

**FINDINGS OF FACT  
AND  
STATEMENTS OF OVERRIDING CONSIDERATION**

**SILVA VALLEY PARKWAY INTERCHANGE PROJECT**

**SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**  
**SCH# 1988050215**

**Lead Agency**

**El Dorado County**

**Findings By**

**El Dorado County Board of Supervisors**

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## **1.0 INTRODUCTION**

The California Environmental Quality Act (CEQA), (PRC §21080) and the CEQA Guidelines (14 CCR §15063) state that if it has been determined that a project may or will have significant impacts on the environment then an Environmental Impact Report (EIR) must be prepared.

In 1991, an EIR was prepared by El Dorado County (County) and certified by the Board of Supervisors for construction of the U.S. 50/Silva Valley Parkway Interchange Project. The EIR was not subsequently challenged; however, the project was not constructed in the time frame originally contemplated. In 2008 when the El Dorado County Department of Transportation (DOT) identified that adequate funds to the construct the project were to become available, it analyzed what new information was necessary to make the 1991 document adequate for current conditions.

CEQA Guidelines §15162 and §15163 set forth guidelines to assist the lead agency in determining the appropriate type of environmental document to analyze a current proposal that already has a certified document. In accordance with the CEQA Guidelines, §15163:

- (a) The Lead or Responsible Agency may choose to prepare a supplement to an EIR if:
  1. Any of the conditions described in §15162 would require the preparation of a subsequent EIR, and
  2. Only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.
- (b) The supplement to the EIR need contain only the information necessary to make the previous EIR adequate for the project as revised.
- (c) A supplement to an EIR shall be given the same kind of notice and public review as is given to a draft EIR under §15087
- (d) A supplement to an EIR may be circulated by itself without re-circulating the previous draft or final EIR.
- (e) When the agency decides whether to approve the project, the decision making body shall consider the previous EIR as revised by the supplemental EIR. A finding under §15091 shall be made for each significant effect shown in the previous EIR as revised.

Through preparation of an Initial Study for the U.S. 50/Silval Valley Parkway Interchange Project (Project), the County Department of Transportation (DOT) determined that;

1. All changes to the project which include new environmental effects or severity of effects have been determined to be minor and therefore none of the conditions described in § 15162 have occurred, and
2. Only minor modifications have occurred in the design and circumstances of the Project. These modifications include: installation of safety lighting, on-ramps to accommodate future ramp metering, HOV lanes, and California Highway Patrol enforcement areas, additional lanes added at the off-ramp intersections to improve traffic operations, and project phasing.

Therefore, only minor changes were needed to make the 1991 EIR adequately apply to the modified project. The County as Lead Agency has prepared a Supplemental EIR (SEIR) to the 1991 Silva Valley Parkway Interchange with U.S. Highway 50 EIR, (1991 EIR) consistent with CEQA Guidelines §15163.

## **1.1 Purpose and Background of Project**

The purpose of the Project, which has not changed since the 1991 EIR, is to accommodate planned growth as noted in the County's General Plan as well as the El Dorado Hills Specific Plan and to accommodate commercial and residential development within the Project area. In addition, conditions of approval for the West Valley Village Tentative Map (TM99-1359) addressed obligations and mechanisms for development and funding an interchange on Silva Valley Parkway with US 50. The 2011 Draft SEIR reanalyzed traffic patterns and concluded that the Silva Valley Interchange is necessary to mitigate level of service failures at both the El Dorado Hills Interchange and the Bass Lake Interchange. The purpose, location, and existing environmental setting for the Silva Valley Interchange Project are presented in detail in the January 2011 SEIR draft document.

## **1.2 Procedural Background**

DOT filed a Notice of Preparation (NOP) of a Supplement to the Environmental Impact Report for the Silva Valley Parkway Interchange with U.S. Highway 50 Project on May 1, 2010 with the State Clearinghouse (SCH) (SCH No. 88050215). The 30-day public comment period on the NOP ended on May 30, 2010. Comments received on the NOP were used in part to define the scope of this Draft SEIR. The NOP and copies of the comments received are included in Appendix A of the Draft SEIR.

In accordance with CEQA review requirements, the Draft SEIR was distributed for public and agency review for a 45-day period, beginning January 21, 2011 and ending March 6, 2011. The document was available for review, along with the 1991 EIR, during business hours at DOT offices, in Placerville, CA, on the DOT website, and the County Libraries in Placerville and El Dorado Hills.

The Draft SEIR Mitigation Measure NOI-1 on p. 148 previously stated "Noise producing construction activities shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday, and between 8:00 a.m. and 5:00 p.m. on weekends and federal holidays." Mitigation Measure NOI-1 had intended to include the provision for limited work for construction activities necessarily performed at night to avoid safety hazards and traffic congestion along the U.S. 50 mainline and Silva Valley Parkway.

In order to provide the public with the opportunity to comment on a clarification, within the Noise section, the Draft SEIR was re-circulated from May 09, 2011 to June 07, 2011. Pursuant to CEQA Guidelines §15088.5 (a), a lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the EIR for public review under §15087 but before certification. New "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponent have declined to implement. "Significant new information" requiring recirculation is defined to include disclosures of any of the following (§15088.5 (a)[1] through [4]):

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
- (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

If a necessary revision is limited to a few chapters or portions of an EIR, CEQA Guidelines §15088.5 (c), provides the ability for the lead agency to only recirculate the chapters or portions that have been modified. Consistent with §15088.5(c), only those applicable SEIR chapters relative to provision of night time construction activities were recirculated as follows:

1.0 Introduction

2.0 Table 1: Summary of Environmental Impacts (Noise Section Only)

3.0 Section 4.10, Noise

Consistent with CEQA §15088 and §15132, written responses to comments received during the original and recirculated DSIR distribution periods are provided within the Final SEIR.

### **1.3 Discretionary Actions**

Discretionary actions for the Project include the County's selection and implementation of the Project, acquisition of temporary construction easements, permanent right-of-way, and acquisition of and compliance with all permits necessary for construction and operation of the Project. These Findings are made by the El Dorado County Board of Supervisors pursuant to §15091 of the CEQA Guidelines.

### **1.4 General Findings**

#### **1.4.1 Terminology of Findings**

CEQA Guidelines §15091 requires that, for each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three allowable conclusions.

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant effect as identified in the FEIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

For purposes of these findings, the term "mitigation measure" constitutes a "change or alteration" as discussed above. The term "avoid or substantially lessen" refers to the effectiveness of one or more of the mitigation measures to reduce an otherwise significant or potentially significant environmental effect to a less-than-significant level.

#### **1.4.2 Location and Custodian of Records**

Pursuant to PRC §21081.6 and California Code of Regulations, Title 14, §15091, El Dorado County DOT is custodian of documents and other material that constitute the record of proceedings upon which the County's decision is based, and such documents and other material are located at the County DOT Offices, 2850 Fairlane Court, Placerville, CA.

#### **1.4.3 Certification of Final EIR**

In accordance with CEQA in adopting these findings, the Board of Supervisors considered the environmental effects as shown in the Final Supplemental EIR prior to approval. These findings represent the independent judgment and analysis of the Board of Supervisors.

These findings are based upon substantial evidence in the entire record before the Board of Supervisors. The references to the EIR set forth in the findings are for ease of reference and are not intended to provide an exhaustive list of evidence relied upon for these findings.

### **1.5 Findings for mitigation monitoring and reporting program**

A Mitigation Monitoring and Reporting Program (MMRP) was prepared for the proposed project, and was adopted with these findings, in accordance with CEQA Guidelines sections 15091(d) and 15097. DOT will use the MMRP to track compliance with applicable project mitigation measures. The MMRP will remain available for public review during the compliance period. The MMRP is attached to the Board of Supervisors Agenda Item approving this document as Attachment G. The MMRP is approved in conjunction with certification of the Supplemental EIR and adoption of these findings.

Pursuant to Section 15091(d) of the CEQA Guidelines, all feasible mitigation measures that avoid or substantially lessen the significant effects of the proposed project and that are adopted by the County become binding on the proposed project at the time of approval as requirements of the proposed project.

