection associated with grading activities on private property. Section 110.14.090 of the Grading Ordinance, which incorporates the recommended standards for drainage BMPs from the High Sierra Resource Conservation and Development Council BMP guidelines handbook.

Further, to protect public health and the environment from geologic and seismic hazards, the Public Health, Safety, and Noise Element of the *El Dorado County General Plan* includes the following goal, objectives and policies:

Goal 6.3, *Geologic and Seismic Hazards*, addresses minimizing threats to life and property from seismic and geologic hazards through development regulations and building and site standards and on-going evaluation of seismic hazards. This Goal includes Objective 6.3.1, *Building and Site Standards*, and implementing Policy 6.3.3.1, and Objective 6.3.2, *County-Wide Seismic Hazards*, and implementing Policy 6.3.2.5.

In addition, the Conservation and Open Space Element includes the following relevant goal, objectives, and policies:

Goal 7.1, *Soil Conservation*, addresses conservation and protection of the County's soil resources and protection of natural drainage patterns. This Goal includes Objective 7.1.2, *Erosion/Sedimentation*, and implementing Policies 7.1.2.1 and 7.1.2.2, and Objective 7.3.4, *Drainage*, and implementing Policies 7.3.4.1 and 7.3.4.2.

Discussion:

a-d. Seismic Hazards:

i) Seven proposed new and revised Preliminary Alquist-Priolo Earthquake Fault Zone maps were released by the California Geological Survey (CGS) as of December 10, 2015. Areas covered are within El Dorado County. However, according to the CGS maps, the nearest such faults are located in Emerald Bay and Echo Lake Quadrangles of the Lake Tahoe Basin.¹ As such, there would be no impact and no further analysis is required in the EIR.

ii) The potential for seismic ground shaking on the project site is considered remote for the reason stated in Section i) above. Any potential impacts due to seismic activity would be addressed through compliance with the CBC. All structures would be built to meet the construction standards of the CBC for the appropriate seismic zone. Impacts would be less than significant. No further analysis is required in the EIR.

iii) El Dorado County is considered an area with low potential for seismic activity. According to the *Geotechnical Engineering Study Update for Town Center East Parcel 3.4, El Dorado Hills, California* produced for the project site by Youngdahl Consulting Group in September 2008 (Geotechnical Study), no active faults or Earthquake Fault Zones (Special Studies Zones) are located on the project site. No evidence of recent or active faulting was observed during their field study. The mapped faults nearest to the site are related to the Bear Mountains and Melones Fault Zones located from 11 to 19 kilometers east of the site. The mapped active fault nearest to the site is the Dunnigan Hills fault located about 68 kilometers to the west-northwest. The Geotechnical Study further found that due to the relatively shallow depth to bedrock and the relatively low seismicity of the area, the absence of a permanent elevated groundwater table, and the relatively dense nature of site materials, the potential for damage due to site liquefaction, slope instability, and surface rupture is considered negligible. There would be no impact. No further analysis is required in the EIR.

¹ *The Preliminary Earthquake Fault Zone maps and their associated Fault Evaluation Reports can be viewed or downloaded here:*
<http://www.conservation.ca.gov/cgs/rghm/ap>

iv) The project site is generally flat and would not be subject to landslides. Furthermore, all grading activities onsite would be required to comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance. The impact would be less than significant. No further analysis is required in the EIR.

Soil Erosion: All grading activities onsite would comply with the El Dorado County Grading, Erosion and Sediment Control Ordinance (Grading Ordinance), and the El Dorado County Stormwater Quality Ordinance, including the implementation of pre- and post-construction Best Management Practices (BMPs) pursuant to the County's West Slope Development and Redevelopment Standards and Post Construction Storm Water Plan Requirements, and the applicant will be required to submit an Erosion and Sediment Control Plan (ESCP) to the County and the Resource Conservation District (RCD) for approval. Any grading activities exceeding 250 cubic yards of graded material or grading completed for the purpose of supporting a structure must meet the provisions contained in the Grading Ordinance. Although the project site is generally flat and the potential for soil erosion is considered to be low, peak storm water runoff could result in short term sheet erosion within areas of exposed or stockpiled soils. Furthermore, the compaction of soils by heavy equipment may reduce the infiltration capacity of soils and increase runoff and erosion potential. Given the above, pollutants such as soil, sediments, and other substances associated with construction activities (e.g., oil, gasoline, grease, and surface litter) could enter the local storm drain system. Projects disturbing areas of 1 acre or more during construction are required to comply with the NPDES General Permit for Construction Activities. The project construction contractor would be required to file a notice of intent under the state's NPDES General Construction Permit. This permit requires that a storm water pollution prevention plan (SWPPP) be prepared that would include best management practices (BMPs) to reduce erosion of disturbed soils. In addition, the SWPPP would require that if any spills of materials known to be pollutants or hazardous materials do occur, the proper agencies would be contacted immediately (if necessary) and appropriate cleanup of the spill would take place as soon as possible. BMPs that would be implemented during site grading and construction would be designed by a Qualified SWPPP Developer (QSD) and based on Best Available Technology (BAT). Once the project is constructed, the project site would be covered with impervious surfaces and landscaping, and the potential for soil erosion would be minimal. The impact would be less than significant. No further analysis is required in the EIR.

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 (DOC 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. All grading activities would comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance. Impacts would be less than significant. No further analysis is required in the EIR.

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. All building foundations would be built to meet the construction standards of the CBC for the appropriate soil type. Impacts would be less than significant. No further analysis is required in the EIR.

In addition, the El Dorado County Community Development Agency Transportation Division (EDCTD) has reviewed the proposed design and will require the project to implement the following standard conditions before and during construction and occupancy.

- Grading Permit/Plan. The project applicant shall submit a site improvement plan in conformance with the County's Design and Improvement Standards Manual; the Grading, Erosion, and Sediment Control Ordinance;

the County's West Slope Development and Redevelopment Standards and Post Construction Storm Water Plan Requirements; and the Drainage Manual. Improvements and grading shall be completed to the satisfaction of the El Dorado County Community Development Agency (EDCCDA) prior to occupancy.

- Soil Import/Export Grading Permit. Any import or export to be deposited or borrowed within El Dorado County shall require an additional permit for off-site grading. The project applicant shall be required to provide proof of off-site borrow or disposal site compliance with all applicable local, state, and federal laws.
- Resource Conservation District (RCD) Coordination. The timing of construction and method of revegetation shall be coordinated with the El Dorado County RCD. All grading and drainage plans shall be submitted to the RCD for review and recommendation to the EDCTD. The EDCCDA shall approve or conditionally approve such plans and require the project applicant to implement the plan on or before a date to be set by the EDCCDA.
- Soils Report. At the time of the submittal of the grading or improvement plans, the project applicant shall submit a soils and geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from, EDCCDA. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations and address, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, groundwater, pavement sections, and recommended design criteria for any retaining walls.

The standard conditions listed above, in addition to compliance with the CBC seismic safety standards, will ensure the proposed project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death from seismic hazards, unstable rock or soil conditions, erosion, or landslides. No further analysis is required in the EIR.

- e. **Septic Capability:** The project would be connected to the El Dorado Irrigation District sewer system. As such, there would be no impact to septic capability. No further analysis is required in the EIR.

VII. 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

Cumulative greenhouse gas (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); GHGs are global pollutants. The primary land-use related GHGs 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 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 GHGs 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 GHGs 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, in 2007, the U.S. Supreme Court ruled in *Massachusetts v. Environmental Protection Agency* (127 S. Ct. 1436) that greenhouses gases are pollutants under the federal Clean Air Act, and therefore, the U.S. Environmental Protection Agency (USEPA) has the responsibility to regulate greenhouse gases. 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

In June 2005, Governor Schwarzenegger established California's GHG emissions reduction targets in Executive Order S-3-05. The Executive Order established the following goals: GHG emissions should be reduced to 2000 levels by 2010, 1990 levels by 2020, and 80 percent below 1990 levels by 2050. The Secretary of Cal/EPA is required to coordinate efforts of various agencies in order to collectively and efficiently reduce GHGs.

In furtherance of the goals established in Executive Order S-3-05, the legislature enacted Assembly Bill 32 (AB 32, Nuñez and Pavley), the California Global Warming Solutions Act of 2006 (Stats. 2006, ch. 488) (Health & Safety Code, Section 38500 et seq.), which Governor Schwarzenegger signed on September 27, 2006. AB 32 requires a statewide GHG emissions reduction to 1990 levels by the year 2020. AB 32 requires the California Air Resources Board (ARB) 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%. ARB adopted the AB 32 Scoping Plan in December 2008 establishing various actions the State would implement to achieve this reduction (ARB 2008). The Scoping Plan recommends a community-wide GHG reduction goal for local governments of 15%.

In August 2007, the legislature enacted SB 97 (Dutton), which directed the Governor's Office of Planning and Research (OPR) to develop guidelines under the California Environmental Quality Act (CEQA) for the mitigation of GHG emissions. To formulate CEQA Guideline Amendments for GHG emissions, OPR submitted the Proposed Draft CEQA Guideline Amendments for Greenhouse Gas Emissions to the Secretary for Natural Resources on April 13, 2009. The Natural Resources Agency conducted formal rulemaking procedures in 2009 and adopted the CEQA Guideline Amendments on December 30, 2009. They became effective in March 2010.

In addition, Senate Bill 375 (SB 375) was passed by the State of California in 2009. SB 375 requires Metropolitan Planning Organizations (MPOs) to adopt a Sustainable Communities Strategy (SCS) or Alternative Planning Strategy, showing prescribed land use allocation in each MPO's Regional Transportation Plan ARB, in consultation with the MPOs, is to provide each affected region with reduction targets for GHGs emitted by passenger cars and light trucks in their respective regions for 2020 and 2035. On a local level, the Sacramento Area Council of Governments (SACOG) serves as the MPO for Placer, Sacramento, El Dorado, Yuba, Sutter, and Yolo Counties, excluding area located in the Lake Tahoe Basin. The project site is located in El Dorado County and outside of the Lake Tahoe Basin. SACOG adopted its Metropolitan Transportation Plan (MTP)/SCS 2035 in 2012.

Local Laws, Regulations, and Policies

The El Dorado County Air Quality Management District (EDCAQMD) administers the California and federal Clean Air Acts according to guidelines set forth by state and federal agencies. Currently EDCAQMD has not adopted significance thresholds for GHGs in accordance with the State CEQA Guidelines. At present, the Sacramento Metropolitan Air Quality Management District (SMAQMD) along with a committee of EDCAQMD and other regional air districts use guidance from the California Air Pollution Control Officers Association (CAPCOA) to develop draft threshold concepts for evaluating project-level GHG emissions.² SMAQMD formally adopted the GHG thresholds in October 2014. EDCAQMD recommends use of the

² *Sacramento Metropolitan Air Quality Management District Land Use and Transportation Section Staff, Justification for Greenhouse Gas Emissions Thresholds of Significance, https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=4&cad=rja&uact=8&ved=0ahUKEwj9I-r7h57MAhUH0WMKHa_0D5oQFggyMAM&url=http%3A%2F%2Fwww.airquality.org%2Fbod%2F2014%2FOct-Item11-JustificationGHGEmissionThresholdsSignificanceAttachment4.pdf&usg=AFQjCNHUfkc7VeiET1Wb7HQ722dXUPfv_w&bvm=bv.119967911,d.cGc, accessed April 20, 2016.*

thresholds in project-level CEQA GHG analyses. The goal of the thresholds is to capture at least 90% of GHG emissions from new stationary sources and land development projects.

Discussion

- a. **Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment:** EDCAQMD prefers the use of the California Emissions Estimator Model (CalEEMod) for quantification of project-related GHG and criteria pollutant emissions. CalEEMod is a statewide model providing a uniform GHG analysis platform for government agencies, land use planners, and environmental professionals. It quantifies direct emissions from construction and operation (including vehicle use), and indirect emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. The software incorporates the most recent vehicle emission factors from the Emission Factors (EMFAC) model provided by ARB, and average trip generation factors published by the Institute of Transportation Engineers (ITE). The model uses and quantifies mitigation measures reduction benefits found in the California Air Pollution Control Officers Association's (CAPCOA) document *Quantifying Greenhouse Gas Mitigation Measure (2010)*, and is accepted by ARB.

Analysis in the EIR will describe the regulatory setting and the thresholds of significance. Direct and indirect GHG emissions during construction activities will be estimated and disclosed. The project's direct and indirect operational emissions of GHG will be also be analyzed and quantified, and converted to CO2 equivalent emissions using recommended global warming potential conversion factors. The estimated emissions will be evaluated relative to appropriate thresholds of significance to determine whether the proposed project would result in a significant impact related to climate change, and whether mitigation measures are required.

- b. **Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases:** GHG emissions are addressed at the federal, state, and local level through a number of plans, policies, and regulations. The project's consistency with the appropriate climate action plans, policies, and regulations will be analyzed and discussed in the EIR.

VIII. 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
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	

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 State Water Resources Control Board (SWRCB); California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA); California Governor’s Office of Emergency Services (Cal OES); and EDCAQMD.

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 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) applies 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.

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

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. The Office of Environmental Health Hazard Assessment (OEHHA), an agency under the California Environmental Protection Agency (Cal/EPA), 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. Cal/EPA 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, 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 (CALFIRE) 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 and California Department of Transportation (Caltrans)

CHP and 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 CALFIRE. The classification system provides three classes of fire hazards:

Moderate, High, and Very High. El Dorado County 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 (Patton 2002). The Fire Hazard Ordinance also establishes limits on campfires, fireworks, smoking, and incinerators for all discretionary and ministerial developments.

Discussion:

a-b. **Hazardous Materials:** Construction of the proposed project would involve the transportation, use, storage, and disposal of those hazardous materials that are typically necessary for construction of a multi-family residential development such as diesel fuel, lubricants, paints and solvents, and cement products containing strong basic or acidic chemicals. Standard accident and hazardous materials recovery training and procedures, required and enforced by the State and followed by private state-licensed, certified, and bonded transportation companies and contractors, reduce the potential for hazards associated with this routine use. Hazardous materials would be transported to the project area according to applicable hazardous materials transport and handling laws and regulations (such as the DOT Office of Hazardous Materials Safety regulations for the safe transportation of hazardous materials described in Title 49 of the CFR), and would only be stored in proper containers within a secured construction staging area. Hazardous wastes (including used oil, used oil filters, used gasoline containers, spent batteries, and other items) would be collected regularly and disposed of in accordance with all applicable laws and regulations.

Further, pursuant to 40 CFR 112, a spill prevention, containment, and countermeasures plan or, for smaller quantities, a spill prevention and response plan, would be established for the project. The plan would identify best management practices (BMPs) for spill and release prevention and provide procedures and responsibilities for rapidly, effectively, and safely cleaning up and disposing of any spills or releases. As required under state and federal law, plans for notification and evacuation of site workers and local residents in the event of a hazardous materials release would be in place throughout construction. Inspections would be conducted to verify consistent implementation of general construction permit conditions and BMPs to avoid and minimize the potential for spills and releases, and of the immediate cleanup and response thereto. BMPs include, for example, the designation of special storage areas and labeling, containment berms, coverage from rain, and concrete washout areas. Compliance with various federal, state, and local regulations would minimize the risk of a spill or accidental release of hazardous materials.