### **1.6 Findings Regarding Alternatives**

CEQA Guidelines §15126.6 requires discussion of a reasonable range of alternatives to a project. However, an EIR need not consider an alternative whose implementation is remote or speculative. During the preliminary engineering phase of the 1991 project, several alternatives were considered and rejected. These alternatives and the reason for their rejection are set forth in the 1991 EIR, page 19. A brief summary is as follows:

*Parclo B - Existing Undercrossing. This design would result in a weaving distance between the EDH Blvd/U.S. 50 Interchange on-ramp and the eastbound off-ramp that would not meet minimum requirements of Caltrans or the County. This short distance would create extremely hazardous conditions for motorists entering eastbound US50 from EDH Blvd and those maneuvering to exit US50 at the eastbound off-ramp. This alternative would have a substantial impact on the operation and maintenance of the PG&E substation and probably require its relocation.*

*Parclo A-B – Existing Undercrossing. This unusual Interchange includes two loop ramps on the east side of Silva Valley Parkway: a westbound loop on-ramp in the northeast quadrant and an eastbound loop off-ramp in the southeast quadrant. The capacity of this design is lower than that of either a*

*Parclo A or Parclo B design because of the larger number of conflicting movements (left turns across lanes). This Interchange design was rejected from further environmental review because it is a nonstandard configuration, it is not preferred by Caltrans, and it would not be able to accommodate the projected traffic volumes.*

*Diamond – Existing Undercrossing. The capacity of a diamond Interchange is low because of the large number of conflicting turning movements at the ramp intersections. Each intersection would require signalization. The existing undercrossing structure would constrain the storage provided for left-turn movements.*

*Parclo A – Ridge. The capacity of a Parclo A design is lower than a Parclo B design because it has more conflicting movements. The weaving distance between the westbound on-ramp and the El Dorado Hills Boulevard/U.S. 50 Interchange would be shorter than that of the proposed Parclo B at this location. In addition, the loop off-ramps would require a rapid deceleration by motorists exiting the freeway at high speeds, increasing the likelihood of accidents. This Interchange design was rejected from further environmental review because of these issues. This alternative would have a significant impact on Carson Creek on the south side of U.S. 50 and the Tong Cemetery.*

*Diamond – Ridge. In addition to the aforementioned capacity constraints, the ridge structure would also require a wider overcrossing structure to accommodate left-turn pockets. Both diamond designs were rejected from further evaluation because of their low capacity and structural constraints and requirements.*

The 1991 EIR analyzed at equal weight two build alternatives, The Ridge Design and the Undercrossing Design, as well as a No-Build Alternative. The Undercrossing Design alternative proposed to construct a similar partial cloverleaf Interchange on the current Silva Valley Parkway alignment. This design, although analyzed, was not approved by the Board. The Ridge Design was found to be the environmentally superior design in the 1991 EIR and was the alternative ultimately approved by the Board of Supervisors. (See DSEIR, Chapter 3, P. 16).

A number of factors have occurred that have prevented construction of the Interchange as approved. As a result of the delay in implementation, the project engineers have re-examined the project alternatives considered in the 1991 EIR, and have come to the same conclusions regarding alternative selection that the “Ridge Design” remains the preferred alternative.

A review of the Undercrossing Design with the Supplemental EIR revealed that it to be infeasible as it would not meet Caltrans current Interchange spacing standards and would require a design exception to locate a new Interchange closer than 1 mile from an existing Interchange. A cursory review also indicates that the additional significant and unavoidable impacts associate with the 1991 EIR evaluation of the Undercrossing Design (Temporary degradation of springs/seepage areas, substantial and unavoidable traffic detours of mainline US 50 traffic, and difficulty maintaining traffic on Silva Valley Parkway during construction) would remain so in the current document.

Additionally, the County finds that the current No Project Alternative does not meet the Project purpose of implementing roadway/circulation improvements identified in the Circulation Element of the 2004 County General Plan (El Dorado County, 2004) similar to the conclusion reached in the 1991 EIR which stated “The No-Project Alternative would result in unacceptable traffic delays”).

The project purpose has also not changed since the 1991 EIR, which is to accommodate planned growth as noted in the County's General Plan as well as the El Dorado Hills Specific Plan and to accommodate commercial and residential development of the areas surrounding the proposed Interchange. The 2011 Draft SEIR also reanalyzed traffic patterns and concluded that the Silva Valley Parkway Interchange is necessary to mitigate level of service failures at both the El Dorado Hills Blvd Interchange and the Bass Lake Road Interchange.

The County now finds that The Ridge Design is therefore the only feasible design remaining from those originally analyzed. Considering that the proposed project includes only minor modifications to the Ridge Design, no additional alternatives have been evaluated in this SEIR. Further, CEQA Guidelines §15163 (b) states "The supplement to the EIR need contain only the information necessary to make the previous EIR adequate for the project as revised." The consideration of additional alternatives is not required to make the previous EIR adequate, and therefore have not been considered in this SEIR.

The County finds that the proposed Project achieves the purpose of the Project and that no reasonable alternatives evaluated would lessen environmental effects as compared to the proposed Project while achieving the Project purpose/objectives.

## **1.7 Findings for Impacts and Mitigation Measures**

Table 1-1 of the Final SEIR summarizes each of the impacts identified in the SEIR, summarizes the mitigation measures identified for each significant and potentially significant impact, and identifies the level of significance of each impact before and after mitigation.

## **2.0 FINDINGS REGARDING LESS THAN SIGNIFICANT ENVIRONMENTAL IMPACTS**

The following impacts identified in the SEIR have been found to be less than significant, and therefore, do not require mitigation.

### **Aesthetics**

**Impact VIS-1:** Have a substantial adverse effect on a scenic vista.

**Impact VIS-2:** Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

**Impact VIS-3a:** Visual disparity with the existing rural setting caused by the alteration of viewsheds and increased ambient night lighting.

**Impact VIS-4:** Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

### **Air Quality and Global Climate Change**

**Impact AIR-2:** Violate any air quality standard or contribute substantially to an existing or projected air quality violation.

**Impact AIR -2a:** Result in violations of either the 1-hour or 8-hour state or federal CO standards in the immediate vicinity of the proposed Interchange.

**Impact AIR -2b:** Produce higher CO concentrations at the El Dorado Hills Blvd Interchange than concentrations in the immediate vicinity of the proposed Interchange (lower than concentrations under the No-Project condition, but approaching the 8-hour 9 ppm CO standard.

**Impact AIR -2c:** Produce lower concentrations at the Bass Lake Road Interchange than CO concentrations in the immediate vicinity of the proposed Interchange.



**Impact AIR-3:** 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)

**Impact AIR -3a:** Produce a direct increase in ozone precursors.

**Impact AIR -5:** Create objectionable odors affecting a substantial number of people.

**Impact GHG-2:** Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

### **Biological Resources**

**Impact BIO-1b:** Result in elimination or disturbance of annual grasslands in the project area.

**Impact BIO -1c:** Result in loss of annual grassland habitat, thereby displacing or eliminating wildlife species.

**Impact BIO -1d:** Result in elimination of purple needlegrass grassland.

**Impact BIO -1e:** Result in elimination of habitat for wildlife species associated with the purple needlegrass grassland.

**Impact BIO -1f:** Result in impacts to any special-status plant species.

**Impact BIO -4:** 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.

**Impact BIO -6:** Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community conservation Plan, or other approved local, regional, or state habitat conservation plan.

### **Cultural Resources**

**Impact CULT-1b:** Disturbance to CA-ELD-558-H.

**Impact CULT-1d:** No adverse effects exist to the Byram House.

**Impact CULT-2:** Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5.

**Impact CULT-2a:** Disturb CA-ELD-600-H.

**Impact CULT-3:** Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

### **Geology and Soils**

**Impact GEO-1:** Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving the rupture of a known earthquake fault.

**Impact GEO-3:** Expose people or structures to potential substantial adverse effects, including risk of loss, injury, or death involving seismic-related ground failure, including liquefaction.

**Impact GEO-4:** Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides.

**Impact GEO-5:** Result in substantial soil erosion or the loss of top soil.

**Impact GEO-5a:** Modification of natural runoff patterns.

**Impact GEO-5b:** Temporarily increase erosion

**Impact GEO-6b:** Natural slope instability.

**Impact GEO-6e:** Prevention of mineral resource extraction.

**Impact GEO-7:** Be located on expansive soil, creating substantial risks to life or property.

**Impact GEO-7a:** Construction on expansive soils.

**Impact GEO-8:** 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.

**Impact HAZ-3:** Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

**Impact HAZ-5:** Be located within an airport land use plan or vicinity of a private airstrip.

**Impact HAZ-6:** Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

**Impact HAZ-7:** 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.

### **Hydrology and Water Quality**

**Impact HYD-1c:** Change subsurface water quality because surface water would infiltrate the soil and be cleansed prior to possible use.

**Impact HYD-2:** 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.

**Impact HYD-3:** 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.

**Impact HYD-3a:** Result in a minor increase in impervious surfaces with minor changes in peak flow characteristics and runoff volumes.

**Impact HYD-4:** Substantially alter the existing drainage pattern of the site or area, including through 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.

**Impact HYD-4a:** Alter topographic features and roadways, thereby altering runoff drainage paths.

**Impact HYD-6:** Substantially degrade water quality.

**Impact HYD-6a:** Result in the alteration of the livestock value of the spring if construction activities degrade the water quality.

**Impact HYD-7:** Would the project 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.

**Impact HYD-8:** Would the project place within 100-year flood hazard area structures, which would impede or redirect flood flows.

**Impact HYD-9:** 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.

### **Land Use and Planning**

**Impact LU-2:** Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigation an environmental effect?

**Impact LU-2a:** Loss of Grazing Land.

**Impact LU-2c:** Land use conflicts between the Interchange and existing low-density residential development.

**Impact LU-2e:** Removal of agricultural lands currently in Williamson Act contracts.

**Impact LU-3:** Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?

### **Transportation and Traffic**

**Impact TRAF-2a:** Conflict with the improvement from LOS E (No-Project Alternative) to LOS D during the p.m. peak hour at the Latrobe Road/U.S. 50 EB Ramps intersection.

**Impact TRAF-2b:** Conflict with the improvement from LOS D (No-Project Alternative) to LOS C during a.m. peak hour at the El Dorado Hills Blvd/U.S. 50 WB Ramps intersection.

**Impact TRAF-2c:** Result in no change from LOS D (No-Project Alternative) to LOS D during the p.m. peak hour at the Bass Lake Road/U.S. 50 EB Ramps intersection.

**Impact TRAF-2d:** Conflict with the improvement from LOS F (No-Project Alternative) to LOS C during the p.m. peak hour at the White Rock Road/Latrobe Road intersection.

**Impact TRAF-2e:** Conflict with the improvement from LOS F (No Project Alternative) to LOS C during the am peak hour at the EB on-ramp of the El Dorado Hills Boulevard/U.S. 50 interchange.

**Impact TRAF-2f:** Result in no change from LOS F (No-Project Alternative) to LOS F during the p.m. peak hour at the EB on-ramp of the El Dorado Hills Blvd/U.S. 50 interchange but a substantial reduction in the V/C ratio from 2.35 to 1.06.

**Impact TRAF-2g:** Result in no change from LOS F (No-Project Alternative) to LOS F during the a.m. peak hour at the WB on-ramp of the El Dorado Hills Blvd/U.S. 50 interchange but a reduction in the V/C ratio from 1.44 to 1.24.

**Impact TRAF-2h:** Result in no change from LOS F (No-Project Alternative) to LOS F during p.m. peak hour at the WB on-ramp of the El Dorado Hills Blvd/U.S. 50 interchange.

**Impact TRAF-2i:** Conflict with the improvement from LOS F and E (No-Project Alternative) to LOS B during the a.m. and p.m. peak hour, respectively, at the WB slip off-ramp of the El Dorado Hills Blvd/U.S. 50 interchange.

**Impact TRAF-2j:** Conflict with the improvement from LOS F (No-Project Alternative) to LOS B during the a.m. and p.m. peak hour, at the WB loop off-ramp of the El Dorado Hills Blvd/U.S. 50 interchange.

**Impact TRAF-2k:** Result in no change from LOS F (No-Project Alternative) to LOS F during the a.m. and p.m. peak hours, respectively, at the WB on-ramp of the Bass Lake Road/U.S. 50 interchange.

**Impact TRAF-2l:** Result in no change from LOS F (No-Project Alternative) to LOS F on the U.S. 50 mainline in the project vicinity.

**Impact TRAF-2n:** Result in LOS F during the p.m. peak hour at the WB off-ramp of the Silva Valley Parkway/U.S. 50 interchange.

**Impact TRAF-2o:** Result in LOS E and F during the a.m. and p.m. peak hours, respectively; on the eastbound mainline of U.S. 50 between the Silva Valley Parkway and El Dorado Hills Blvd interchanges due to weaving.

**Impact TRAF-2s:** Under 2030 with project conditions, result in LOS F to during the a.m. and p.m. peak hour at the WB on-ramp of the El Dorado Hills/U.S. 50 interchange.

**Impact TRAF-3:** 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.

**Impact TRAF-4:** Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

**Impact TRAF-5:** Result in inadequate emergency access?

**Impact TRAF-6:** Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

### **Public Services and Energy**

**Impact PS-1c:** Result in interference with the access road or encroachment on the PG&E substation property.

**Impact EN-1:** Consume excessive amounts of energy.

### **Noise**

**Impact NOI-1a:** Generate peak hour Leq noise levels in excess of 60 dBA within approximately 300 feet of the centerline of Silva Valley Parkway.

**Impact NOI-3:** Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

**Impact NOI-5:** Expose people residing or working in the project area to excessive noise levels within two miles of a public airport or public use airport.

**Impact NOI-6:** Expose people residing or working in the project area to excessive noise levels within the vicinity of a private airstrip.

## **3.0 FINDINGS REGARDING SIGNIFICANT AND POTENTIALLY SIGNIFICANT IMPACTS**

The following environmental impacts identified in the SEIR have been found to be significant or potentially significant in the absence of mitigation measures. The SEIR identified mitigation measures for each of these impacts that reduce each of the impacts to less than significant levels. Findings with regard to each of the significant and potentially significant impacts identified in the SEIR and the effectiveness of the mitigation measure identified for each of these impacts are:

### **Aesthetics**

**Impact VIS-3b:** Conflicts with the residential land uses planned near the Interchange.

**Mitigation Measure VIS-1:** The County shall enter into a Cooperative Agreement with Caltrans that ensures that Interchange landscaping is designed, constructed, and maintained. Landscape plans shall be prepared by a licensed Landscape Architect. Interchange landscape design shall comply with applicable Caltrans and County standards and shall be consistent with the natural landscape characteristics.

**Finding:** The County finds that Mitigation Measure VIS-1, as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact VIS-3b to less than significant and shall be implemented as a required element of the Project.

### **Air Quality and Global Climate Change**

**Impact AIR-1a:** Result in construction equipment powered by internal combustion engines emitting an indeterminable quantity of nitrogen oxides, hydrocarbons, particulates, sulfur dioxides, and carbon monoxide.

**Mitigation Measure AIR-1:** The prime contractor shall provide an approved plan demonstrating that heavy-duty (i.e., greater than 50 horsepower) off-road vehicles to be used in the construction project, and operated by either the prime contractor or any subcontractor, will achieve, at a minimum, a fleet-averaged 15 percent NOx reduction compared to the most recent ARB fleet average. The prime contractor shall submit a comprehensive inventory to the El Dorado County AQMD of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours (total) during the construction project. The inventory shall include the horsepower rating, engine production year, and hours of use or fuel throughput for each

piece of equipment. The inventory list shall be updated and submitted monthly throughout the duration of the construction period.

**Finding:** The County finds that Mitigation Measure AIR-1, as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact AIR-1a to less than significant and shall be implemented as a required element of the Project.

**Impact AIR-4a:** Result in dust being generated during construction, causing a nuisance to neighboring land owners.

**Mitigation Measure AIR-3:** The County shall require construction contractors to comply with El Dorado County APCD Rules 223, 223-1, and 223-2. Compliance shall include, but is not limited to, implementation of the following measures:

- Application of water hygroscopic materials, or non-toxic chemical stabilizers or other specified covering on material stockpiles, wrecking activity, excavation, grading, sweeping, or clearing of land;
- Installation and use of hoods, fans and filters to enclose, collect, and clean the emissions of dusty materials;
- Covering or wetting at all times when in motion of open-bodied trucks, trailers or other vehicles transporting materials, which create a nuisance by generating particulate matter in areas where the general public has access;
- Application of asphalt, oil, water or suitable chemicals on dirt roads;
- Alternate means of control as approved by the Air Pollution Control Officer.