Therefore, construction of the proposed project would not create a significant impact related to routine transport, use, or disposal of hazardous materials, and the impact would be less than significant. No further analysis is required in the EIR.

The proposed project consists of the development of multi-family residential units, a parking structure, outdoor recreation areas, and landscaping. Certain types of materials associated with post-construction facility upkeep could be considered hazardous if used inappropriately. Examples of such materials could include but are not limited to cleaning solvents, pesticides and herbicides for landscaping, and maintenance/painting supplies. All potentially hazardous materials transported, stored, or used on site for daily upkeep would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. Compliance with existing local, state, and federal regulations would ensure the transport, storage, and sale of these materials would not pose a significant hazard to the public or the environment. Project impacts related to this issue would be less than significant. No further analysis is required in the EIR.

c. **Hazardous Materials near Schools:** There are no schools within 0.25 mile of the project site. There would be no impact. No further analysis is required in the EIR.

- d. **Hazardous Sites:** As verified in a Phase I Environmental Site Assessment completed for the project site in 2013, the project site is not included on a list of or near any hazardous materials sites pursuant to Government Code section 65962.5. There would be no impact. No further analysis is required in the EIR.
- e-f. **Aircraft Hazards, Private Airstrips:** The Cameron Airpark Airport is located approximately 4.6 miles northeast of the project site. It is a public use airport with two runways and an average of 99 daily operations. The project site is not within the Airport Influence Area of the Cameron Park Airport established in the Land Use Compatibility Plan. There would be no impact. No further analysis is required in the EIR.
- g. **Emergency Plan:** El Dorado County has adopted a Multi-Jurisdiction Hazard Mitigation Plan. The plan was prepared using guidance from the California Office of Emergency Services to identify potential hazards and protect life, safety, and property by establishing detailed procedures for preventing and responding to those hazards. The proposed project is on an infill site within the TCE area and would not interfere with an emergency response plan or an emergency evacuation plan. The El Dorado Hills Fire Department has reviewed the proposed project and will require all access roadways and fire hydrant systems be installed and in service prior to any combustible materials being brought onto the site. An emergency access connection would be provided between Town Center Boulevard and Mercedes Lane. Project conditions of approval will require that the project landscaping plan exclude the planting of any trees adjacent to the Fire Apparatus Access road on the west side of the project site that would impede fire apparatus access when fully grown. The impact would be less than significant. No further analysis is required in the EIR.
- h. **Wildfire Hazards:** The El Dorado County General Plan Safety Element precludes development in areas of high wildland fire hazard unless such development can be adequately protected from wildland fire hazards as demonstrated in a Fire Safe Plan prepared by a Registered Professional Forester (RPF) and approved by the local Fire Protection District and/or California Department of Forestry and Fire Protection.

The project site is surrounded by developed, urban uses and is not immediately adjacent to areas that may be susceptible to wildland fire hazard. Further, the site would be graded, and appropriate building standards and setbacks would be maintained. The impact would be less than significant. No further analysis is required in the EIR.

IX. 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	
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 stormwater discharges to surface waters through the 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 RWQCBs, as discussed below in reference to the Porter-Cologne Water Quality Control Act.

Construction Phase Discharge Control Program

The NPDES program provides for both general (those that cover a number of similar or related activities) and individual (activity- or project-specific) permits. All 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 storm water pollution prevention plan (SWPPP). The 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. Additionally, SWPPPs must address development post-construction requirements pursuant to municipality standards, or state standards if the municipality does not have standards.

Municipal Stormwater Permit 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 MS4 NPDES permits. The West Slope Phase II Municipal Separate Storm Sewer Systems (MS4) NPDES Permit is administered by the Central Valley Regional Water Quality Control Board (RWQCB) (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. The West Slope of the County implemented new Development and Redevelopment Standards and Post Construction Storm Water Plan Requirements pursuant to the current MS4 Permit on July 1, 2015. The current Lake Tahoe MS4 NPDES Permit was adopted and took effect on December 6, 2011 for a term of 5 years. The permit incorporated the Lake Tahoe Total Maximum Daily Load (TMDL) and the Lake Clarity Crediting Program (LCCP) to account for the reduction of fine sediment particles and nutrients discharged to Lake Tahoe.

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 BMPs 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, 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.

Local Laws, Regulations, and Policies

County Grading, Erosion, and Sediment Control Ordinance

The County Grading, Erosion, and Sediment Control Ordinance (Grading Ordinance) (Chapter 110.14 of the County Code) establishes provisions for public safety and environmental protection associated with grading activities on private property. Section 110.14.090 of the Grading Ordinance, which incorporates the recommended standards for drainage, erosion and sediment control, and final site stabilization BMPs from the High Sierra Resource Conservation and Development Council’s BMP handbook.

Stormwater Management Plan and Stormwater Quality Ordinance

The County Storm Water Management Plan (SWMP) was adopted by the County in 2004 as a means of compliance with the applicable Small MS4 Permit. The current West Slope MS4 NPDES Permit was adopted by the SWRCB on February 5, 2013 and became effective on July 1, 2013. In May 2015, the County adopted a County-Wide Storm Water Ordinance (Ordinance No. 5022) to ensure compliance with the current Small MS4 permit requirements. Chapter 8.79 of the County Code contains the stormwater regulations establishing the County’s authority to implement and enforce the SWMP and to ensure compliance with state and federal stormwater laws and regulations. It also sets forth requirements that development projects incorporate BMPs to control the volume, rate, and potential pollutant loading for post-construction stormwater runoff. As provided by Section 8.79.150.G, the required BMPs may be contained in any land use entitlement, conditions of approval,

grading plans, improvement plans, or any construction or building-related permit to be issued relative to such development. The Stormwater Quality Ordinance requirements became effective in June 2015.

County of El Dorado Drainage Manual

The County of El Dorado Drainage Manual was adopted by the County in 1995. The County's Drainage Manual prescribes planning and design criteria for drainage facilities within the County. The key provisions of the County's Drainage Manual include, but are not limited to:

- The planning and design of drainage systems within El Dorado County shall take into consideration any potential downstream impacts including those to property, flow regimes, water quality or riparian and wetland areas. Provisions mitigating potential impacts shall be included as a part of the drainage analysis for the proposed project.
- Increases in storm runoff from upstream properties resulting from improvements is discouraged.
- Improvements that propose to increase storm water runoff shall be evaluated to show, among other things, that land of downstream properties is not lost due to increased flood plain limits, there is no increase in erosion, and there is no net loss of storage available to attenuate peak flows. When downstream properties are unable to adequately accommodate increases in storm water runoff, appropriate mitigation measures shall be implemented into the analysis and design. These mitigation measures may include storm water storage facilities (detention or retention structures) designed to hold storm water and then releasing it at a rate that will not cause damage downstream.

The County recognizes that not all of the provisions in the Drainage Manual are applicable to all drainage design projects. However, multidisciplinary involvements is encouraged in both the planning and design of major drainage projects to the extent that it results in preservation of natural systems and reliable flood protection.

El Dorado County General Plan

The County General Plan Public Health, Safety, and Noise Element and Conservation and Open Space Element include the relevant goals, objectives, and policies listed below:

Public Health, Safety, and Noise Element

Goal 6.4, *Flood Hazards*, includes Objective 6.4.1, *Development Regulations*, which seeks to minimize loss of life and property by regulating development, and implementing Policies 6.4.1.2, 6.4.1.3, 6.4.1.4, and 6.4.1.5; and Objective 6.4.2, *Dam Failure and Inundation*, and implementing Policy 6.4.2.2.

Conservation and Open Space Element

Goal 7.1, *Soil Conservation*, includes Objective 7.1.2, *Erosion/Sedimentation*, and implementing Policies 7.1.2.1 and 7.1.2.2.

Goal 7.3, *Water Quality and Quantity*, includes Objective 7.3.1, *Water Resource Protection*, and implementing Policies 7.3.1.1, 7.3.1.2, and 7.1.3.3; Objective 7.3.2, *Water Quality*, and implementing Policies 7.3.2.1, 7.3.2.2, 7.3.2.3, and 7.3.2.5; Objective 7.3.3, *Wetlands*, and implementing Policies, 7.3.3.1, and 7.3.3.4; and Objective 7.3.4, *Drainage*, and implementing Policies 7.3.4.1 and 7.3.4.2.

Discussion:

a, c, d, e-f. Water Quality Standards and Drainage Patterns:

The project would construct buildings, a central parking structure with driveway access, sidewalks, and other hardscaping. The project site is currently vacant and undeveloped. As established in the EDH Design Guidelines, the project could increase the amount of building site coverage up to a maximum of 55 percent of the total site, and up to a maximum 80 percent impervious surface of the total site. The increase in impervious surface could change the rate and volume of stormwater runoff from the project site, and stormwater runoff would be a potential source of

urban pollutants during occupancy. Construction of the project would result in soil disturbance and the use of equipment and building materials and products that could be a temporary source of contaminants in stormwater runoff from the site.

The EDH Design Guidelines Section 2.6.3 shall implement the principles of Low Impact Development (LID) for storm drainage and runoff infiltration, which would be incorporated into landscaped open space areas in the complex (see **Figure 13** for locations of proposed open space areas). This could include measures such as managing rainfall by using landscape design techniques and materials that infiltrate, filter, store, evaporate, and/or detain runoff as close to its source as possible; directing stormwater through small, cost-effective landscape features on-site; and/or treatment devices as approved by the County. In addition, Section 3.11 of the EDH Design Guidelines requires the use of water-conserving landscape measures.

To minimize the potential for erosion that could lead to water quality impacts, the El Dorado County Community Development Agency Transportation Division (EDCTD) has reviewed the proposed design and will require the project to implement the following standard conditions before and during construction and occupancy.

- **Grading Permit/Plan.** As described in subsection VI, Geology/Soils, the project applicant shall submit a site improvement plan in conformance with the County's Design and Improvement Standards Manual; the Grading, Erosion, and Sediment Control Ordinance; the County's West Slope Development and Redevelopment Standards and Post Construction Storm Water Plan Requirements; and the Drainage Manual. Improvements and grading shall be completed to the satisfaction of the EDCCDA prior to occupancy. Grading plans shall incorporate appropriate erosion and sediment control measures such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps to control siltation and the potential discharge of pollutants into drainages.
- **Resource Conservation District (RCD) Coordination.** As described in subsection VI, Geology/Soils, the timing of construction and method of revegetation shall be coordinated with the El Dorado County RCD. All grading and drainage plans shall be submitted to the RCD for review and recommendation to the EDCTD. The EDCCDA shall approve or conditionally approve such plans and require the project applicant to implement the plan on or before a date to be set by the EDCCDA.
- **Drainage Study/SWMP Compliance.** The project applicant shall provide a Drainage Study at the time that an application is submitted for improvement plans or a grading permit, consistent with the Drainage Manual and Stormwater Management Plan (SWMP) and current MS4 Post-Construction requirements, which addresses stormwater runoff increase, impacts to downstream facilities and properties, and identification of appropriate stormwater quality treatment measures to the satisfaction of the EDCCDA. The Drainage Study must demonstrate the project has adequate existing and proposed storm drain facilities.
- **Drainage Easements.** The site plans shall show drainage easements for all on-site drainage courses and facilities, and those easements shall be included on improvement plans.
- **NPDES Permit.** At the time that an application is submitted for improvement plans or a grading permit, the applicant shall file a "Notice of Intent" (NOI) with the SWRCB to comply with the Statewide General NPDES Permit for stormwater discharges associated with construction activity. A copy of the NOI application shall be submitted to the County, prior to building permit issuance.
- **Post-Construction Stormwater Drainage Best Management Practices (BMPs).** Storm drainage from on- and off-site impervious surfaces (including roads) shall be collected and routed through specially designed water quality treatment facilities (BMPs) for removal of pollutants of concern (e.g., sediment, oil/grease, metals). The BMPs shall be designed to mitigate (minimize, infiltrate, filter, or treat) stormwater runoff in accordance with the

County's West Slope Development and Redevelopment Standards and Post Construction Storm Water Plan Requirements pursuant to the current MS4 Permit (Order #2013-0001-DWQ, NPDES #CAS000004). The proposed BMPs shall be shown on the improvement plans, and the project applicant shall verify the proposed BMPs are appropriate to treat the pollutants of concern.

- **Storm Drain Labeling.** All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to the Storm Water Quality Design Manual for the Sacramento and South Placer Regions. All stamps shall be approved by the El Dorado County inspector prior to being used.
- **Trash Amendments.** The SWRCB, Office of Administrative Law, and USEPA recently approved the Amendments to the Water Quality Control Plan for Ocean Waters of California (Ocean Plan) to Control Trash and Part 1 Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California (ISWEBE Plan). Together they are collectively termed as the "Trash Amendments." The Trash Amendments will require the implementation of a consistent statewide approach for reducing environmental issues associated with trash in state waters through the installation of trash capture devices and institutional programs and will be incorporated into all NPDES permitting programs. The implementation of the Trash Amendments is currently anticipated to begin in June 2017 and final compliance shall be achieved within 10 to 15 years. One of the priority areas included in the Trash Amendments include High Density Residential which is defined as 10 dwelling units per acre; therefore the requirements of the Trash Amendments will apply to this project (i.e., full trash capture devices installed in the storm drain inlets).

The standard conditions listed above will ensure the proposed project would not violate any water quality standards or waste discharge requirements, substantially alter the existing drainage pattern of the site or area in a manner that would result in substantial erosion or siltation or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site, or otherwise degrade water quality. Impacts would be less than significant and no further analysis is required in the EIR.

- 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. Further, no new wells are proposed as part of the proposed project. Impacts would be less than significant and no further analysis is required in the EIR.
- g-i. **Flood-related Hazards:** The Federal Emergency Management Agency (FEMA) prepares and maintains Flood Insurance Rate Maps (FIRMs), which show the extent of Special Flood Hazard Areas (SFHAs) and other thematic features related to flood risk. The project site is in an area of minimal flood risk (Zone X) and is not located within a 100-year flood zone, as mapped by FEMA.³ Further, the existing drainage feature west of the project site, which has been incorporated as a natural landscape amenity within Town Center (Town Center Lake), has been designed to accommodate a potential 100-year flood within its channel. No dams are located in the vicinity of the project site which would result in the exposure of people or structures to a significant risk of loss, injury or death involving

³ As per *FEMA Flood Insurance Rate Map No. 060017C0725E*, effective as of 09/26/2008, accessed April 8, 2016. The map can be accessed by following the directions provided through this portal: <https://msc.fema.gov/portal>.

flooding, including flooding as a result of the failure of a levee or dam. Impacts would be less than significant and no further analysis is required in the EIR.