Pursuant to Rule 223, a person shall not cause or allow the emissions of fugitive dust from any active operation, open storage pile, or disturbed surface area, such that the presence of such fugitive dust remains visible, or exceed shade darker as that designated as No. 0 on the Ringelmann Chart, or exceed 0% opacity as determined in accordance with U.S. EPA Method 9, in the atmosphere beyond the boundary line of the emission source.

**Mitigation Measure AIR-4:** Pursuant to El Dorado County APCD Rule 223-1, the County shall submit a Fugitive Dust Control Plan to the Air Pollution Control Officer prior to the start of any construction activity. Construction activities shall not commence until the Air Pollution Control Officer has approved or conditionally approved the Fugitive Dust Control Plan. The County shall provide written notification to the Air Pollution Control Officer at least 10 days prior to the initial commencement of earthmoving activities via fax or mail.

The Fugitive Dust Control Plan shall describe all fugitive dust control measures to be implemented before, during and after any dust generating activity. Fugitive Dust Control Plan shall contain all the information described in Section 223-1.5.B of Rule 223-1. The Air Pollution Control Officer shall approve, disapprove, or conditionally approve the Fugitive Dust Control Plan within 30 days of plan submittal.

Rule 223-1 requires that visible emissions shall not exceed the shade designated as No. 0 on the Ringelmann Chart, or 0% opacity as determined in accordance with U.S. EPA Method 9, at 50 feet from the point-of-origin and at the project area boundary. Visible emissions shall not exceed the shade designated as No. 1 on the Ringelmann Chart, or 20% opacity as determined in accordance with U.S. EPA Method 9 at the point-of-origin.

The construction contractor shall retain a copy of an approved Fugitive Dust Control Plan at the project site. The approved Fugitive Dust Control Plan shall remain valid until the termination of all dust generating activities.

**Mitigation Measure AIR-5:** Pursuant to El Dorado County APCD Rule 223-2, the County shall submit an Asbestos Dust Mitigation Plan to the Air Pollution Control Officer prior to the start of any construction activity. Construction activities shall not commence until the Air Pollution Control Officer has approved or conditionally approved the Asbestos Dust Mitigation Plan. The County shall provide written notification to the Air Pollution Control Officer at least 10 days prior to commencement of earthmoving activities via fax or mail.

The Asbestos Dust Mitigation Plan shall describe all dust mitigation measures to be implemented before, during and after any dust generating activity. The Asbestos Dust Mitigation Plan shall contain all the information described in Section 223-2.5.B of Rule 223-2. The Air Pollution Control Officer shall approve, disapprove, or conditionally approve the Asbestos Dust Mitigation Plan within 30 days of plan submittal.

Rule 223-2 requires that visible emissions shall not exceed the shade designated as No. 0 on the Ringelmann Chart, or 0% opacity as determined in accordance with U.S. EPA Method 9, at 25 feet from the point-of-origin and at the project area boundary. Visible emissions shall not exceed the shade designated as No. 1 on the Ringelmann Chart, or 20% opacity as determined in accordance with U.S. EPA Method 9 at the point-of-origin. The construction contractor shall retain a copy of an approved Asbestos Dust Mitigation Plan at the project site. The approved Asbestos Dust Mitigation Plan shall remain valid until the termination of all dust generating activities.

**Finding:** The County finds that Mitigation Measures AIR-3 through AIR-5, as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact AIR-4a to less than significant and shall be implemented as a required element of the Project.

**Impact AIR-4b:** Blasting emitting an indeterminable amount of fugitive dust into the atmosphere during construction as well as smoke from the blasting charges.

**Mitigation Measure AIR-2:** Notify local residents of blasting operations and comply with all applicable local, state, and general safety and air quality regulations.

**Finding:** The County finds that Mitigation Measure AIR-2 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact AIR-4b to less than significant and shall be implemented as a required element of the Project.

**Impact GHG-1:** Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

**Mitigation Measure:** See Mitigation Measure AIR-1.

**Finding:** The County finds that Mitigation Measure AIR-1, as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact GHG-1 to less than significant and shall be implemented as a required element of the Project.

### **Biological Resources**

**Impact BIO-1a:** Result in diminished habitat for plants and wildlife.

**Mitigation Measure BIO-1:** Prepare and implement a detailed biological mitigation plan (see Mitigation Measures BIO-2 thru BIO-8).

**Finding:** The County finds that Mitigation Measure BIO-1, along with measures BIO-2 through BIO-8, as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact BIO-1a to less than significant and shall be implemented as a required element of the Project.

**Impact BIO-1g:** Loss of possible foraging habitat for Swainson's hawks

**Mitigation Measure BIO-2:** Construction activities shall be initiated outside of the Swainson's hawk breeding season (which begins in late February until August) to avoid disturbing active nests to the extent feasible. If construction must begin during the breeding season, the County/contractor shall retain a Qualified Biologist to conduct a preconstruction survey in accordance with current CDFG guidelines. The survey shall be conducted before grading activities and no more than 30 days before the beginning of construction. If no nests are found, no further mitigation is required.

If active nests are found, no construction activities shall take place within 0.25 mile of the nest until the young have fledged or authorization has been obtained from a Qualified Biologist with concurrence from CDFG. Weekly monitoring reports summarizing nest activities shall be submitted to the County and CDFG until the young have fledged and the nest is determined to be inactive. Trees found to contain active nests that must be removed as a result of project implementation shall be removed during the non-breeding season (late Sept. to late February).

**Finding:** The County finds that Mitigation Measure BIO-2, as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact BIO-1g to less than significant and shall be implemented as a required element of the Project.

**Impact BIO-1h:** Loss of possible foraging habitat for burrowing owls

**Mitigation Measure BIO-3:** Prior to grading a Qualified Biologist shall conduct preconstruction surveys (in accordance with current CDFG guidelines) of the project area and in a 250-foot wide buffer zone around the project site (excluding paved areas) to locate active burrowing owl burrows. If no burrowing owls are detected, a letter report documenting survey methods and findings will be submitted to the County and no further mitigation is required.

If active burrowing owl burrows are detected, the County shall require the following mitigation:

- Occupied burrows will not be disturbed during the nesting season (2/1 – 8/31). This shall be accomplished by establishing a 250-foot buffer around the occupied burrows. The size of the buffer may be reduced if a Qualified Biologist and CDFG determine that the reduction of the buffer would not have an adverse effect on the owls.
- If destruction of an occupied burrow is unavoidable during the nonbreeding season (9/1-1/31), passive relocation techniques approved by CDFG, such as installing on-way doors at the burrow entrance, will be used instead of trapping the owls. At least 1 week will be necessary to accomplish the passive relocation and allow the owls to acclimate to alternative burrows. After the owls have been confirmed to be absent from the burrows, the burrow entrances should be collapsed to prevent owls from re-entering the burrows.

**Finding:** The County finds that Mitigation Measure BIO-3, as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact BIO-1h to less than significant and shall be implemented as a required element of the Project.

**Impact BIO-1i:** Result in no loss of possible habitat for the tri-colored blackbird

**Mitigation Measure BIO-4:** Conduct a preconstruction nesting bird survey for MBTA-regulated species 30 days prior to construction activities would be necessary. If an active nest is found, subsequent surveys will be necessary to determine when the nest is no longer active. If no active nests are found, no further mitigation is expected to be required.

**Finding:** The County finds that Mitigation Measure BIO-4, as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact BIO-1i to less than significant and shall be implemented as a required element of the Project.

**Impact BIO-1j:** Loss of possible habitat for the red-legged frog

**Mitigation Measure BIO-5:** Retain a Qualified Biologist to conduct a habitat assessment per USFWS protocols in areas with potentially suitable habitat that will be affected.