- j. **Seiche, Tsunami, or Mudflow:** A seiche is a periodic oscillation of a body of water resulting from seismic shaking or other causes that can cause flooding. An earthquake could cause a seiche in the natural drainage feature west of the site; however, the drainage feature is at a lower elevation than the project site and a landscaped berm adjoining the pedestrian trail along the drainage feature separates it from the project site as well. There would be no impact related to a seiche and no further analysis is required in the EIR.

A tsunami is a series of waves generated by large earthquakes that create vertical movement on the ocean floor. Tsunamis can reach more than 50 feet in height, move inland several hundred feet, and threaten life and property. Often, the first wave of a tsunami is not the largest. Tsunamis can occur on all coastal regions of the world, but are most common along margins of the Pacific Ocean. Tsunamis can travel from one side of the Pacific to the other in a day, at a velocity of 600 miles an hour in deep water. A locally generated tsunami may reach the shore within minutes. Due to its inland location, the project site is not susceptible to tsunamis. There would be no impact and no further analysis is required in the EIR.

Given the relatively flat topography and developed nature of the project area, there are no features adjacent to the project site capable of inundating the site by mudflow. There would be no impact and no further analysis is required in the EIR.

X. LAND USE 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			
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Regulatory Setting:

Federal and State Laws, Regulations, and Policies

No federal laws, regulations, or policies apply to land use and planning. 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.

Local Laws, Regulations, and Policies

The El Dorado County General Plan was adopted in 2004. The 2013-2021 Housing Element was adopted in 2013.

Discussion:

- a. **Established Community.** The project site is located within the TCE area, which has a variety of shopping and entertainment venues. The TCE area is bordered to the west and south by single-family residential development, and to the south by multi-family residential development (Sunset Mobile Home Park), and a master planned community (Valley View Specific Plan). Other existing single-family residential development (La Cresta Village, Serrano) is located north of Highway 50. Siting the project on a vacant parcel in the TCE area would result in a residential development immediately surrounded by commercial uses. As such, the project would not divide a residential community. The impact would be less than significant and no further analysis is necessary in the EIR.
- b. **Land Use Consistency:** Four entitlements would be necessary to facilitate construction and occupancy of the proposed 214-unit apartment complex. The project applicant has requested amendments to the County General Plan and EDHSP. The project would also require rezoning and revisions to the TCE Development Plan. These amendments and modifications are as follows:
 - 1) General Plan Amendment adding new Policy under Objective 2.2.6 (Site Specific Policy Section) increasing the maximum residential density allowed in the General Plan from 24 dwelling units per acre to a maximum of

47 dwelling units per acre for the 4.565 acre site within the TCE Planned Development area identified as Assessor's Parcel Numbers 121-290-60, 61 and 62;

- 2) El Dorado Hills Specific Plan Amendment incorporating multi-family residential use, density, and related standards for the project site. Subject site would be designated as "Urban Infill Residential" within the Village T area of the El Dorado Hills Specific Plan.
- 3) Rezone of the project site from General Commercial-Planned Development (CG-PD) to Multi-Family Residential-Planned Development (RM-PD) and revisions to the RM-zone district development standards applicable to the proposed 214-unit apartment project.
- 4) Revision to the approved TCE Development Plan incorporating multi-family residential use, density, and related design and development standards for the proposed 214-unit apartment project within Planning Area 2 of the Plan area.

The proposed project's compatibility with adopted environmental plans, policies, and goals of the community, including the General Plan and 2013-2021 Housing Element, will be analyzed further in the EIR.

- c. **Habitat Conservation Plan:** As shown on the County's Integrated Natural Resources Management Plan (INRMP) Initial Inventory Map (Exhibit 10)⁴, the project site is not within the boundaries of a Priority Conservation Area, an Important Biological Corridors, an adopted Habitat Conservation Plan (HCP), or a Natural Community Conservation Plan (NCCP), or any other conservation plan, including those specifically listed in Exhibit 10. As such, the proposed project would not conflict with an adopted HCP or NCCP. There would be no impact and no further analysis is necessary in the EIR.

⁴ INRMP Initial Inventory Map (Exhibit 10, posted 04/04/2008) accessed April 8, 2015, http://www.edcgov.us/Government/Planning/INRMP/Final_Initial_Composite_040408.aspx

XI. 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 (MRZs). Lands classified MRZ-2 are areas that contain identified mineral resources. Areas classified as MRZ-2a or MRZ-2b are considered important mineral resource areas. MRZ-3 is used to designate areas containing known or inferred mineral resources of undetermined quality, quantity, and significance. The MRZ-3a designation indicates that there may be undiscovered deposits in the area, based on the underlying geology, but no resources have been identified and their presence is considered speculative.

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 CO-1 of the Conservation and Open Space Element of the General Plan 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.

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-b. **Mineral Resources:** The El Dorado County General Plan Conservation Element, Figure CO-1, Important Mineral Resource Areas, does not map the project site as within either MRZ 2a or 2b mineral resource zones. Further, the project site is in an area mapped and classified by the State Geologist as MRZ-3a and there are no mining operations in El Dorado Hills. There would be no impact and no further analysis is necessary in the EIR.

XII.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			
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:

Federal and State Laws, Regulations, and Policies

No federal or state laws, regulations, or policies for construction-related noise and vibration 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).

Local Laws, Regulations, and Policies

County of El Dorado. The County of El Dorado addresses noise in the Noise Element of the General Plan and in the ordinances of the County Code. Based on the noise standards of the General Plan, the County’s maximum allowable noise exposure guidelines for transportation noise sources are shown in Table 6-2 (reproduced below). As shown in the table, maximum noise levels of up to 60 dBA Ldn from transportation noise sources are considered normally acceptable for new residential development, as measured at the receiving outdoor active use areas.

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 L_{eq} , dB	55	50	50	45	45	40
Maximum level, dB	70	60	60	55	55	50

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.

However, where it is not possible to reduce noise in outdoor activity areas to 60 dB Ldn or less using a practical application of the best-available noise reduction measures, an exterior noise level of up to 65 dB Ldn may be allowed provided that available exterior noise level reduction measures have been implemented and acceptable interior noise levels are maintained. Where noise mitigation measures are required, the emphasis shall be on site planning and project design; the use of noise barriers shall be considered after all other feasible noise mitigation measures have been integrated into the project.

In areas with existing or projected transportation-related noise levels of less than 60 dBA Ldn, as measured at the outdoor active use areas of existing residential uses, a project-related increase of more than 5 dBA would be considered significant for a new development project. Where existing or projected traffic noise levels range between 60 and 65 dBA Ldn at outdoor activity areas of residential uses, an increase of more than 3 dBA caused by a new transportation noise source will be considered significant. Similarly, for areas with noise levels in excess of 65 dBA Ldn, an increase of 1.5 dBA from a new transportation noise source will be considered significant.

The County has also established noise level performance standards for non-transportation noise sources. The daytime noise level standard for community areas is 55 dBA Leq, with maximum noise levels not permitted to exceed 70 dBA Lmax, as measured at receiving noise sensitive land uses; the nighttime noise level standards are 45 dBA Leq and 55 dBA Lmax. New noise sensitive uses would not be permitted where noise levels from non-transportation noise sources exceed these standards, unless measures are implemented to achieve these standards. The County considers permanent increases of more than 5 dBA from non-transportation noise sources a significant impact in areas in which ambient noise levels are within the County's

acceptable standards for these noise sources; in areas where existing ambient noise levels exceed the County's acceptable standards, an increase of more than 3 dBA shall be considered significant.

According to the Noise Element and General Plan policies under Objective 6.5.1, noise producing construction activities are only permitted from 7:00 a.m. to 7:00 p.m. Monday through Friday, and from 8:00 a.m. to 5:00 p.m. on weekends and federally recognized holidays. In addition, the maximum allowable noise exposure for receiving higher-density residential land uses from construction noise is 55 dBA Leq and 75 dBA Lmax.

The Chapter 130.37–Noise Standards in the County's Zoning Ordinance (adopted in December 2015) also generally prohibit loud and raucous noise that would unreasonably interfere with the peace and quiet of another's private property.

Discussion:

- a. **Noise Exposures:** Construction and operation of the proposed project would have the potential to increase noise levels in the vicinity of the project site. During construction, noise would be generated by construction activities such as grading and building, as well as truck traffic to/from the project site. During operation, noise would be generated due to vehicle trips that would be generated by the proposed project as well as from on-site operational activities, such as outdoor use of proposed open space and recreation areas, and stationary sources, including mechanical systems. The EIR will address the potential noise impacts associated with construction and operation of the proposed project.
- b. **Groundborne Vibration:** Groundborne vibration or noise would primarily be generated during construction of the proposed project as a result of traffic associated with the transport of heavy materials and equipment to and from the construction site, as well as active construction operations. These temporary increases in groundborne vibration levels would be of short duration, and would occur primarily during daytime hours. Construction activities are limited by grading permit requirements to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, and 8:00 a.m. to 5:00 p.m., on weekends, and on federally recognized holidays. As no vibration-sensitive land uses or older structures exist in the immediate vicinity of the project site, a temporary increase in groundborne vibration levels would not create any significant impacts, and no further analysis is necessary in the EIR.
- c. **Permanent Noise Increases:** Operation of the proposed project could result in new sources of noise, primarily from project-related traffic (including vehicles entering and exiting the parking garage, and the loading/unloading of delivery trucks), HVAC and mechanical systems, the open barbeque areas, and outdoor residential recreation areas. The EIR will evaluate the potential for noise generated by the proposed project to substantially increase existing noise levels in the vicinity of the project site.
- d. **Short Term Noise:** The construction phase of the project would result in an increase in ambient noise levels. Noise would be generated during the construction phase by increased truck traffic on area roadways. A significant project-generated noise source would be truck traffic associated with the transport of heavy materials and equipment to and from the construction site. Noise from use of various pieces of construction equipment would also be anticipated. These noise increases would be of short duration, and would occur primarily during daytime hours. The EIR will address the potential noise impacts associated with construction of the proposed project.
- e-f. **Aircraft Noise:** The Cameron Airpark Airport is located approximately 4.6 miles northeast of the project site. It is a public use airport with two runways and an average of 99 daily operations. The project site is not within the Airport Influence Area of the Cameron Park Airport established in the Land Use Compatibility Plan. There would be no impact. No further analysis is required in the EIR.

XIII. 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 (i.e., by proposing new homes and businesses) or indirectly (i.e., through extension of roads or other infrastructure)?			X	
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Regulatory Setting:

Federal and State Laws, Regulations, and Policies

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

Local Laws, Regulations, and Policies

El Dorado County General Plan

The County General Plan Economic Development Element and 2013–2012 Housing Element include the following relevant goals, objectives, and policies:

Economic Development Element

Goal 10-1, Cooperation, which includes Objective 10.1.9, *Jobs-Housing Relationship*, which addresses monitoring the jobs-housing balance within the county with a focus on creation of employment opportunities, and associated Policies 10.1.9.1, 10.1.9.2, and 10.1.9.3.

2013–2021 Housing Element

State housing element law, enacted in 1969, mandates that local governments in California adopt housing elements as part of their general plans and submit draft and adopted elements to the California Department of Housing and Community Development (HCD) for review of compliance with state law. The County General Plan 2013–2021 Housing Element, reviewed and approved by HCD in November, 2013, guides the County’s decisions related to unincorporated El Dorado County’s housing needs through October, 2021. The 2013–2021 Housing Element contains the following relevant goals and policies:

Goal HO-1, addresses provision of housing to meet the needs of existing and future residents in all income categories, and includes implementing Policy HO-1.1.

Goal HO-2, addresses provision of quality residential environments for all income levels.

Goal HO-4, addresses meeting the housing needs of special groups of county residents.

Discussion:

- a. **Population Growth:** The U.S. Census Bureau estimates that the population of El Dorado County was 184,754 in 2015, a growth of 2.1 percent since April of 2010 (U.S. Census Bureau 2015). Between 2014 and 2019, the population of the county is expected to grow by an average of 0.6 percent annually; 87 percent of this growth is expected from an annual average net migration of 930 individuals into the county (California Department of Transportation 2014). By 2030, the California Department of Finance (DOF) predicts the population of the county will be 201,508 (see Table below).

Projected Population and Households in El Dorado County through 2030				
	2015	2020	2025	2030
Total Population	184,754	190,850	196,978	201,508
Total Households ¹	72,857	76,535	80,248	83,388
Persons per Household	2.55	2.51	2.47	2.40
<i>Source: California Department of Finance</i>				
<i>Note: Based on Baseline 2013 Population Projection Series</i>				
<i>1 "Households" are occupied housing units.</i>				

At the time of the 2010 Census, the population of El Dorado Hills was 42,108 (U.S. Census Bureau 2010). The U.S. Census Bureau 2009-2013 5-Year American Community Survey estimated that the population of El Dorado Hills was 44,206 in 2013 (U.S. Census Bureau 2014). This is an average population increase of 500 individuals annually.

Based on the population multiplier in the General Plan for multi-family type of project⁵, a total of 492 persons would be anticipated to live in the complex, which would constitute a 1.1 percent increase in population in El Dorado Hills over the 2013 census count, and would be well within the estimated average annual growth of 500 individuals.

Growth can be induced in a number of ways, including through the elimination of obstacles to growth, or through the stimulation of economic activity within the region. The proposed project would not require new or expanded infrastructure that could, in turn, provide additional capacity or facilities for additional development in the TCE area. The site is one of the last remaining vacant properties in the TCE area and would, therefore, not result in increased pressure on land use intensification in the TCE area. While the proposed General Plan amendment would add a new policy that would increase the maximum residential density allowed in the General Plan from 24 du/ac to a maximum of 47 du/ac, the policy would apply only to the 4.565-acre project site, identified as APNs 121-290-60, -61, and -62. Therefore, the proposed project would not be growth-inducing. For these reasons, the impact would be less than significant and no further analysis is required in the EIR.

- b, c. **Housing Displacement / Replacement Housing:** No housing exists on the project site; the site is currently vacant. The proposed project would not result in the displacement of existing housing or displace a substantial number of people resulting in the construction of replacement housing elsewhere. The project will provide 214 new residential units. No impacts would occur, and no further analysis is required in the EIR.

⁵ Table 2-2, Land Use Densities and Residential Population Ranges in the Land Use Section of the General Plan sets Persons per Housing Unit for the Multi-Family Residential Land Use Designation at 2.3 persons per household.

XIV. 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

No federal laws, regulations, or policies apply to public services and the proposed project.

State 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.

Local Laws, Regulations, and Policies

El Dorado County General Plan

The County General Plan contains goals, objectives, and policies related to services critical to the County’s future growth and development. The following are relevant goals, objectives, and policies:

Public Services and Utilities Element

Goal 5.1, *Provision of Public Services*, including Objective 5.1.2, *Concurrency*, which addresses the County’s cooperation with service and utility providers, and associated Policies 5.1.2.1, and 5.1.2.2, which provide for minimum levels of service (Table 5.1 of General Plan).

Goal 5.7, *Emergency Services*, including Objective 5.7.1, *Fire Protection (Community Regions)*, and implementing policy 5.7.1.1; Objective 5.7.3, *Law Enforcement*, and implementing Policy 5.7.3.1; and Objective 5.7.4, *Medical Emergency Services*, and implementing Policies 5.7.4.1 and 5.7.4.2.

Goal 5.8, *Schools*, includes Objective 5.8.1, *School Capacity*, and implementing Policy 5.8.1.1.

Goal 5.9, *Libraries and Cultural Facilities*, addresses providing a quality County library system and other cultural facilities consistent with the needs of current and future residents.

The County General Plan also identifies a program to implement the goals identified above and the objectives and policies under each of the goals. The implementation program identifies that the County will establish a means, either through formal agreement or identification of formal contacts, for various County agencies and departments to communicate with non-County public service providers regarding the planning for the provision of services and their relationship to the County General Plan and the County's long-range or capital improvement plans.

Discussion:

- a. **Fire Protection:** The project site is within the El Dorado Hills Fire Department (EDHFD) service area. EDHFD provides fire suppression, emergency medical services, and fire prevention within the El Dorado Hills community. Pre-hospital emergency medical and dispatch services are provided by EDHFD in cooperation with County Service Area No. 7 and El Dorado County Regional Pre-Hospital Emergency Services Operations Authority.

Implementation of the proposed project could result in an increase in calls for fire protection and emergency medical services. EDHFD will be consulted regarding existing firefighting resources available to serve the project site and whether construction and/or operation of the proposed project would require new or physically altered fire service facilities to maintain acceptable response times or other performance objectives.. This issue will be analyzed further in the EIR.

- b. **Police Protection:** The El Dorado County Sheriff's Department provides law enforcement services. The main El Dorado County Sheriff's Office is located at 300 Fair Lane in Placerville. The closest station to the project site, the El Dorado Hills Substation (EDH Substation), is located at 4354 Town Center Boulevard, less than 1,000 feet west of the project site.

Implementation of the proposed project could result in an increase in calls for law enforcement services. The El Dorado County Sheriff's Department will be consulted regarding existing law enforcement resources available to serve the project site and whether construction and/or operation of the proposed project would require new or physically altered police facilities to maintain acceptable response times or other performance objectives. This issue will be analyzed further in the EIR.

- c. **Schools:** The proposed project is within the Buckeye Union elementary school district, and the El Dorado Union High School District. The proposed project would generate a demand for an additional 97 K-5 seats in the Buckeye and Latrobe districts, as well as an additional 38 seats in the high school district.⁶ Education Code Section 17620(a)(1) states that the governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the district, for the purpose of funding the construction or reconstruction of school facilities.

The Leroy F. Greene School Facilities Act of 1998 (SB 50) made significant amendments to existing State law governing school fees. In particular, SB 50 amended prior Government Code Section 65995(a) to prohibit State or local agencies from imposing school impact mitigation fees, dedications, or other requirements in excess of those provided in the statute in connection with "any legislative or adjudicative act...by any State or local agency involving...the planning, use, or development of real property...." The legislation also amended Government Code Section 65996(b) to prohibit local agencies from using the inadequacy of school facilities as a basis for denying or conditioning approvals of any "legislative or adjudicative act [involving] the planning, use, or development real property." Further, SB 50 established the base amount of allowable developer fees.

⁶ *The Student Generation Rate used by the Buckeye and Latrobe districts is 0.451 student/dwelling unit. The Student Generation Rate used by the El Dorado Union High School District is 0.177 student/dwelling unit.*

Development fees are required to be paid pursuant to development conditions of approval. Pursuant to SB 50, the payment of these school fee amounts provided for in Government Code Sections 65995, 65995.5, and 65995.7 would constitute full and complete mitigation for school facilities. That is to say, SB 50 states that the exclusive method of mitigating the impact of school facilities according to CEQA is to pay the maximum school fees and that such fees are “deemed to provide full and complete school facilities mitigation” related to the adequacy of school facilities when considering approval or the establishment of conditions for the approval of a development project (Government Code 65996[a] and [b]). Accordingly, the project applicant would be required to pay applicable fees at the time of building permit issuance. Following the payment of the SB 50 fees, impacts would be less than significant and no further analysis is required in the EIR.

- d. **Parks.** See subsection **XV, Recreation**, regarding parks.
- e. **Public Facilities.** The El Dorado County Library system operates six branch libraries and a bookmobile service. The branch closest to the project is the El Dorado Hills Library located at 7455 Silva Valley Parkway, approximately 2.2 miles from the site. The 16,000 square foot library opened in February 2006. It features an adult reading room with fireplace, a separate storytime room, a young adult area, and automated circulation system. The library has a capacity of 60,000 volumes.⁷

The proposed project is anticipated to add approximately 492 residents to El Dorado Hills (see subsection XIII, Population and Housing). This increase in population is not expected to result in the need for new or expanded public library facilities. Impacts would be less than significant and no further analysis is required in the EIR.

⁷ History of El Dorado County Library, El Dorado Hills Branch, <http://www.eldoradolibrary.org/libhist.htm>, accessed April 14, 2016.

XV. 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:

Federal Laws, Regulations, and Policies

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.

None of the national trails are in the vicinity of the project site.

State Laws, Regulations, and Policies

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. The amount of land dedicated or fees paid is based upon the residential density, which shall be determined on the basis of the approved or conditionally approved tentative map or parcel map and the average number of persons per household. There shall be a rebuttable presumption that the average number of persons per household by units in a structure is the same as that disclosed by the most recent available federal census or a census taken pursuant to Chapter 17 (commencing with Section 40200) of Part 2 of Division 3 of Title 4. 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 §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. Another 95 acres of park land are needed to meet the General Plan guidelines.

Discussion:

- a. **Neighborhood and Regional Parks:** The proposed project is anticipated to add 492 residents to El Dorado Hills (see subsection XIII, Population and Housing), which would increase the demand on regional, community and neighborhood park facilities. El Dorado County will require the project applicant to pay park impact fees in lieu of dedication of public parkland pursuant to the Quimby Act prior to issuance of building permit. Impacts would be less than significant. No further analysis is required in the EIR.
- b. **On-Site Recreational Facilities:** The proposed project would provide its own on-site recreational facilities (pool, outdoor common area, and clubhouse with fitness facilities and other amenities). It does not include recreational facilities that would be available for public use or that would be constructed for such use. The construction of the on-site recreation facilities would have the potential to result in environmental impacts. An analysis of potential environmental impacts will be provided in the EIR.

XVI. TRANSPORTATION/TRAFFIC. <i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	X			
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				X
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e. Result in inadequate emergency access?			X	
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	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

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.

According to 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 exempt from these standards and are allowed to operate at LOS F, see General Plan Table TC-2. 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, or
- 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:

- a. **Traffic Increases:** The proposed project is a 214 unit multi-family residential development with a five-level parking garage. Operation of the proposed project would permanently increase vehicle, pedestrian, bicycle, and public transit trips on surrounding roadways. Project related construction activities would also temporarily increase vehicle trips on nearby roadways. A traffic impact assessment will be prepared for the proposed project, and the methodology, findings, and conclusions of the analysis will be provided in the EIR.
- b. **Conflict with an applicable congestion management program:** The County has no congestion management plan that is applicable to the project site or vicinity. There would be no impact. No further analysis is required in the EIR.
- c. **Air Traffic:** The project would not result in a change in established air traffic patterns for publicly or privately operated airports or landing fields in the project vicinity. There are no public or private airports within 2 miles of the project site, and it is not within an airport land use plan boundary. There would be no impact and no further analysis is required in the EIR.
- d. **Design Hazards:** The existing roadway network that provides access to the project site would not be modified, and no new roadways would be constructed. The proposed project would provide a new driveway along Vine Street, and a motor court and driveway would be located along Town Center Boulevard. However, the design of the proposed project would not cause a permanent alteration to the local vehicular circulation routes and patterns, or impede public access or travel on any public rights-of-way and no design hazards would be created. Further, the final design of the proposed project, including curb cuts, ingress, egress, and other streetscape changes, would be subject to review by the El Dorado County Community Development Agency (CDA) Transportation Division and would be required to comply with all requirements of the Division. Impacts would be less than significant and no further analysis is required in the EIR.
- e. **Emergency Access:** The El Dorado Hills Fire Department has reviewed the proposed project and will require all access roadways and fire hydrant systems be installed and in service prior to any combustible materials being brought onto the site. An emergency access connection would be provided between Town Center Boulevard and Mercedes Lane. Project conditions of approval will require that the project landscaping plan exclude the planting of any trees adjacent to the Fire Apparatus Access road on the west side of the project site that could impede fire apparatus access when fully grown. Impacts would be less than significant. No further analysis is required in the EIR.
- f. **Alternative Transportation.** Implementation of the proposed project would increase demand for pedestrian and bicycle facilities. The project is located in the Town Center Specific Plan area, which is a mixed-use development. Implementation of the proposed project would also increase transit demand. Project impacts on pedestrian and bicycle facilities and public transit will be evaluated in the traffic impact analysis and analyzed further in the EIR.

XVII. TRIBAL CULTURAL RESOURCES. <i>Would the project cause a substantial adverse change in the significance of a tribal cultural resources defined in Public Resources Code 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 America 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 the Public Resources Code section 5024.1. In applying criteria set forth in subdivision (c) of the Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	X			

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 became 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. A provision of 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:

- a. 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

- b. 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 TRCs with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource.

Discussion:

- a-b. **Tribal Cultural Resources.** The geographic area of the project site is not known to contain any TCRs. Nevertheless, the County has commenced consultation with the NAHC and the local tribes pursuant to AB 52. The results of these consultations will be included in the EIR.

XVIII. UTILITIES/SERVICE SYSTEMS/ENERGY. <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	
h. Create demand for electricity or natural gas service that would require or result in the construction of new electricity or natural gas facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	X			
i. Result in inefficient, wasteful, or unnecessary consumption of energy?	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 (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 (CEC 2015a). 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 (CEC 2015a). 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 (CEC 2015b).

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 (CEC 2012). The standards are updated on an approximately 3-year cycle. The 2013 standards went into effect on July 1, 2014.

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).

Assembly Bill 341- Mandatory Commercial Recycling (MCR)

Assembly Bill 341 (AB 341), which is designed to help meet California's recycling goal of 75% by the year 2020, took effect on July 1, 2012. This law requires multi-family housing complexes with five or more units, to adopt recycling practices.

Assembly Bill 1826 - Mandatory Commercial Organics Recycling (MORe)

Assembly Bill 1826 (AB 1826) requires businesses, including multifamily residential dwellings that consist of five or more units, and generate a specified amount of organic waste per week, to arrange for recycling services for that waste. The law uses a tiered implementation schedule, which phases in requirements over time (starting in April 2016) based on the amount and type of organics or waste the business produces on a weekly basis. The law requires that covered multifamily residential dwellings arrange for recycling service for the following types of organic wastes: green waste, landscape and pruning waste, and nonhazardous wood waste (but not food waste or food-soiled paper).

Local Laws, Regulations, and Policies

El Dorado County General Plan

The County General Plan contains goals, objectives, and policies related to services critical to the County's future growth and development. The following are relevant goals, objectives, and policies:

Housing Element

Goal HO-5, *Energy Conservation*, seeks to increase the efficiency of energy and water use in new and existing homes, and includes Policy HO-5.1.

Public Services and Utilities Element

Goal 5.1, *Provision of Public Services*, including Objective 5.1.2, *Concurrency*, which addresses the County's cooperation with service and utility providers, and associated Policies 5.1.2.1, and 5.1.2.2, which provide for minimum levels of service (Table 5.1 of General Plan).

Goal 5.2, *Water Supply*, which addresses the development or acquisition of water supply and includes Objective 5.2.1, *County-Wide Water Resource Program*, and implementing Policies 5.2.1.2, 5.2.1.3, 5.2.1.4, 5.2.1.6, 5.2.1.9, 5.2.1.11, and 5.2.1.12.

Goal 5.3, *Wastewater Collection and Treatment*, which addresses provision of wastewater infrastructure, and includes Objective 5.3.1, *Wastewater Capacity*, and implementing Policies 5.3.1.1 and 5.3.1.7.

Goal 5.4, *Storm Drainage*, including Objective 5.4.1, *Drainage and Flood Management Program*, and implementing Policies 5.4.1.1 and 5.4.1.2.

Goal 5.5, *Solid Waste*, including Objective, 5.5.2, *Recycling, Transformation, and Disposal Facilities*, and implementing Policy 5.5.2.1.

Goal 5.6, *Gas, Electric, and Other Utilities Services*, including Objective 5.6.1, *Provide Utility Services*, and implementing Policies, 5.6.1.1 and 5.6.1.2; and Objective 5.6.2, *Encourage Energy Efficient Development*, and implementing Policies 5.6.2.1 and 5.6.2.2.

Conservation and Open Space Element

Goal 7.3, *Water Quality and Quantity*, including Objective 7.3.5, *Water Conservation*, and implementing Policies 7.3.5.1, 7.3.5.4, and 7.3.5.5.

The County General Plan also identifies a program to implement the goals identified above and the objectives and policies under each of the goals. The implementation program identifies that the County will establish a means, either through formal agreement or identification of formal contacts, for various County agencies and departments to communicate with non-County utility providers (e.g., potable water providers, recycled water providers, wastewater treatment providers) regarding the planning for the provision of services and their relationship to the County General Plan and the County's long-range or capital improvement plans.