Should no suitable CRLF habitat occur on or adjacent to the site following the habitat assessment, then no further mitigation shall be required. If CRLF habitat is determined to be present, then a presence/absence survey shall be conducted. If CRLF are not observed during the survey, then no further mitigation is expected to be necessary. If CRLF are observed, the following shall be required: obtain a no jeopardy biological opinion from the USFWS in conjunction with the Clean Water Act Permit (see BIO-11). All the terms and conditions of the BO from the USFWS shall be implemented. While at the discretion of the USFWS, the terms and conditions of the Biological will include measures to avoid and/or minimize incidental take of the species and conservation measures to ensure habitat protection.

**Finding:** The County finds that Mitigation Measure BIO-5, as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact BIO-1j to less than significant and shall be implemented as a required element of the Project.

**Impact BIO-1k:** Result in no loss of elderberry shrubs and, therefore, no impacts to valley elderberry longhorn beetle (VELB)

**Mitigation Measure BIO-6:** Implement elderberry mitigation per USFWS guidelines. Specifically, to minimize impacts on VELB habitat, the following measures shall be implemented consistent with USFWS's Compensation Guidelines for verified VELB habitat and prior to commencement of construction.

- A qualified biologist will identify and mark all elderberry shrubs in the study area containing stems 1.0 inch or greater. Orange construction barrier fencing will be installed at least 20 feet from the dripline of all elderberry shrubs or per USFWS that will be avoided to identify and protect the shrubs. No construction activities will be allowed within the fenced area without consent of the USFWS.
- Signs will be posted on the environmentally sensitive area fencing and maintained for the duration of construction. The signs will state, "This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended."
- Obtain a biological opinion from the USFWS under Section 7 and in conjunction with the Clean Water Act Permit.
- Coordination with the USFWS shall be required through preparation of the BO and VELB mitigation plan to determine that one or more of the following measures will be implemented to fully mitigate for impacts to VELB:
  - A. Transplant elderberry shrubs to a conservation area in accordance with USFWS current Conservation Guidelines for Valley Elderberry Longhorn Beetle;
  - B. Replace shrubs at a ratio from 1:1 through 8:1, depending on the diameter of the stem at ground level, whether the shrub is located in riparian or upland habitat, and if the shrub has evidence of exit holes;



- C. Plant elderberry shrubs, and five seedlings and five associated native plants, in an area of at least 1,800 square feet per transplant;
  - D. Perform maintenance, implement remedial measures, and submit reports, following the requirements in the USFWS guidelines (1999); or
  - E. To compensate for loss of habitat for VELB, the County/applicant may either acquire and manage in perpetuity a local mitigation site that is approved by USFWS for the sole purpose of compensating project impacts on VELB; or participate in a local USFWS-approved mitigation bank.
- The VELB mitigation plan shall be completed and submitted to the County and USFWS prior to grading or ground-disturbing activity within 100 feet of VELB habitat or potential habitat.

**Finding:** The County finds that Mitigation Measure BIO-6, as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact BIO-1k to less than significant and shall be implemented as a required element of the Project.

**Impact BIO-11:** Elimination of foraging habitat for several special-status raptors.

**Mitigation Measure BIO-7:** To avoid removal of active nests, vegetation removal and trimming should be conducted during the non-breeding season (August 16–January 31). If this is not possible, the following measure will be implemented:

If construction activities are anticipated to occur mainly during the nesting season for migratory birds and raptors (generally February through August), the County/applicant will retain a qualified biologist to conduct preconstruction surveys for nesting birds for all construction activities that occur within or near suitable breeding habitat. The surveys will be conducted no more than 30 days prior to the start of construction activities and will cover all affected areas, including construction areas and staging areas where ground disturbance or vegetation clearing is required. If no active nests are detected, no additional mitigation measures are required.

If surveys indicate that migratory bird or raptor nests occur in areas where construction activities will take place, a no-disturbance buffer will be established around the nest site to avoid disturbance or destruction of the nest site until after the breeding season or until a wildlife biologist determines that the young have fledged. Generally, the buffer zones are 50–100 feet for nesting passerine birds and 300 feet for nesting raptors other than Swainson's hawks. However, the extent of these buffers will be determined through coordination with CDFG and will depend on the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. These factors will be analyzed to make an appropriate decision on buffer distances. Active nests occurring in or near the study area will be monitored during construction by the onsite monitor. If the onsite monitor determines that birds on the nest are stressed (e.g., a bird constantly leaving an active nest or a bird not returning to the nest regularly to feed chicks), construction will be halted, and the County/ DFG contacted to determine a further course of action.

**Finding:** The County finds that Mitigation Measure BIO-7, as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact BIO-11 to less than significant and shall be implemented as a required element of the Project.

**Impact BIO-1m:** Although not analyzed in the 1991 EIR, the project may have a potentially significant impact on western pond turtle, as marsh and riparian habitats in the project area provide suitable habitat.

**Mitigation Measure BIO-8:** Retain a Qualified Biologist to conduct, not more than 15 days prior to construction, a preconstruction survey for adult western pond turtle(s), hatchlings and eggs, focusing on perennial marsh habitat areas and uplands within 300 feet of such potential habitat. If adult pond turtles are located in the construction area, the biologist will consult with CDFG about relocating the turtle to a suitable aquatic site outside the construction area. If an active pond turtle nest containing either pond turtle hatchlings or eggs is found, a no-disturbance buffer of 300 feet around the nest site will be established until the hatchlings have moved to a nearby aquatic site or have been relocated.

**Finding:** The County finds that Mitigation Measure BIO-8, as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact BIO-1m to less than significant and shall be implemented as a required element of the Project.

**Impact BIO-2:** Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

**Impact BIO-2a:** Bypassing and eliminating creek channel habitat for culvert extension and new culverts.

**Mitigation Measure BIO-9:** Implement wetland/waters of the U.S. mitigation as determined by Section 404 permit and agreed upon by the Corps (See BIO-11).

**Finding:** The County finds that Mitigation Measure BIO-9, (and BIO-11) as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact BIO-2 and 2a to less than significant and shall be implemented as a required element of the Project.

**Impact BIO-3:** 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.

**Impact BIO-3a:** Results in possible construction-related impacts to both creeks if debris or soils are sidecast into the channel from adjacent areas.

**Mitigation Measure BIO-10:** Protect riparian habitat and associated wetlands from construction areas according to the standards established in California Fish and Game Code 1600 and Sections 402 and 404 of the Clean Water Act. Comply with wetland/waters of the U.S. mitigation required by Section 404 of the Clean Water Act and Section 1600 of California Fish and Game Code. At a minimum, this will include replacement or restoration of disturbed habitat sufficient to achieve no net loss of function. (See also Mitigation Measures HYD-1, HYD-6 and GEO-2).

**Finding:** The County finds that Mitigation Measure BIO-10, (in conjunction with HYD-1, HYD-6 and GEO-2) as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact BIO-3 and 3a to less than significant and shall be implemented as a required element of the Project.

**Impact BIO-3b:** Elimination of wetlands including freshwater marsh habitat dominated by dense sedge (Ridge Design would eliminate 1.6 ac including 1.1 ac of freshwater marsh and 0.5 ac of habitat dominated by dense sedge)

**Mitigation Measure BIO-11:** The County shall require avoidance of wetlands to the extent practicable. Prior to any construction activities that could directly or indirectly impact jurisdictional wetlands within the project area, the contractor and/or County shall obtain a Section 404 permit from the Army Corps of Engineers (Corps), as needed, and mitigate for

the effects at a minimum 1:1 ratio to ensure “no-net-loss” through either wetland creation and/or restoration as agreed upon with the Corps.

The County shall be provided with evidence of fulfillment of this measure, including but not limited to proof of purchase of credits in a mitigation bank, or with a Habitat Mitigation and Monitoring Plan for creation of wetlands coupled with proof that the mitigation site will be preserved in perpetuity.

**Finding:** The County finds that Mitigation Measure BIO-11 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact BIO-3b to less than significant and shall be implemented as a required element of the Project.

**Impact BIO-3c:** Loss of marsh habitat, thereby eliminating sources of water for wildlife.

**Mitigation Measure:** Please see Mitigation measure BIO-11.

**Finding:** The County finds that Mitigation Measure BIO-11 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact BIO-3c to less than significant and shall be implemented as a required element of the Project.