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. **Wastewater Requirements:** The El Dorado Irrigation District (EID) provides wastewater collection and treatment services to the project area. EID has the following four permitted wastewater collection systems: El Dorado Hills, Deer Creek, Camino Heights, and Gold Ridge Forest. The project would be served by the El Dorado Hills Collection System, which consists of a series of lift stations, force mains, and gravity mains that convey wastewater to the El Dorado Hills Wastewater Treatment Plant (EDHWWTP). Wastewater generated during operation of the proposed project could impact the capability of the EDHWWTP to meet the RWQCB's discharge requirements. Therefore, this issue will be analyzed further in the EIR.
- b. **Construction of New Facilities:** EID will provide water and recycled water service to the project site. Water and recycled water are conveyed to users in the project area via several water mains of varying sizes. As discussed above in Section XVIII(a), wastewater generated on the project site would be treated at the EDHWWTP. The project would potentially affect existing on-site water, recycled water, and wastewater lines and/or off-site wastewater, water, and recycled water facilities. These issues will be analyzed further in the EIR.
- c. **New Stormwater Facilities:** The project would construct buildings, a central parking structure with driveway access, sidewalks, and other hardscaping. The project site is currently vacant and undeveloped. The project would increase the amount of impervious surface at the project site up to a maximum of 80 percent. The increase in impervious surface could change the rate and volume of stormwater runoff from the project site. A preliminary drainage plan has been prepared for the project and is shown in **Figure 16**. The El Dorado County Community Development Agency Transportation Division (EDCDT) has reviewed the proposed design and will require the project to implement the following standard conditions to address storm drainage impact:
- **Drainage Study/SWMP Compliance.** The project applicant shall provide a drainage report at the time it submits an application for improvement plans or a grading permit, consistent with the Drainage Manual and Stormwater Management Plan (SWMP), and current MS4 Post-Construction requirements, which addresses stormwater runoff increase, impacts to downstream facilities and properties, and identification of appropriate stormwater quality management practices to the satisfaction of the EDCCDA. The Drainage Study must demonstrate the project has adequate existing and proposed storm drain facilities.
 - **Drainage Easements.** The site plans shall show drainage easements for all on-site drainage courses and facilities, and those easements shall be included on improvement plans.
 - **NPDES Permit.** At the time that an application is submitted for improvement plans or a grading permit, the project applicant shall file a "Notice of Intent" (NOI) with the SWRCB to comply with the Statewide General NPDES Permit for stormwater discharges associated with construction activity. A copy of the NOI application shall be submitted to the County, prior to building permit issuance.
 - **Post-Construction Stormwater Drainage Best Management Practices (BMPs).** Storm drainage from on- and off-site impervious surfaces (including roads) shall be collected and routed through specially designed water quality treatment facilities (BMPs) for removal of pollutants of concern (e.g., sediment, oil/grease, metals). The BMPs shall be designed to minimize, infiltrate, filter, and/or treat stormwater runoff with the County's West Slope Development and Redevelopment Standards and Post Construction Storm Water Plan Requirements pursuant to the current MS4 Permit (Order #2013-0001-DWQ, NPDES #CAS000004). The proposed BMPs shall be shown on the improvement plans, and the project applicant shall verify the proposed BMPs are appropriate to treat the pollutants of concern.

- **Storm Drain Labeling.** All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to the Storm Water Quality Design Manual for the Sacramento and South Placer regions. All stamps shall be approved by the El Dorado County inspector prior to being used.

Implementation of these standard conditions would ensure storm drainage facilities are adequate to accept project flows. It is anticipated storm drain improvements would be on-site, with connections to existing points of connection in adjacent roadways. Impacts would be less than significant. No further analysis is required in the EIR.

- d. **Sufficient Water Supply:** Water supply to the project site is provided by EID. The project would also utilize recycled water in conformance with EID's Recycled Water Design and Construction Standards. Buildout of the proposed project would create an increase in water demand compared to existing conditions on the project site. Further evaluation in the EIR is necessary to determine the project's impact on water supplies, including but not limited to, an evaluation of the new project demands within the County's projected demand for water, and the consistency of those demands with EID's 2015 UWMP and 2016 Water Resources and Service Reliability Report.
- e. **Adequate Wastewater Capacity:** See **Responses XVIII(a)** and **XVIII(b)**, above.
- f-g. **Solid Waste Disposal and Requirements:** The project site is located within the El Dorado Hills Community Services District (EDHCSD) boundary. EDHCSD contracts with El Dorado Disposal Service, a Waste Connections Company, for franchised solid waste collection, disposal, and recycling services. El Dorado Disposal Service transports waste to the Western El Dorado Recovery Systems (WERS) Transfer Station and Material Recovery Facility, located at 4100 Throwita Way in Placerville. The WERS Transfer Station and Material Recovery Facility handles mixed municipal waste and has a maximum permitted throughput of 400 tons per day.

After undergoing processing, non-recyclable wastes from the WERS Transfer Station and Material Recovery Facility are delivered to the Potrero Hills Landfill, located at 3675 Potrero Hills Lane, in Suisun City. The landfill handles several different types of waste, including agricultural, ash, construction and demolition, industrial, mixed municipal, sludge, and tires. The Potrero Hills Landfill has a maximum permitted capacity of 83.1 million cubic yards. The landfill receives a maximum disposal of 4,330 tons per day. The estimated closure date for the facility is 2048.⁸

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.

The proposed project would generate solid waste during construction and occupancy. County EMD has stated the project would be required to comply with CALGreen Section 5.408, which requires that a minimum of 50 percent of non-hazardous construction waste is recycled or salvaged for reuse, or meet the local construction and demolition (C&D) waste management ordinance, whichever is more stringent.⁹

The proposed project would generate approximately 856 pounds of solid waste per day (156.2 tons per year)¹⁰, which would not represent a substantial contribution to the waste stream at the County's Material Recovery Facility (MRF) or landfills where County-generated waste is disposed. Further, the project would be required to comply with AB 341 and AB 1826, and the County operates a comprehensive recycling program, which would reduce the amount of solid waste. Impacts would be less than significant. No further analysis is required in the EIR.

⁸ *Potrero Hills Landfill Solid Waste Facility Permit # 48-AA-0075*, <http://www.calrecycle.ca.gov/SWFacilities/Directory/48-aa-0075/Detail/>, accessed April 18, 2016.

⁹ *Effective 1/1/2017, CalGreen will change to increase the mandated diversion rate from 50% to 65%.*

¹⁰ *Waste generation rate = 4 lbs/dwelling unit/day. Source: CalRecycle Estimated Solid Waste Generation Rates for Commercial, Service, and Residential uses*, <http://www.calrecycle.ca.gov/wastechar/wastegenrates/Service.htm>, accessed March 31, 2016.

- h-i. **Energy Usage and Conservation:** The State CEQA Guidelines recommend that the discussion of applicable energy impacts focus on whether the project would result in the wasteful, inefficient, or unnecessary consumption of energy. Projects that incorporate conservation measures to avoid wasteful energy usage facilitate long-term energy planning and avoid the need for unplanned or additional energy capacity. The project area is within the Pacific Gas and Electric (PG&E) service area for natural gas and electricity.

Project construction would consume electricity, as well as gasoline and diesel through operation of heavy-duty construction equipment and vehicles. Electricity, natural gas, and gasoline would be used during operation of the proposed project. Energy usage associated with the proposed project will be estimated and evaluated to determine whether the project would result in significant impacts related to energy facilities and resources. The project's energy impacts will be analyzed further in the EIR.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	X			
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	X			
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	X			

Discussion:

- a. The potential for significant impacts is identified in this Initial Study related to biological resources and cultural resources. These topic areas will be analyzed further in the EIR.
- b. The potential for significant impacts is identified in this Initial Study related to air quality, biological resources, cultural resources, GHG emissions, land use and planning, noise, transportation and traffic, and utilities and service systems, including energy. Cumulative impacts related to these topic areas will be analyzed further in the EIR.

For those topic areas which will not be analyzed further in the EIR (i.e., Aesthetics, Agricultural and Forestry Resources, Geology/Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Mineral Resources, and Population and Housing) either no impacts or less than significant impacts have been identified for the reasons discussed in each topic area in this Initial Study. With respect to Agricultural and Forestry Resources and Mineral Resources, for which there would be no project impact, the project would make no contribution to a cumulative impact. With respect to Aesthetics, the project would comply with EDH Design Guidelines, the purpose of which is to guide the development of the site for multi-family residential uses in a manner that would be consistent with the visual character of surrounding commercial and retail development and ensure consistency with the zoning code (as amended by the project) and General Plan policies. As a result, the project's less than significant aesthetic impacts will not make a cumulatively considerable contribution to cumulative impacts on the visual quality of the area. Regarding Geology and Soils, a project's impacts are typically site specific and except under unusual circumstances, do not cumulate with similar impacts from other past, present and reasonably foreseeable projects. Such unusual circumstances do not exist in this instance. Regarding Hazards and Hazardous Materials, due to its residential nature, the proposed project would not involve routine use of hazardous materials that could result in off-site consequences and combine

with the effects of other past, present and reasonably foreseeable projects. With respect to Hydrology and Water Quality, as with all new development, the proposed project will be required to minimize its construction-phase and operations water quality impacts in compliance with NPDES requirements related to stormwater, which will render the project's contribution cumulatively not considerable. With regard to Population and Housing, the proposed project would not displace housing, the population increase due to the project would be within the growth projections of the County, and the project's contribution to cumulative impacts would not be considerable.

- c. Operation of the proposed project could result in potentially significant impacts related to air quality, biological resources, cultural resources, GHG emissions, land use and planning, noise, transportation and traffic, and utilities and service systems, including energy. All of the potentially significant impacts identified in this Initial Study could have direct or indirect substantial adverse impacts on human beings. These impacts will be analyzed further in the EIR.

INITIAL STUDY ATTACHMENTS

- Figure 1.....Vicinity Map**
- Figure 2.....Preliminary Site Plan**
- Figure 3.....Preliminary Project Site Plan First Level**
- Figure 4.....Preliminary Project Site Plan Second Level**
- Figure 5.....Preliminary Project Site Plan Levels 3 and 4**
- Figure 6.....Preliminary Project Roof Plan**
- Figure 7.....Preliminary Illustrative Project Elevations**
- Figure 8.....Preliminary Illustrative Project Elevations**
- Figure 9.....Preliminary Illustrative Project Elevations**
- Figure 10.....Preliminary Project Building Sections**
- Figure 11.....Town Center Piazza Rendering**
- Figure 12.....Preliminary Project Materials Elevation**
- Figure 13.....Preliminary Open Space Plan**
- Figure 14.....Preliminary Landscape Plan**
- Figure 15.....Preliminary Utility Plan**
- Figure 16.....Preliminary Grading and Drainage Plan**

SUPPORTING INFORMATION SOURCE LIST

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Scoping Comments

DEPARTMENT OF TRANSPORTATION

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*Making Conservation
a California Way of Life. Jerry*

April 28, 2017

03-ED-2017-00060
SCH# 2017042017

Mel Pabalinas
2850 Fairlane Court, Building C
Placerville, CA 95667

Notice of Preparation (NOP) draft Environmental Impact Report (DEIR) for the El Dorado Hills Apartment

Dear Mr. Pabalinas:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development-Intergovernmental Review (LD-IGR) Program reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

The El Dorado Hills Apartments proposes a 4-story, 214-unit apartment complex located within the existing El Dorado Hills Town Center commercial development, in El Dorado Hills. The site is bordered by private roads on the north (Mercedes Lane), east (Vine Street), and south (Town Center Boulevard), and by the Town Center Lake to the west. It is approximately 500 feet south of U.S. Highway 50. The following comments are based on the DEIR received:

Traffic Impact Mitigation (TIM) Fees

Caltrans understands that the project proponent will pay fees into the TIM fee program that will go towards improvements on the State Highway System (SHS) and parallel improvements that will lessen the impacts to the SHS. If this is not the case, we request that that transportation analysis include the project's impacts on the SHS, and mitigation measures consistent with the County General Plan, that reduces Vehicle Miles Traveled on the SHS. The analysis should consider improvements to pedestrian, bicycle and transit infrastructure that reduce VMT impacts.

Please provide our office with copies of any further actions related to this project. We would appreciate the opportunity to review and comment on any changes related to this development.

Mr. Mel Pabalinas
April 28, 2017
Page 2

If you have any questions regarding these comments or require additional information, please contact Jennifer Jacobson, Intergovernmental Review Coordinator, at (916) 274-0639 or by email at jennifer.jacobson@dot.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Eric Fredericks". The signature is written in a cursive style with a large, looping "E" and "F".

ERIC FREDERICKS
Office of Transportation Planning – South Branch

c: State Clearinghouse

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Blvd., Suite 100
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April 28, 2017

Mel Pabalinas
El Dorado County

Sent by Email: rommel.pabalinas@edcgov.us

RE: SCH#2017042017, El Dorado Hills Apartment/A16-001, Z16-0004, SP86-0002-R3, PD94-0004-R3, El Dorado County

Dear Ms. Pabalinas:

The Native American Heritage Commission has received the Notice of Preparation (NOP) for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project 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. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. **Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. **Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public

agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
- a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
- a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
- a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).
7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).
9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).
10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code § 65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at:
<http://nahc.ca.gov/resources/forms/>

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have been already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.

- b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
- 4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions, please contact me at my email address: sharaya.souza@nahc.ca.gov.

Sincerely,



Sharaya Souza
 Staff Services Analyst
 cc: State Clearinghouse



2017 APR 28 AM 11:42
RECEIVED
PLANNING DEPARTMENT



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

27 April 2017

Mel Pabalinas
El Dorado County
2850 Fairlane Court, Building C
Placerville, CA 95667

CERTIFIED MAIL
91 7199 9991 7036 6989 0691

COMMENTS TO REQUEST FOR REVIEW FOR THE NOTICE OF PREPARATION FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, EL DORADO HILLS APARTMENT / A16-0001, Z16-0004, SP86-0002-R3, PD94-0004-R3 PROJECT, SCH# 2017042017, EL DORADO COUNTY

Pursuant to the State Clearinghouse's 5 April 2017 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Notice of Preparation for the Draft Environment Impact Report* for the El Dorado Hills Apartment / A16-0001, Z16-0004, SP86-0002-R3, PD94-0004-R3 Project, located in El Dorado County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley



amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/.

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:

http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit

requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Caltrans Phase I MS4 Permit, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/caltrans.shtml.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance (i.e., discharge of dredge or fill material) of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements

Discharges to Waters of the State

If USACOE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

Land Disposal of Dredge Material

If the project will involve dredging, Water Quality Certification for the dredging activity and Waste Discharge Requirements for the land disposal may be needed.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk

Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

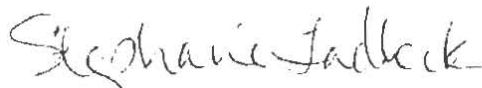
NPDES Permit

If the proposed project discharges waste that could affect the quality of the waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.



Stephanie Tadlock
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

ENVIRONMENTAL ISSUES & IMPACTS

CEQA requires consideration of the following topics:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology/Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population/Housing
- Public Services
- Recreation
- Traffic/Transportation
- Tribal Cultural Resources
- Utilities/Service Systems
- Mandatory Findings of Significance

Note: Any identifying information provided will become part of the public record and, as such, must be released to any individual upon request.

Written Comment Form

Use the space below to comment on areas of concern regarding the scope and content of the Draft EIR, and offer potential alternatives and/or measures to avoid or reduce environmental impacts.

AGAIN!! PUT IN A Appendix -

Something for the committee not just ~~highlighting~~ ^{summarizing} project ^{product}

TRAFFIC!!!

CONTACT INFORMATION (Optional, please print clearly)

Name: _____ Representing Agency or Organization: _____

Address: _____ City/State/Zip: _____

----- Forwarded message -----

From: **Keith Bladen** <keithbladen@gmail.com>

Date: Mon, May 8, 2017 at 4:28 PM

Subject: Re: Feedback on Apartments in EDH Town Centre

To: rommel.pabalinas@edcgov.us

I forgot to mention the # of apartments proposed (214) is good. We need a large complex to anchor housing in TC. 100+ is not nearly enough.

Keith Bladen

On Mon, May 8, 2017 at 4:13 PM, Keith Bladen <keithbladen@gmail.com> wrote:
Mel:

I am a resident of EDH and fully support the apartment complex proposed for Town Centre. I also have conversed with neighbors in my area and to a large extent they agree that the project, with it's conceptual drawings is what we need to complete our 'downtown'. Here's the positives:

- Gives people a (luxurious) option vs. a house with a yard
- Will complete Town Centre make it more lively and not such a ghost town after 9 pm and before 9 am
- Will take hundreds of cars off the road (pretty much) once the apartment dwellers are home. You can go to the grocery store or Target, out to dinner, go to the movies, see concerts on certain nights, go to the bank, blah blah with your feet. All is a block away.
- Will drive additional business for shop owners

I and others don't get these nay-sayers. Who wants nothing but sprawl in EDH? So, let me quote a nay-sayer Lenny Pantane and 'hold you accountable to do the right thing'....complete the Centre they way it should be completed and build the apartments!

Thank you
Keith Bladen
2168 Amherst Wy
EDH, CA

--

=====
Rommel (Mel) Pabalinas, Senior Planner
El Dorado County Community Development Agency-
Development Services Division-Planning Services

Planning Division
2850 Fairlane Court
Placerville, CA 95667
Main Line 530-621-5355
Direct line 530-621-5363
Fax 530-642-0508

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ENVIRONMENTAL ISSUES &
IMPACTS

CEQA requires consideration of the following topics:

- Aesthetics
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- Public Services
- Recreation
- Traffic/Transportation
- Tribal Cultural Resources
- Utilities/Service Systems
- Mandatory Findings of Significance

Note: Any identifying information provided will become part of the public record and, as such, must be released to any individual upon request.

Written Comment Form

Use the space below to comment on areas of concern regarding the scope and content of the Draft EIR, and offer potential alternatives and/or measures to avoid or reduce environmental impacts.

It is my opinion that this project will bring immense congestion and noise pollution to the Town Center. The 214 number of apartments will most likely have 2 adult occupants each with a car. This amounts to traffic congestion with 200 plus autos. These occupants/residents will be using their cars for travel to stores, work, medical appointments, other. I do not believe "the walk everywhere" model applies here.

Remain commercial - bring a boutique hotel, or other business which will bring customers to town center!

CONTACT INFORMATION (Optional, please print clearly)

Name: Charlet Barcia Representing Agency or Organization: _____

Address: 2650 Mormon Island City/State/Zip: EDH ~~95762~~ 95762

ENVIRONMENTAL ISSUES & IMPACTS

CEQA requires consideration of the following topics:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Greenhouse Gas Emissions
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- Traffic/Transportation
- Tribal Cultural Resources
- Utilities/Service Systems
- Mandatory Findings of Significance

Note: Any identifying information provided will become part of the public record and, as such, must be released to any individual upon request.

Written Comment Form

Use the space below to comment on areas of concern regarding the scope and content of the Draft EIR, and offer potential alternatives and/or measures to avoid or reduce environmental impacts.

I AM OPPOSED TO THE EL DORADO HILLS APARTMENT PROJECT FOR SEVERAL REASONS.

THE FACT THAT 4 OR 5 KEY PROVISIONS OF THE GENERAL PLAN HAD TO BE AMENDED TO ENABLE THIS PROJECT INDICATES THAT THIS PROJECT IS A BAD FIT FOR THE TOWN CENTER. MY EXPECTATION IS THAT 200+ VEHICLES, BELONGING TO THE APARTMENT COMPLEX OCCUPANTS, WILL ADD TO TRAFFIC CONGESTION AND MAKE THE TOWN CENTER A MUCH LESS ATTRACTIVE DESTINATION FOR RESIDENTS OF EDH SO THAT THIS PROJECT WILL BE A "TIPPING POINT" RESULTING IN RESIDENTS DECIDING TO DO THEIR SHOPPING, VISITS TO RESTAURANTS AND MOVIES IN FOLSOM INCLUDING THE PALLADIO

PLANNING DEPARTMENT
RECEIVED

CONTACT INFORMATION (Optional, please print clearly)

Name: JOSEPH BURCIN Representing Agency or Organization: _____
Address: 2650 MORMON ISLAND DRIVE City/State/Zip: EDH 95762

----- Forwarded message -----

From: **PJ Carlson** <nickle1937@icloud.com>

Date: Wed, Apr 12, 2017 at 10:44 AM

Subject: El Dorado Hills Apartments Project in Town Center suggestion

To: rommel.pabalinas@edcgov.us

I am sorry to see anything of any height built on that property, but I knew something would eventually go in. I will miss the view from Bistro 33 to the carnival. Anyway, we cannot make the meeting, but wanted to mention the traffic situation that will be caused. I know you are considering that. My suggestion is to have an exit from the other side of the Town Center. That could be done by extending Mercedes Lane east to connect with Joeger Cutoff Rd. That eventually gets to Silva Valley. The Town Center Blvd that dumps onto Latrobe is already really busy and the three that dump onto White Rock Rd, without widening White Rock, will be a nightmare. Need an exit that gets folks out of Town Center without going through the town area. So, that is my suggestion. I hope you have an informative meeting.

PJ Carlson, resident
El Dorado Hills

Sent from my iPad

--

=====
Rommel (Mel) Pabalinas, Senior Planner
El Dorado County Community Development Agency-
Development Services Division-Planning Services
Planning Division
2850 Fairlane Court
Placerville, CA 95667
Main Line 530-621-5355
Direct line 530-621-5363
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From: "Cerkleski, Rick" <Rcerkleski@cloverimaging.com>
Date: May 5, 2017 4:19 PM
Subject: FW:Town Center apartment plan back ... village life 5-3-17
To: "rommel.pabalinas@edcgov.us" <rommel.pabalinas@edcgov.us>
Cc:

Hi Mel,

I am a resident of El Dorado Hills in the Highland Hills development and on our Architectural review committee for our development.

I think we are being short sited by just looking to put in apartments in this space.

Long term we will need more retail along with apartments and hotels.

Another idea would be lofts which would be a great look and attract young people to move in.

I would like to see I mixed use property of either retail at bottom with apartments/lofts above or retail and hotel/restaurants

I have sent some examples that would need to be prepared in the architectural style of town center with an old European look.

Regards,

Rick Cerkleski | V.P. Vertical Markets

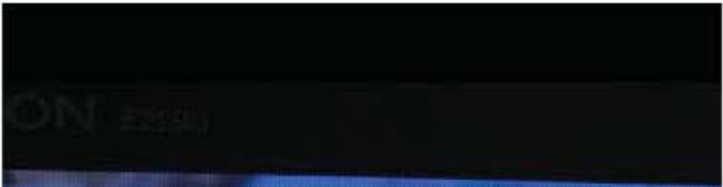
Clover Imaging Group | www.cloverimaging.com

t. 815.431.8100 x1285 | 916.933.4622 | Mobile 916-996.3001 | rcerkleski@cloverimaging.com

Learn more about Clover's major environmental impact by clicking on [Clover Sustainability Report](#)

From: Rick Cerkleski [mailto:rickdino@gmail.com]
Sent: Friday, May 05, 2017 4:08 PM
To: Cerkleski, Rick <Rcerkleski@cloverimaging.com>
Subject: Mixed use





<http://www.berkeleyside.com/wp-content/uploads/2014/08/Screen-Sh>



...further reducing cost. Sleeves under the slab leading to the plumbing
commodate grease trap locations beneath the front parking, allowing the space to house
units without demolition and disruption to install the traps. Floor-to-ceiling glazing systems
ified to increase the size of front openings of cafés.

Partnerships

Such projects are
partnerships, the public
use to lease ground-floor
the time is ripe to
space. Garland is
so in connection with
of Oaks 5th Street
to operate the space
junction with city hall

Carrollton Square

...miles (23 km) northwest
similar distance west of
at Carrollton Square, a
project developed by
Company as a catalyst
ment in a neglected part
positioned on six acres
t to the city's historic
ct and the rail station on
line expansion. The



Solid materials, tall ceilings, frequent pilasters, divided glazing systems, special light fixtures, and a covered facade articulate spaces that can be either retail or residential. (JHP)

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Urban Land > Planning & Design > Avoiding Retail Vacancies with Flexible Retail/Residential Design

Avoiding Retail Vacancies with Flexible Retail/Residential Design

By Will Macht
June 16, 2014

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The proximity of the DART light-rail line, their frequent bus service, and the presence of retail shops along Fifth Street, with mixed housing above, help create a more urban environment for Doka 5th Street Crossing in Garland, Texas. (Jonathan Brown)

Small cities that have become suburbs of larger ones often have city centers that have waned—and city governments that seek to revitalize them with mixed uses. If these city centers do not have existing viable retail cores, the introduction of the kinds of retail shops that mix with more urban housing becomes difficult.

Retailers are reluctant to open stores in places without a critical mass of other stores and shoppers. Retail space built under housing is more difficult and expensive to develop than either space alone. Lenders are especially wary of having vacant stores below rental housing. Housing developers are reluctant to hold, lease, and operate small retail spaces that are peripheral to their principal development business. Retail spaces must comply with more stringent zoning and building code requirements, require more durable materials and storefronts, and cost more to build. And architects strain to accommodate both the taller ceiling heights and parking requirements associated with retail space and the predominant housing components in such projects. Residential units on ground floors also face additional challenges with limited privacy and security at grade level.

Now architects of Dallas-based JHP Architecture/Urban Design have convinced developers and city agencies in two suburban cities in the Dallas-Fort Worth metropolitan area to experiment with a more flexible model for at-grade residential space that can more easily be converted to retail use as the market matures over a longer time frame.

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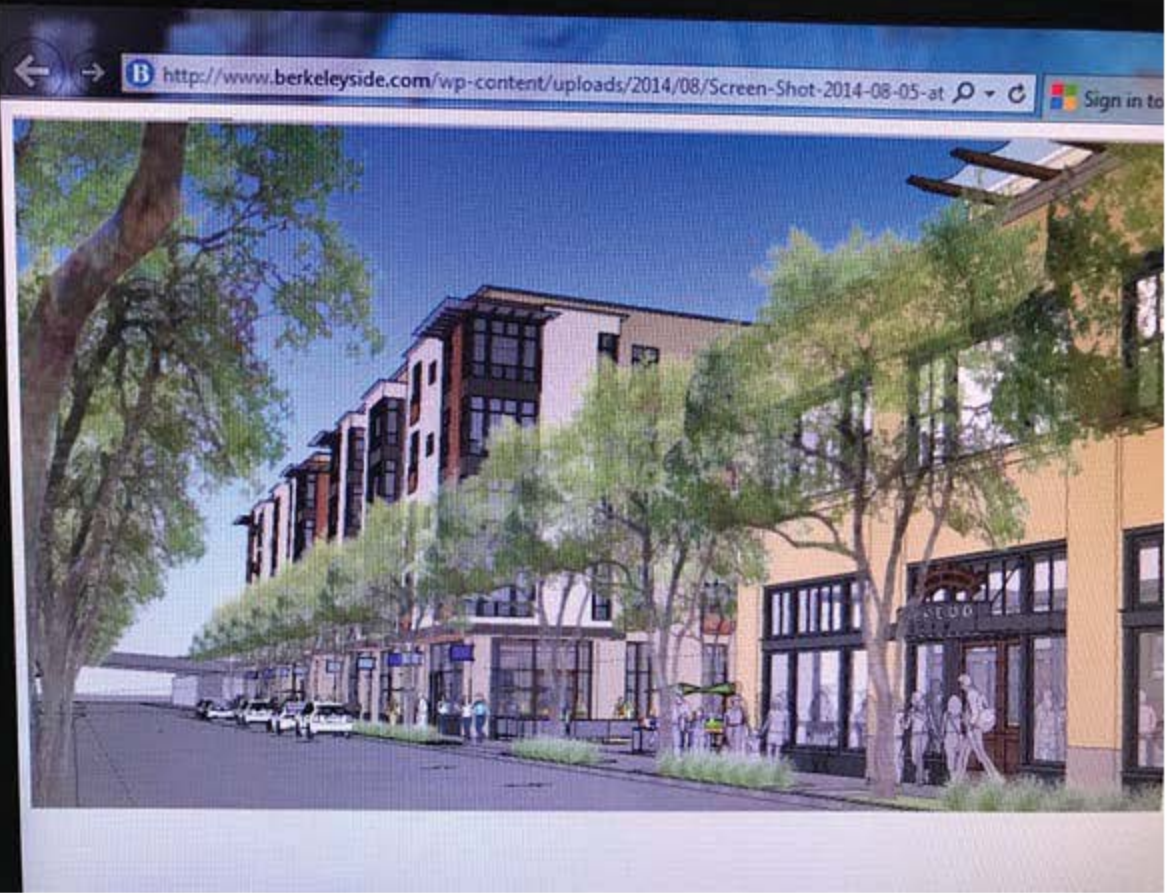
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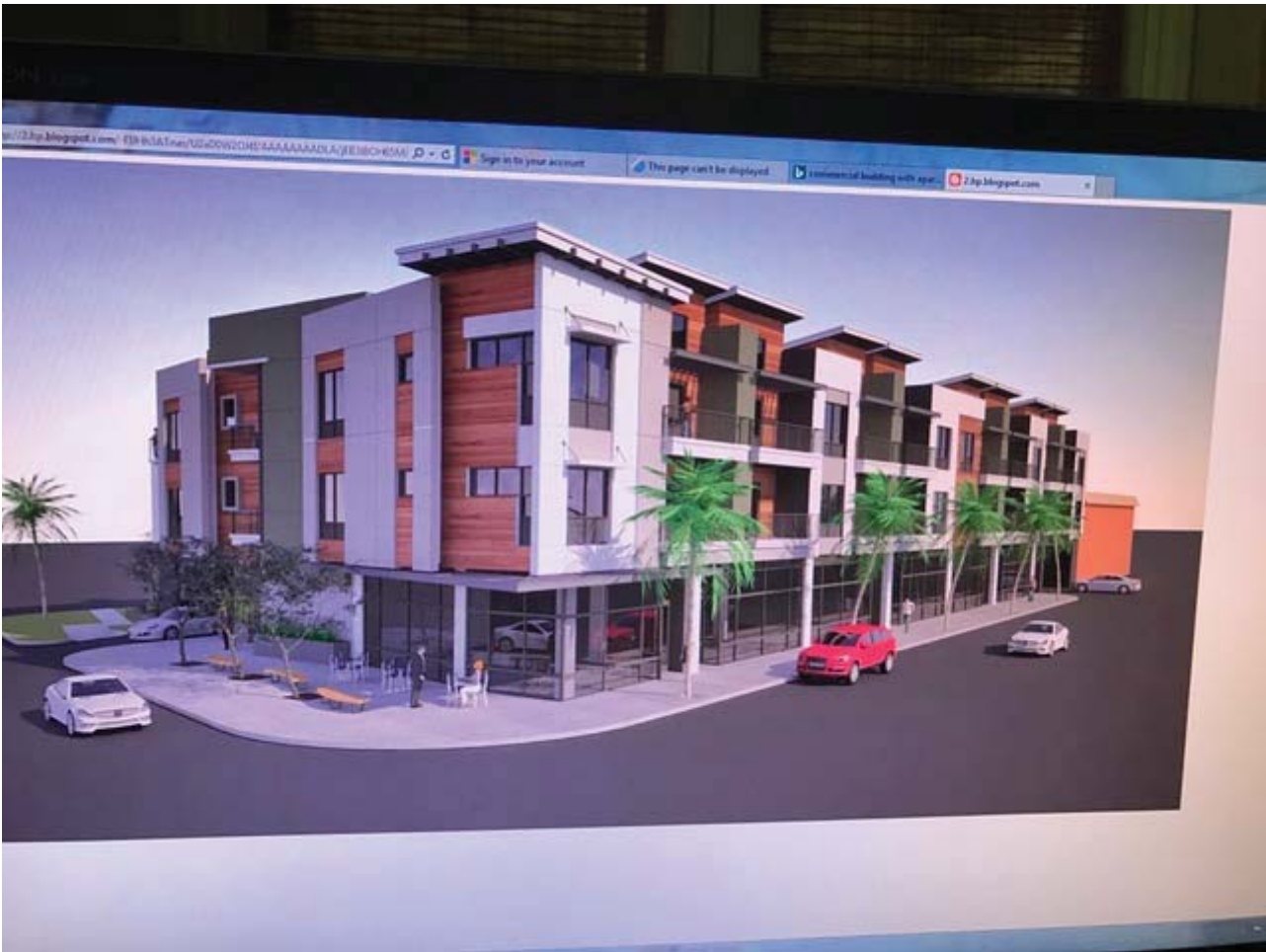
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Rick C

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From: Rommel Pabalinas [mailto:rommel.pabalinas@edcgov.us]
Sent: Monday, May 08, 2017 9:59 PM
To: Lynn Kaufman; Shabnam Barati
Subject: Fwd: Town Center Apartments

fyi

----- Forwarded message -----

From: **Brenda Collette** <brendacollette@gmail.com>
Date: Mon, May 8, 2017 at 5:22 PM
Subject: Town Center Apartments
To: rommel.pabalinas@edcgov.us

Dear Mr. Pabalinas,

I think you should consider following the current General Plan which allows 24 units per acres in the Town Center area. I see no reason to nearly double that. It appears to me, this will only benefit the builder.