**Impact BIO-5:** Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

**Impact BIO-5a:** Elimination of blue oaks (Ridge Design would eliminate 59 blue oaks [51 with dbh exceeding 12 inches and 8 with a dbh range of 6-12 inches].

**Mitigation Measure BIO-12:** A certified arborist shall conduct an oak woodland canopy survey in accordance with requirements of the OWMP, which include: An Oak Woodland Canopy Report shall be prepared and submitted to the County for review and approval. The report shall contain survey methodology and results and the survey results will be used to quantify impacts and mitigation requirements (i.e., percentage of canopy that would be removed, retained, and replaced) prior to tree removal.

If possible, the retention standards stipulated in the OWMP (see Table 4.4-3) shall be adhered to. If retention requirements cannot be met, then mitigation for the total area of oak woodland canopy impacted shall occur in accordance with either Option A (On-Site Mitigation, Replanting and Replacement), Option B (Conservation Fund In-Lieu Fee), or a combination of these.

**Finding:** The County finds that Mitigation Measure BIO-12 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact BIO-5 and 5a to less than significant and shall be implemented as a required element of the Project.

**Impact BIO-5b:** Result in loss or displacement of wildlife species of blue oak woodland.

**Mitigation Measure:** Please see Mitigation Measure BIO-12.

**Finding:** The County finds that Mitigation Measure BIO-12 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact BIO-5b to less than significant and shall be implemented as a required element of the Project.

**Impact BIO-5c:** Result in elimination of interior live oak trees and riparian shrubs.

**Mitigation Measure:** Please see Mitigation Measures BIO-10 and BIO-12.

**Finding:** The County finds that Mitigation Measures BIO-10 and BIO-12 as fully described in the Mitigation Monitoring Plan i(Attachment B of the Final SEIR), would reduce Impact BIO-5c to less than significant and shall be implemented as a required element of the Project.

**Impact BIO-5d:** Loss of interior live oak woodland habitat and subsequent elimination or displacement of wildlife species associated with this habitat.

**Mitigation Measure:** Please see Mitigation Measure BIO-12.

**Finding:** The County finds that Mitigation Measure BIO-12 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact BIO-5d to less than significant and shall be implemented as a required element of the Project.

### **Cultural Resources**

**Impact CULT-1:** Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5.

**Impact CULT-1a:** Result in possible adverse impacts to unknown sites.

**Mitigation Measure CULT-1:** Before initiation of construction or ground-disturbing activities associated with the project, the project applicant(s) for all project phases shall require all construction personnel to attend a training session so they are alerted to the possibility of buried cultural resources within the project site. The general contractor and its supervisory staff shall be responsible for monitoring the construction project for disturbance of cultural resources. Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the County shall be notified immediately. The project applicant(s) shall retain a County-approved qualified archaeologist who shall conduct a field investigation of the specific site and recommend mitigation deemed necessary for the protection or recovery of any cultural resource concluded by the archaeologist to represent historical resources or unique archaeological resources. The County shall be responsible for approval of recommended mitigation if it is determined by the County to be feasible in light of approved land uses. Work shall be suspended only in the immediate vicinity of the find and not across the entire project. Therefore, work may continue in other parts of the project area while evaluation and any mitigation are conducted at the location of the find.

In accordance with the California Health and Safety Code, if human remains are uncovered during construction at the project site, work within 50 feet of the remains shall be suspended immediately, and the County and the County Coroner shall be notified immediately. If the remains are determined by the County Coroner to be Native American, the NAHC shall be notified within 24 hours of that determination (Health and Safety Code Section 7050[c]), and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The NAHC will then assign a Most Likely Descendant (MLD) to serve as the main point of Native American contact and consultation. Following the coroner's findings, the MLD and the archaeologist shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed. The project applicant(s) shall be required to implement any feasible, timely-formulated mitigation deemed necessary for the protection of the burial remains. Construction work in the vicinity of the burials shall not resume until the mitigation is completed. This measure shall be included in all grading and improvement plans for all project phases.

**Finding:** The County finds that Mitigation Measure CULT-1 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact CULT-1 and CULT-1a to less than significant and shall be implemented as a required element of the Project.

**Impact CULT-1c:** Result in disturbance to portions of CA-ELD-585-H including the adits, and possibly the stamp mill, Cabin and terraces, which lie near the edge of the proposed right-of-way.

**Mitigation Measure CULT-2:** Preserve CA-ELD-585-H or require additional work.

**Mitigation Measure CULT-3:** Prior to any ground disturbing activity within the vicinity of CA-ELD-585-H, place temporary construction fencing around the stamp mill/terrace and cabin features supervised by a qualified archaeologist.

**Finding:** The County finds that Mitigation Measures CULT-2 and CULT-3 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact CULT-1c to less than significant and shall be implemented as a required element of the Project.

**Impact CULT-1e:** Result in possible adverse effects on the State Historical Landmark monument designating the site of the Mormon Tavern.

**Mitigation Measure CULT-4:** If impacted by construction, relocate the State Historical Landmark Monument. Approval must be sought from the State Office of Historic Preservation and the monument moved prior to construction in the vicinity.

**Finding:** The County finds that Mitigation Measure CULT-4 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact CULT-1e to less than significant and shall be implemented as a required element of the Project.

**Impact CULT-1f:** In addition to the impacts identified in the 1991 EIR, the updated Cultural Resource Study prepared for the proposed project found additional cultural resources in the area. These resources and potential impacts are identified in Table 5.

**Mitigation Measure CULT-5:** Prior to any ground disturbance within the vicinity of the Tong cemetery, remote sensing such as ground-penetrating radar and/or mechanized test excavations supervised by a qualified archaeologist shall be undertaken between the cemetery and the freeway. If graves are discovered during or subsequent to the remote sensing, and cannot be avoided by construction, then the archaeologist will coordinate with El Dorado County to disinter, remove, transport and re-inter the remains. In addition, temporary construction fencing shall be placed around the cemetery to protect it from accidental damage prior to construction of the retaining wall and/or utilities. Placement of the temporary fencing and construction of the retaining wall and any above-ground or below-ground utilities shall be monitored by a qualified archaeologist.

**Mitigation Measure CULT-6:** As previous efforts through archival research and surface examination to precisely locate the Hall/Richmond cemetery have failed, physical efforts such as remote sensing and/or mechanized test excavation shall be undertaken prior to any ground disturbing activity between the freeway and the existing Tong Road. A qualified archaeologist shall be consulted to locate the grid for remote sensing, such as ground penetrating radar. If mechanized test excavations are undertaken, a qualified archaeologist shall supervise the excavations. If graves are discovered and cannot be avoided by construction, then the archaeologist will coordinate with El Dorado County to disinter, remove, transport and re-inter the remains. If graves can be avoided, but surface of cemetery must be graded or otherwise adversely affected, then cemetery and/or graves shall be marked to avoid future disturbance.

**Finding:** The County finds that Mitigation Measure CULT-5 and CULT-6 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact CULT-1f to less than significant and shall be implemented as a required element of the Project.

**Impact CULT-4:** Disturb any human remains, including those interred outside of formal cemeteries.

**Impact CULT-4a:** No adverse effects to the Tong Cemetery portion of CA-ELD-585-H, because a retaining wall has been designed to protect this portion of the site.

**Mitigation Measure:** See Mitigation Measure CULT-5

**Finding:** The County finds that Mitigation Measure CULT-5 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact CULT-4 and CULT-4a to less than significant and shall be implemented as a required element of the Project.

**Impact CULT-4b:** Possible disturbance to the Hall/Richmond Cemetery

**Mitigation Measure:** See Mitigation Measure CULT-6

**Finding:** The County finds that Mitigation Measure CULT-6 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact CULT-4b to less than significant and shall be implemented as a required element of the Project.

### **Geology and Soils**

**Impact GEO-2:** Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking.

**Mitigation Measure GEO-1:** A project specific geotechnical report shall be prepared. All recommendations included in the geotechnical report shall be implemented, including recommended materials specifications.

**Finding:** The County finds that Mitigation Measure GEO-1 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact GEO-2 to less than significant and shall be implemented as a required element of the Project.

**Impact GEO-5c:** Result in temporary degradation of streams.

**Mitigation Measure GEO-2:** Develop and implement a project-wide erosion control program.

**Finding:** The County finds that Mitigation Measure GEO-2 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact GEO-5c to less than significant and shall be implemented as a required element of the Project.