Thanks for your time,

Brenda Collette

--

=====
***Rommel (Mel) Pabalinas, Senior Planner
El Dorado County Community Development Agency-
Development Services Division-Planning Services
Planning Division
2850 Fairlane Court
Placerville, CA 95667
Main Line 530-621-5355
Direct line 530-621-5363***

Fax 530-642-0508

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From: **Cathy Devito** <cadevito@hotmail.com>
Date: Mon, May 8, 2017 at 2:24 PM
Subject: Town Center Apartment plan feedback
To: "rommel.pabalinas@edcgov.us" <rommel.pabalinas@edcgov.us>

Hello Mel,

I am a new El Dorado Hills homeowner, and share the same concerns regarding increased density, traffic, and zoning.

This note is also to address feedback I've just read about in the local paper (villageLife: "Town Center apartment plan back," May 3, 2017) from those advocating for the development at the April 26 meeting, which I was unable to attend. The article may reflect author bias or over-state some of the arguments presented at the meeting, but still.....

- "many"? residents lament the fact their young adult children move elsewhere, and these apartments will keep them in EDH instead of Midtown or Folsom. really ? Town Center is no competition for Midtown or Folsom, and hopefully many residents are happy about that. Perhaps parents could be more confident their offspring can thrive, or perhaps even enjoy, moving just a few minutes away.

- new housing development is occurring in other adjacent and nearby areas to Town Center; one apartment complex is not likely to "close the gap" on needed business for the Town Center, whether 108 or 214 units. There are and will continue to be growing pains, either way; hopefully all development in the area will bring in much needed business and without the congested freeway offramp experience we now experience at E.Bidwell exit.

- It beats an empty lot. I agree and trust that 108 units is sufficient to improve an empty lot, provide additional affordable housing and bring more business to Town Center. Less

some of the charm factor of the Town Center.

Why can't the project can't stay within the General Amendments ? - they were crafted for a reason.

If the current developer doesn't find the 108-unit and other Plan guidelines sufficient to meet their profitability objectives, another developer will. They push the envelope as far as they can unless the community pushes back.

Thank you so much for your attention and I appreciate your service to the community.

Sincerely,

Cathy Devito

3311 Bellingham Place

El Dorado Hills, CA 95762

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Rommel (Mel) Pabalinas, Senior Planner
El Dorado County Community Development Agency-
Development Services Division-Planning Services
Planning Division
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The County will hold a public scoping meeting to provide additional information about the project and to receive verbal and written comments.

Date: Tuesday, April 25, 2017
Time: 6:00 p.m. to 8:00 p.m. ←
Where: El Dorado Hills Fire Department
1050 Wilson Blvd.
El Dorado Hills, CA 95762

2017 APR 19 AM 11:50
RECEIVED
PLANNING DEPARTMENT

The scoping meeting format will be an open house; interested parties may arrive at any time during the 2-hour window to receive information on the project or provide comments.

Planning -

I'm 80 yr old & don't go out at night, so writing my worries to you about this new project at Town Center.

I understand the property will be developed as the nature of vacant land. However I'm concerned about the traffic situation. My service dog "Tia" & I walk 1-2 miles every day around the "lakes walking area" & as many cars do not stop at the bridge stop signs & speed thru now - what will another 383 car parking space bring to our limited traffic roads.

I also walk to Target 3X wk & suggest, & to the vet & other stores as well as Post office to get my mail. Because it easier than juning in the morning traffic. Impossible since the 50 ft way off ramp spend onto Whitrock Rd to try & safe cross at

Fuller Sunset
with walking &
make sure our



Ms. Helen Duncan
1130 White Rock Rd. Spc 32
El Dorado Hls CA 95762-5511

make home park,
sit or dining across.
Wildlife & geese conland
on the Lakes!!

what will happen when it's another 383 cars...
Please respond as I don't have a
computer. 928-444-3632
Helen Duncan sp. 32

From: "Chrissy Gaewsky" <mschrisfish@gmail.com>
Date: Apr 18, 2017 8:20 PM
Subject: El Dorado Hills Apartments Project
To: <rommel.pabalinas@edcgov.us>
Cc:

Dear Mr. Pabalinas,

I am writing in regards to public safety with the proposed El Dorado Hills Apartments Project in the Town Center.

Having twin toddlers we frequent the area where these apartments are proposed and enjoy the pond and walkability. The area is already a bit unsafe due to many speeding down the main boulevard and not stopping at the stop signs.

As more come to live in this area I hope the planning division takes pedestrian safety into consideration.

Thank you for your time,
Christine Gaewsky

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From: "Ali Giaudrone" <ali@amgid.com>
Date: Apr 21, 2017 10:34 AM
Subject: Comments Re: EDH Apartments Project
To: <rommel.pabalinas@edcgov.us>
Cc:

Hello Mr. Pabalinas,

I received the notification about the proposed apartment project in El Dorado Hills Town Center and imagine it provokes an array of responses from our community. I am sure that it is being well-considered, but wanted to forward my thoughts to you regarding its planning and design.

A simple apartment complex would be missing the additional character needed along the boulevard to serve the community as a whole. With thoughtful execution, however, this could be an opportunity to provide a jewel for the town. It could add energy and quality of life needed here on a daily basis. Since my family and I first moved to this area in 2007, we have enjoyed aspects of this quaint, picturesque town, but also know that it would benefit from additional places for people of all ages to hang out.

A mixed-use solution would provide centrally-located residences along with additional restaurants, shops and entertainment to remain consistent with the village ambiance of town center. It would help energize the economy of the local business community while also bringing vitality to the town center felt in other thriving communities. I would also expect that the architecture will be held to the same quality standard of design found along the Boulevard and at Montaño. While development of El Dorado Hills has drawn from European villages for its architectural inspiration, we should also look at the elements that give towns soul.

It is important to place a higher value on quality for the town over profitability, where profit is a byproduct of well-thought planning and design. As an example, my home town of Portland, Oregon is a city that prides itself on its self-contained, walkable neighborhoods within its urban center. For a time I lived in an apartment on Northwest, above a market and surrounded by restaurants, cafes and shops—an ideal location for its residents. I mention this because El Dorado Hills has the potential for this kind of vitality—a thoroughly connected community with safe paths to encourage more biking and walking. A mixed-use project with quality establishments would support its residential tenants as well as draw residents from adjacent neighborhoods.

To give you a sense of my background and viewpoint, when we first moved to El Dorado Hills, I worked as a LEED-certified designer for Lionakis, an architecture firm in Sacramento. I was involved in a number of mixed-use and master planning projects. In 2008 I ventured out as an independent architectural designer and have worked selectively with various members of the community. In addition to spending

over a year on the design review committee for Serrano, I most recently designed a 10,000 square-foot Tuscan-style villa, including its outdoor living spaces—a central courtyard, master spa courtyard and poolside veranda—which is currently under construction for a local family. I can imagine a similar concept in Town Center created for its residents with commercial elements to connect it to the community as a whole.

My ultimate hope for continued development in El Dorado Hills is to accomplish it through thoughtful design that enhances our quality of life, that respects the surrounding environment and wildlife, and that promotes a connected community through its master plan. Using LEED guidelines and certified projects, we can develop sustainable solutions which make use of our climate. For this apartment project, utilizing a mixed-use solution would allow the property to serve multiple purposes and appeal to the greater community.

Thank you for your consideration,
Ali Giadrone

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From: <sociallaw@comcast.net>
Date: Apr 17, 2017 12:22 PM
Subject: Scoping Comment: Project Title: A16-0001, Z16-0004, SP86-0002-R3,
PD94-0004-R3 / El Dorado Hills Apartments
To: <Rommel.pabalinas@edcgov.us>
Cc:

Mel Pabalinas:

I have reviewed the Scoping Notice, the county website filings, and wanted to provide comment in hopes that the traffic issues (and others) will be addressed properly in the DEIR for this project.

It's pretty simple: if you want a good idea of what a bad idea this project is, don't have the meeting down the street, have a scoping meeting at one of the empty commercial offices on Town Center Blvd at commute hours. I feel sorry for the vendors that are already there, and came there thinking that ingress and egress would (or could) not get worse. I cant imagine the direct and cumulative impacts of the proposed project being any worse for the vendors already there and the community at large that travels in or around Town Center. The thought that local workers could live there ignores the cost factor reality of our community. Mitigation of the significant environmental impacts of this project, as it relates to Traffic (as well as aesthetics, land use, noise, and population), would require the invention of teleportation. If you or the developer can do that, then beam me up Mel.

Bob Gladden

El Dorado Hills resident

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From: **MacKean, Stephanie** <Stephanie_Mackean@comcast.com>
Date: Thu, Apr 13, 2017 at 10:06 AM
Subject: Notice of Draft Evironmental Impact Report - EDH Apt. Project
To: "rommel.pabalinas@edcgov.us" <rommel.pabalinas@edcgov.us>

I am a homeowner in Serrano that overlooks this proposed project.

I don't recall getting a letter from you as my neighbor did. My home address is 1431 Souza Drive, EDH, CA 95762

Can you please forward me the letter?

Thank you.

Stephanie MacKean

Comcast Spotlight

Manager of Strategic Alliances, California

1130 Iron Point Road

Suite 160

Folsom, CA 95630

Office 916-932-4411

Mobile 916-335-2262

<https://www.linkedin.com/pub/stephanie-mackean/3/7b8/b70>

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From: [Rommel Pabalinas](#)
To: [MacKean, Stephanie](#)
Subject: Re: Notice of Draft Evironmental Impact Report - EDH Apt. Project
Date: Thursday, April 13, 2017 4:21:59 PM
Attachments: [image001.png](#)

Hello, Ms. Mackean-

Per your request, the Notice of Preparation for the El Dorado Hills Apartment project can be accessed via this link (scroll half way down the page and click on the NOP information for this project)

<http://www.edcgov.us/Planning/>

The Initial Study Checklist referenced in the notice can be accessed at this link

<http://edcapps.edcgov.us/Planning/ProjectInquiryDisplay.asp?ProjectID=20754>

As a note, our listing indicates that your address is a part of our mailing list for the project.

Should you have any follow-up questions, please do no hesitate to contact me.

Thanks.

On Thu, Apr 13, 2017 at 10:06 AM, MacKean, Stephanie
<Stephanie_Mackean@comcast.com> wrote:

I am a homeowner in Serrano that overlooks this proposed project.

I don't recall getting a letter from you as my neighbor did. My home address is
1431 Souza Drive, EDH, CA 95762

Can you please forward me the letter?

Thank you.

Stephanie MacKean

Comcast Spotlight

Manager of Strategic Alliances, California

1130 Iron Point Road

Suite 160

Folsom, CA 95630

Office 916-932-4411

Mobile 916-335-2262

<https://www.linkedin.com/pub/stephanie-mackean/3/7b8/b70>

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From: <j.e.manchester@sbcglobal.net>
Date: May 3, 2017 4:48 PM
Subject: El Dorado Hills Apartments Project
To: <rommel.pabalinas@edcgov.us>
Cc:

To: Rommel (Mel) Pabalinas, Senior Planner, El Dorado County Development Services Department, Planning Division
2850 Fairlane Court, Building C, Placerville, CA 95667

Re: El Dorado Hills Apartments Project

The General Plan for the County of El Dorado has been developed over the years to maximize the careful use of the resources of El Dorado County and to prevent the deleterious effects of unrestrained and unfettered land development. The proposed entitlement requests to build these apartments would amend our General Plan. These amendments would go contrary to the careful considerations in the General Plan that address El Dorado County's traffic/transportation issues, greenhouse gas emissions, air quality and aesthetics. Specifically, this refers to the amendment to increase the maximum residential density allowed in the General Plan from 24 dwelling units per acre to 47 dwelling units per acre and the amendment to rezone the project site from General Commercial-Planned Development to Multi-Family residential resulting in 214 apartment units on the 4.565 acre site. The proposed 5-level parking structure with 383 parking spaces means that this many automobiles would be entering the area daily creating greenhouse gas emissions and affecting the air quality. The multi-story apartment buildings and five-story parking structure would be incongruous with the aesthetics and rural nature of our County. Allowing the amendment to our General Plan that would essentially double the density of apartment complexes would lead to a cascading series of events throughout the County as future developments would also be affected by this decision. If we wish to preserve the aesthetics of our County, the air quality, the biological resources, the water quality and availability, we should work within the confines of the General Plan and keep the current density of proposed apartments to a maximum of 24 dwelling units per acre.

Sincerely,

Jeanette Manchester
El Dorado Hills, CA 95762

Sent from my iPhone

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From: **Steve Mundy** <SteveMundy@comcast.net>

Date: Sun, Apr 30, 2017 at 9:27 AM

Subject: El Dorado Hills Apartments Project

To: rommel.pabalinas@edcgov.us

Hello Mel,

I attended the public meeting on April 25th at the fire station and have a better understanding of the proposed project. I am absolutely opposed to this project. Considering that area was never zoned for residences, we always expected the area to be for shopping, entertainment, restaurants, and other related businesses. That area needs to be a commercial center that keeps El Dorado County shoppers, shopping in El Dorado County. Keep our taxes in our county – not in Folsom/Sacramento County. The reason the Town Center complex continues to have high vacancy is not because it is lacking apartments in the middle of the complex. There are plenty of residents in the surrounding area to support the businesses. If the viability of the Town Center is a driving force behind rezoning this area for apartments, then we must look at the other reasons for its lack of success.

If there is a sincere belief that apartments closer to Town Center are needed, then there are location alternatives. My initial thought is between Rossmore Lane and White Rock Rd with the driveway entrance much further to the east from Vine Street, up White Rock Rd.



This would keep car traffic isolated to the main road-White Rock and not impact the traffic within the Town Center. The parking in Town Center and the flow of traffic in Town Center is terrible. Use the area in question here to improve parking and add businesses/services that compliment the existing businesses.

Thank you for your time.

Steve Mundy



Virus-free. www.avg.com

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Rommel (Mel) Pabalinas, Senior Planner
El Dorado County Community Development Agency-
Development Services Division-Planning Services
Planning Division
2850 Fairlane Court
Placerville, CA 95667
Main Line 530-621-5355
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other than the intended recipient is strictly prohibited. If you are not the intended recipient, please contact the sender immediately and permanently delete the original and any copies of this email and any attachments.

From: "Jenny Nikakis" <jennynikakis@att.net>
Date: Apr 10, 2017 6:14 PM
Subject: El Dorado Hills Apartments Project
To: <rommel.pabalinas@edcgov.us>
Cc:

Dear Mr. Pabalinas,

I do not support the construction of the apartments in the Town Centre. In my opinion, sticking these apartments in the middle of a beautiful shopping center seems completely random and out of place. There seems to be plenty of empty land in El Dorado Hills. Why choose to stick these apartments here? Sticking other family friendly stores, restaurants, entertainment, etc. in that empty lot definitely makes more sense. The Town Centre is one of the main attractions that drew me in to living in El Dorado Hills three years ago. I will be very disappointed if the empty lot ends up being turned into apartments. Thank you for hearing my opinion.

Jenny Nikakis

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ENVIRONMENTAL ISSUES & IMPACTS

CEQA requires consideration of the following topics:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology/Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population/Housing
- Public Services
- Recreation
- Traffic/Transportation
- Tribal Cultural Resources
- Utilities/Service Systems
- Mandatory Findings of Significance

Note: Any identifying information provided will become part of the public record and, as such, must be released to any individual upon request.

Written Comment Form

Use the space below to comment on areas of concern regarding the scope and content of the Draft EIR, and offer potential alternatives and/or measures to avoid or reduce environmental impacts.

- _____ 1. Is measure E in effect on this project. According to the General Plan it should be in effect. _____
- _____ 2. Please analyze the health effects upon children and adults with this proposed high density project near the freeway. _____
- _____ 3. Please analyze naturally occurring asbestos which has been identified in the vicinity of the project area. _____
- _____ 4. General plan states this property is zoned commercial and should remain commercial instead of rezoning to high density residential. _____
- _____ 5. This project is not aesthetically pleasing. Please analyze the aesthetics of high density apartments in town center. _____
- _____ 6. Please analyze additional noise for the proposed 214 apartment complex in town center. _____
- _____ 7. Please analyze how much water would be needed for the entire project. _____
- _____ 8. Please analyze the additional costs and effects of increased sewer needs for the project. _____
- _____ 9. Please analyze traffic. CalTrans states LOS F in that specific area. How will you address the county traffic study versus CalTrans? _____
- _____ 10. Please analyze how schools, which are already impacted, will handle an increase in K-12. _____
- _____ 11. Analyze the impact of wildlife in the area. _____
- _____ 12. Analyze the impact on emergency services for this project. _____
- _____ 13. Please analyze the effect upon air quality in the surrounding areas. _____
- _____ 14. Please analyze the effect upon the quality of life for the current residents of El Dorado Hills. _____
- _____ 15. The General Plan states if rezoned to residential, then only 108 units (24 units per acre) would be allowed, not 214 as currently proposed. _____
- _____ 16. Please analyze potential parking issues in Town Center and the surrounding areas due to this project. _____

CONTACT INFORMATION (Optional, please print clearly)

Name: Lenny Patane Representing Agency or Organization: _____

Address: 3513 Smokey Mountain Cir City/State/Zip: El Dorado Hills, CA 95762

From: "Sandy" <sandypeirce@gmail.com>
Date: May 6, 2017 6:57 AM
Subject: El Dorado Town Center development
To: <rommel.pabalinas@edcgov.us>
Cc:

County Senior Planner
Mr Pabalinas:

I am a resident of El Dorado Hills and I oppose the current plan for Town Center development.

I try to "shop local" if at all possible and frequent Target, the Movie Theatre, various small shops and the town center restaurants. My husband and I enjoy walking the pedestrian paths around the water features.

A 5 level parking structure will not enhance the Town Center ambiance. 214 units is far too many for that space. Increased traffic (human and machine) will be an inducement to stay away. Low rise, low density are better choices for a small Town Center. An apartment development like this proposal would be better by Palladio, even if the tax revenues go to Folsom. Or how about somewhere along Latrobe Road, keeping the tax money in our county, but not ruining Town Center?

Thank you for hearing my objections to the second Town Center proposal which I find strikingly similar to the first one.

Sincerely

Sandra PEIRCE
1070 Terracina Drive
El Dorado Hills. CA. 95762

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From: **Lindell Price** <lindellprice@gmail.com>
Date: Mon, May 8, 2017 at 5:03 PM
Subject: EIR on the El Dorado Apartments
To: Rommel Pabalinas <rommel.pabalinas@edcgov.us>

Dear Mel Pabalinas,

Here are my comments on the EIR on the El Dorado Apartments.

III. AIR QUALITY

The number of parking places seem excessive for the number of residential units. It is likely that the excess of motor vehicle use resulting from the parking will contribute to excessive amounts of ozone. Unbundling parking places from the rental of the units would reduce the cost of the units and contribute to Alternative Transportation that could improve the ambient air quality standard. This could be of significant impact and should be studied in the EIR.

X. LAND USE PLANNING.

Apartments in this location have the potential to reduce vehicle miles traveled by providing housing for people who work in the Town Center development, if appropriate pedestrian connections, including pedestrian connections to transit are provided. The excessive number of parking places needs to be reduced, and parking unbundled from apartment rental, so that people can realize the full financial benefits of reduced car ownership and fully benefit from this location.

The apartments and the development need to be built to universal design standards, so that people with disabilities can benefit from this location close to services, transit, and jobs.. Residents with disabilities and aging residents want universal design for their homes, especially in a location close to services, transit and jobs.

XVI. TRANSPORTATION/TRAFFIC.

This project can result in lower vehicle trips per resident, if appropriate active transportation connections (i.e., pedestrian, bicycling, and pedestrian and bicycling connections to public transit) are provided. Travel demand management also needs to be analyzed for inclusion in this project.

This project includes an excessive number of parking places. The excessive number of parking places needs to be reduced, and parking unbundled from apartment rental, so that residents do not have to pay for parking spaces that they do not need.

The appropriate amenities for transit use, pedestrian access and bicycling access are critical. For example, the sidewalks need to be separated from the road by a landscape or furniture zone. Sidewalks need to remain level at driveway crossings.

Alternative Transportation affected by the proposed project would increase demand for transit, pedestrian and bicycling facilities. Project impacts on pedestrian and design features for safe walking, bicycling and public transit use need to be analyzed further in the EIR. The destination, this project, has to be friendly to access by pedestrians through entrances that are not shared with motor vehicle access to the parking structure. A pedestrian circulation plan, and a bicycle circulation plan should be created for safe and convenient access to the retail areas of TCE.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE

"Universal design" needs to be provided to accommodate the use of wheel chairs in every unit, and facilitate the installation of grab bars where necessary in the future, in every unit.

Lindell Price

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Rommel (Mel) Pabalinas, Senior Planner
El Dorado County Community Development Agency-
Development Services Division-Planning Services
Planning Division
2850 Fairlane Court
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From: **Stanley Price** <2stanleyprice@gmail.com>
Date: Mon, May 8, 2017 at 4:35 PM
Subject: El Dorado Hills Apartments, EIR comments for inclusion
To: Rommel Pabalinas <rommel.pabalinas@edcgov.us>

Dear Mel Pabalinas,

Here are my suggestions for the EIR on the El Dorado Apartments.

III. AIR QUALITY

c. The number of parking places seem excessive for the number of residential units. It is likely that the excess of motor vehicle use resulting from the parking will contribute to excessive amounts of ozone. There must be an alternative use for parking beyond the residential use that should be analyzed for significant impact. Unbundling parking places from the rental of the units would reduce the cost of the units and contribute to Alternative Transportation that could improve the ambient air quality standard. This could be of significant impact and should be studied in the EIR.

X. LAND USE PLANNING.

a. The project would create a physically divided community. This is a potentially significant aspect of the development, and should be addressed. In order to minimize air pollution, alternate transportation methods for future residents to access El Dorado Hills north of State Route 50 must be addressed, and mitigated. The impact is potentially significant and further analysis is necessary in the EIR.

XV. Recreation

a. The project would increase the use of existing neighborhood and regional parks

or other recreational facilities to the extent that additional facilities would be required. This would be a potentially significant substantial physical deterioration of the current public facilities. This would have a significant impact on the County, as well as the EDHCSD, and should be analyzed in the EIR.

XVI. TRANSPORTATION/TRAFFIC.

b. The project would affect the level of service standards and travel demand measures, or other standards that the County must abide by on designated roads or highways. The huge number of parking places relative to the number of residences would create a potential significant impact and should be analyzed.

f. Alternative Transportation affected by the proposed project would increase demand for transit, pedestrian and bicycling facilities. Project impacts on pedestrian and design features for safe walking, bicycling and public transit use need to be analyzed further in the EIR. The destination, this project, has to be friendly to access by pedestrians through entrances that are not shared with motor vehicle access to the parking structure. A pedestrian circulation plan, and a bicycle circulation plan should be created for safe and convenient access to the retail areas of TCE.

Parking for bicycles in a safe, secure storage area (bicycle barn), convenient to every residential unit must be provided, including charging stations for electric assist bicycles in the storage areas.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE

b. With regard to the project and Population and Housing, the proposed project would increase housing in a commercial area. The appropriate amenities for transit use, pedestrian access and bicycling access is critical, and would constitute a significant impact, requiring mitigation. Population and Housing need to be considered in the EIR.

c. The utility of the development needs to meet the needs of seniors with disabilities. "Universal design" needs to be provided to accommodate the use of wheel chairs in every unit, and facilitate the installation of grab bars where necessary in the future, in every unit.



Stanley Price
Utilitarian Cyclists

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**Rommel (Mel) Pabalinas, Senior Planner
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From: "Dave" <dplatnum@yahoo.com>
Date: May 6, 2017 6:46 PM
Subject: Town center apartments
To: <rommel.pabalinas@edcgov.us>
Cc:

Public content

I am a USMC veteran and a current Police Officer. I currently live in Blackstone with my family, which consists of my wife and son. We regularly visit the town center for its activities, eateries and events. With the current family / night life atmosphere the town center is already walking a fine line within the community. While I enjoy taking my family out to dinner the occasional drunken bar patrons can make for an awkward experience that must be explained to my son. With that being said it is convenient on adult nights out to be able to be close to home with neighbors/friends who enjoy outing in the town center with a low key night life. =20

If you think that you can add 214 lower income houses in the middle of the town center and maintain the delicate balance you are defiantly mistaken and you have most likely not been to the town center on a busy Friday evening with your family. =20

The reason that families work so hard to be able to afford to live in this area is to avoid over populated areas with high crime. Apartment complexes throughout the nation are known to have a need for a greater police presence. I do not want to be out with my family for dinner on a patio just to see Sheriff's Deputies driving into the heart of the area to deal with a domestic violence call or a neighborhood disturbance that flows in the parking lots. =20

I strongly disagree with any high density housing in the town center.

Feel free to contact with any follow up questions. =20

Thanks you.

Dave Putman
[916 719-5935](tel:9167195935)

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From: <grandma5b1g@gmail.com>
Date: Tue, Jun 20, 2017 at 11:55 AM
Subject: Vine and Town Center development plans
To: rommel.pabalinas@edcgov.us

Thank you in advance for responding!
I would appreciate an update on the approval process of the plans for the above vacant lot.

I am opposed to apartments. I hope money will not be the driving force of the decision. Downtown EDH is unique, bordering on quaint and an apartment complex would destroy the ambiance that is there now. It would not enhance it in the least, especially if it towers over the existing buildings along the water. My husband and I love this downtown area because of all the small businesses, the beautiful buildings and the lovely lake like setting. I can tell you confidently, we both agree that we would avoid going there even though it is close and convenient now, if an apt complex is built. I see no redeeming factors unless it is money for the city--a really sad commentary indeed!

Thanks again!
Sincerely,
Doris Quintard
Blackstone Resident (3 years; Folsom resident 15 years prior)

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From: **laurel tambellini** <lalred@mac.com>
Date: Mon, May 8, 2017 at 12:14 PM
Subject: Town center apartments
To: Rommel.pabalinas@edcgov.us

We do not support the decision to bring apartment living into town center. Currently that is a save and fun place for our children to hang out in.
Sent from my iPhone

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From: **Kelly Urata** <Kelly@urataconcrete.com>
Date: Mon, May 8, 2017 at 9:52 AM
Subject: Apartment Complex in Town Center
To: "rommel.pabalinas@edcgov.us" <rommel.pabalinas@edcgov.us>

Dear Mr. Rommel,

I am writing to convey my comments regarding the 4 story, 214 unit apartment complex in Town Center. This is a bad idea and I am very disappointed that something like this would get approved in such a quaint, beautiful town center where people enjoy shopping, movies and dining. The last thing Town Center needs is the extra congestion and more apartments. This will make for more crime, nosier and less enjoyable area to frequent.

I moved to this area in 1991 and consider this one of the best places to live. I have seen more and more apartments, low income housing and building. I have witnessed the increase in crime because of the low income housing. I appreciate and I am in favor of the beautiful shopping centers but I am not in favor of a residential apartment complex in a beautiful town center. This is disturbing and disappointing.

I am also in favor of new construction and new projects but not new projects that will devalue our area. People move to El Dorado Hills because it's supposed to be a safe, small town feeling. This apartment complex will create more crime and more lower income people living in our community. I ask that you please consider our opinions and thoughts and reconsider this project.

Thank you.

Kelly K. Urata | CEO

Urata & Sons Concrete, Inc.

3430 Luyung Drive | Rancho Cordova, CA 95742

T 916.638.5364 | C 916.316.3399

kelly@urataconcrete.com | www.urataconcrete.com

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