**Impact GEO-5d:** Temporary degradation of springs/seepage areas.

**Mitigation Measure GEO-3:** Conditions listed within the 404 permit shall be applied to springs and seepage areas.

**Finding:** The County finds that Mitigation Measure GEO-3 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact GEO-5d to less than significant and shall be implemented as a required element of the Project.

**Impact GEO-6a:** Substantially alter the natural landscape.

**Mitigation Measure:** Please see Mitigation Measure GEO-1

**Finding:** The County finds that Mitigation Measure GEO-1 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact GEO-6a to less than significant and shall be implemented as a required element of the Project.

**Impact GEO-6c:** Man-caused slope instability.

**Mitigation Measure:** Please see Mitigation Measure GEO-1

**Finding:** The County finds that Mitigation Measure GEO-1 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact GEO-6c to less than significant and shall be implemented as a required element of the Project.

**Impact GEO-6d:** Blasting effects for construction.

**Mitigation Measure GEO-4:** The proposed project shall comply with all applicable local, state, and federal safety regulations regarding blasting activities.

**Finding:** The County finds that Mitigation Measure GEO-4 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact GEO-6d to less than significant and shall be implemented as a required element of the Project.

**Impact HAZ-1:** Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

**Mitigation Measure HAZ-1:** All recommended measures listed in the 2007 Initial Site Assessment shall be implemented.

**Mitigation Measure HAZ-2:** An NOA monitoring plan will be required prior to grading and will be prepared by the project applicant. This plan shall include:

- A geologist trained in the recognition of NOA should be intermittently present during grading operations.
- The geologist shall observe site conditions and implement special grading conditions when NOA is present.
- BMPs for fugitive dust control shall be practiced during all grading operations consistent with El Dorado County AQMD regulations.

**Mitigation Measure HAZ-3:** If NOA is present at the project site, the El Dorado Air Quality Management District NOA regulations for Road Construction and Maintenance shall be followed.

**Finding:** The County finds that Mitigation Measure HAZ-1, HAZ-2 and HAZ-3 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact HAZ-1 to less than significant and shall be implemented as a required element of the Project.

**Impact HAZ-2:** 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.

**Mitigation Measure HAZ-4:** A Spill Prevention and Containment Plan (SPCP) shall be prepared by the County/applicant prior to the commencement of any construction and grading activities. The SPCP shall identify any and all hazardous materials that will be used or stored on site, and will also identify any hazardous wastes that might be generated by the proposed project. The SPCP shall detail proper measures to handle and/or transport hazardous materials. The plan shall also present procedures to contain or initiate cleanup of any spills. The phone number of the appropriate government agency shall be contained on the plan in the event of any release of hazardous substances.

**Mitigation Measure HAZ-5:** For any previously unknown hazardous waste/material encountered during construction, Caltrans Construction Hazardous Waste Contingency Plan shall be followed (Appendix E).

**Finding:** The County finds that Mitigation Measure HAZ-4 and HAZ-5 as fully described in the Mitigation Monitoring Plan, Attachment B of the Final SEIR, would reduce Impact HAZ-2 to less than significant and shall be implemented as a required element of the Project.

**Impact HAZ-4:** Be located on a site, which is included on a list of hazardous materials sites and, as a result, create a significant hazard to the public or the environment.

**Mitigation Measure:** Please see Mitigation Measure HAZ-1

**Finding:** The County finds that Mitigation Measure HAZ-1 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact HAZ-4 to less than significant and shall be implemented as a required element of the Project.

### **Hydrology and Water Quality**

**Impact HYD-1:** Violate any water quality standards or waste discharge requirements.

**Impact HYD-1a:** Increased turbidity and sediment loading from construction and grading activities.

**Impact HYD-1b:** Increased runoff containing sediment, oil, grease, and other pollutants from paved areas.

**Mitigation Measure HYD-1:** Prior to the approval of grading permits and improvement plans, the project applicant shall prepare a SWPPP consistent with the existing statewide NPDES storm water permit for general construction activity. The project applicant shall also prepare and submit the appropriate NOIs and any other necessary engineering plans and specifications for pollution prevention and control to the County and the RWQCB. The SWPPP and other appropriate plans shall identify and specify:

- The use of erosion and sediment-control BMPs, including construction techniques, that shall reduce the potential for runoff as well as other measures to be implemented during construction;
- The implementation of approved local plans, nonstormwater-management controls, permanent post construction BMPs, and inspection and maintenance responsibilities;
- The pollutants that are likely to be used during construction that could be present in stormwater drainage and nonstormwater discharges, including fuels, lubricants, and other types of materials used for equipment operation;
- Spill prevention and contingency measures, including measures to prevent or clean up spills of hazardous waste and of hazardous materials used for equipment operation, and emergency procedures for responding to spills;
- Personnel training requirements and procedures that shall be used to ensure that workers are aware of permit requirements and proper installation methods for BMPs specified in the SWPPP; and
- The appropriate personnel responsible for supervisory duties related to implementation of the SWPPP.
- BMPs identified in the SWPPP shall be in place throughout all site work and construction/demolition activities and shall be used in all subsequent site development activities. BMPs may include but not be limited to the following:
  - Implementing temporary erosion-control measures in disturbed areas to minimize discharge of sediment into nearby drainage conveyances. These measures may include silt fences, staked straw bales or wattles, sediment/silt basins and traps, geofabric, sandbag dikes, and temporary vegetation.
  - Establishing permanent vegetative cover to reduce erosion in areas disturbed by construction by slowing runoff velocities, trapping sediment, and enhancing filtration and transpiration.
  - Using drainage swales, ditches, and earth dikes to control erosion and runoff by conveying surface runoff down sloping land, intercepting and diverting runoff to a watercourse or channel, preventing sheet flow over sloped surfaces, preventing runoff accumulation at the base of a grade, and avoiding flood damage along roadways and facility infrastructure.
- All construction contractors shall retain a copy of the approved SWPPP on the construction site.



**Finding:** The County finds that Mitigation Measure HYD-1 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact HYD-1, HYD-1a and HYD-1b to less than significant and shall be implemented as a required element of the Project.

**Impact HYD-4b:** Installation of numerous culverts to convey onsite drainage and streamflows over the site and ease possible flooding problems.

**Mitigation Measure HYD-2:** Size culverts in accordance with El Dorado County and Caltrans requirements.

**Finding:** The County finds that Mitigation Measure HYD-2 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact HYD-4b to less than significant and shall be implemented as a required element of the Project.

**Impact HYD-4c:** Increased flow velocities as water travels through the culverts.

**Mitigation Measure HYD-3:** Install erosion control measures at outlets and implement El Dorado County Resource Conservation District (RCD) requirements.

**Finding:** The County finds that Mitigation Measure HYD-3 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact HYD-4c to less than significant and shall be implemented as a required element of the Project.

**Impact HYD-4d:** Possible alteration or covering of naturally occurring seeps.

**Mitigation Measure HYD-4:** Provide adequate subgrade drains as determined necessary by a geotechnical engineer.

**Finding:** The County finds that Mitigation Measure HYD-4 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact HYD-4d to less than significant and shall be implemented as a required element of the Project.

**Impact HYD-4e:** Possible alteration of the flow of water from Carson Creek spring (Ridge Design has higher possibility because of greater activity in the spring area).

**Mitigation Measure HYD-5:** Require review of the design plans by a geotechnical engineer. Minimize activity in the spring area. Implement a water quality monitoring program.

**Mitigation Measure HYD-6:** Before commencement of construction activities, a detailed hydrology plan shall be prepared by a qualified engineer retained by the project applicant. Drafts of these plans shall be submitted to the County for review and approval. This plan shall finalize the water quality improvements and further detail the structural and nonstructural BMPs proposed for the project. The plans shall include the following:

- A quantitative analysis of proposed conditions incorporating the proposed drainage design features;
- Pre-development and post-development calculations demonstrating that the proposed water quality BMPs meet or exceed requirements established by the RWQCB.

**Finding:** The County finds that Mitigation Measures HYD-5 and HYD-6 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact HYD-4e to less than significant and shall be implemented as a required element of the Project.

**Impact HYD-5:** 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.

**Mitigation Measure:** Please see Mitigation Measure HYD-6

**Finding:** The County finds that Mitigation Measure HYD-6 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact HYD-5 to less than significant and shall be implemented as a required element of the Project.

**Impact HYD-10:** Cause inundation by seiche, tsunami, or mudflow.

**Mitigation Measure:** Please see Mitigation Measure GEO-1

**Finding:** The County finds that Mitigation Measure GEO-1 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact HYD-10 to less than significant and shall be implemented as a required element of the Project.

### **Land Use and Planning**

**Impact LU-1:** Physically divide an established community.

**Impact LU-1a:** Closure of Tong Road, which is the local access road to reach the private properties north of U.S. 50.

**Mitigation Measure LU-1:** Construct the alternative access road, provide driveways to the residential structures, and ensure that continuous access is provided during construction.

**Finding:** The County finds that Mitigation Measure LU-1 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact LU-1 and LU-1a to less than significant and shall be implemented as a required element of the Project.

**Impact LU-2b:** Acquisition of private property.

**Impact LU-2d:** Possible land use conflicts with future planned land uses, although the timing of the Interchange construction is estimated to be approx. 10 years from now, when the approved El Dorado Hills Specific Plan area would be at least partially developed. – Land use conflicts with future planned land uses will no longer be a significant impact under the revised design. The County General Plan anticipates construction of an Interchange at the project's proposed location. Existing General Plan land use designations of Commercial, Medium and Low Density Residential, and Industrial uses are compatible with the new Interchange project. The proposed project will not conflict with any applicable habitat conservation plan or natural community conservation plan. Landscaping of the project site will still be required to beautify the Interchange and prevent soil erosion.

**Mitigation Measure LU-2:** Provide "just compensation" to the property owners.

In addition, mitigation measure VIS-1 is also required.

**Finding:** The County finds that Mitigation Measure LU-2 (and VIS-1) as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact LU-2b and 2d to less than significant and shall be implemented as a required element of the Project.

### **Transportation and Traffic**

**Impact TRAF-1:** 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.

**Impact TRAF-1a:** Result in substantial construction impact.

**Mitigation Measure TRAF-1:** A traffic control and safety plan shall be prepared before construction begins, and shall comply with all County and Caltrans standards.

**Finding:** The County finds that Mitigation Measure TRAF-1 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact TRAF-1

and TRAF-1a to less than significant and shall be implemented as a required element of the Project.

**Impact TRAF-2p:** Result in LOS F during the p.m. peak hour at the Valley View Parkway/White Rock Road intersection under 2020 with-project conditions,

**Mitigation Measure TRAF-2:** In 2020 for the Valley View Parkway/White Rock Road intersection: provide dual left turn lanes on the westbound approach. These improvements are identified in the County CIP. TIM fees are collected by the County to construct these improvements as part of this County CIP.

**Finding:** The County finds that Mitigation Measure TRAF-2 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact TRAF-2p to less than significant and shall be implemented as a required element of the Project.

**Impact TRAF-2q:** Result in LOS F during the p.m. peak hour at the Valley View Parkway/White Rock Road intersection under 2030 with-project conditions,

**Mitigation Measure TRAF-3:** In 2030 for the Valley View Parkway/White Rock Road intersection: widen the northbound approach to provide a left turn, a shared left-through, and a dedicated right turn lane as well as provide dual left turn lanes on the westbound approach and a dedicated right turn on the eastbound approach. These improvements are identified in the County CIP. TIM fees are collected by the County to construct these improvements as part of this County CIP project.

**Finding:** The County finds that Mitigation Measure TRAF-3 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact TRAF-2q to less than significant and shall be implemented as a required element of the Project.

**Impact TRAF-2r:** Result in LOS F at both the a.m. and p.m. peak hours at the Latrobe Road/White Rock Road intersection under 2030 with-project conditions.

**Mitigation Measure TRAF-4:** In 2030, for the Latrobe Road/White Rock Road intersection: provide a northbound right and left-turn lane and a dedicated eastbound right-turn lane. These improvements are identified in the County CIP and 2010-2030 RTP. TIM fees are collected by the County to construct these improvements as part of this County CIP project and are reasonably foreseeable as provided for in the CIP/RTP.

**Finding:** The County finds that Mitigation Measure TRAF-4 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact TRAF-2r to less than significant and shall be implemented as a required element of the Project.

### **Public Services and Energy**

**Impact PS-1:** 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 public services, including: fire protection, police protection, schools, parks, or other public facilities.

**Impact PS-1a:** Relocation of two 115-kV lines, one 60-kV transmission line, and two distribution lines (under built on the 60-kV transmission line).

**Mitigation Measure PS-1:** Relocation of public utilities will be performed in accordance with State law and regulations and the State's policies concerning utility encroachments.

**Finding:** The County finds that Mitigation Measure PS-1 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact PS-1 and PS-1a to less than significant and shall be implemented as a required element of the Project.

**Impact PS-1b:** Conflict with the planned expansion of PG&E electric and gas facilities.

**Mitigation Measure PS-2:** Provide for electrical and gas line conduits in the Interchange design.

**Finding:** The County finds that Mitigation Measure PS-2 as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact PS-1b to less than significant and shall be implemented as a required element of the Project.

**Impact PS-1d:** Relocation of EID Water and Sewer Lines.

**Mitigation Measure PS-3:** Relocate EID Water and Sewer Lines in conflict with proposed Interchange during construction. Also Mitigation measure PS-1.

**Finding:** The County finds that Mitigation Measure PS-3 (along with PS-1) as fully described in the Mitigation Monitoring Plan in Attachment B of the Final SEIR, would reduce Impact PS-1d to less than significant and shall be implemented as a required element of the Project.

#### **4.0 FINDINGS FOR SIGNIFICANT AND UNAVOIDABLE IMPACTS**

The Supplemental EIR identified a number of potentially significant environmental impacts that may be caused in whole or in part by the proposed project. The following significant impacts of the Silva Valley Interchange Project have been determined to be unavoidable even after incorporation of all feasible mitigation measures:

##### **Transportation and Traffic**

**Impact Traf-2m:** LOS F during the p.m. peak hour at the EB slip on-ramp of the Silva Valley Interchange:

Discussion: As set forth in the DSEIR (page 128), based on traffic analysis conducted for the project, the 1991 determination of significant and unavoidable remains valid.

The current project traffic analysis assumes that in 2020, the initial phase of the interchange would be built. This includes an EB loop on-ramp in lieu of the EB diagonal ramp. The 2020 p.m. peak EB loop on-ramp is LOS D. The analysis further assumes that in 2030 the ultimate interchange will be constructed which adds the EB slip on-ramp. The 2030 p.m. peak EB loop on-ramp LOS is D, and the EB slip on-ramp is F. The 2030 EB slip on-ramp level of service F falls below the defined threshold and is considered significant.

The analysis concluded that this anticipated condition is primarily a function of eastbound mainline US 50 congestion impacting the ability for on-ramp traffic to merge into thru traffic. As adding additional capacity to eastbound mainline US 50 is geometrically constrained and economically prohibitive, no feasible alternative was identified to relieve this condition. For this reason the document concludes Impact TRAF -2m to be significant and unavoidable.

**Level of Significance before Mitigation:** Potentially Significant.

**Mitigation Measure:** No feasible mitigation measure was identified

**Level of Significance after Mitigation:** Significant and Unavoidable.

### **Noise**

**Impact NOI-2a:** Possible vibration-induced annoyance to residents or vibration-induced damage to structures on adjacent properties –

**Discussion:** Hard rock blasting will be necessary to construct portions of the project. This blasting will be required to occur at nighttime or early morning hours due to the necessity to close adjacent Silva Valley Parkway and US Highway 50 to traffic. Traffic volumes preclude closing of the roadways during normal daytime construction hours for safety and traffic congestion reasons. No vibration impacts at adjacent structures are anticipated due to distance attenuation; however, blasting will occur during early morning hours while residents are sleeping. Although distance will likely attenuate any vibration or noise impacts caused by blasting, this impact is still considered significant and unavoidable given that no feasible mitigation exists to offset potential impacts.

**Level of Significance before Mitigation:** Potentially Significant.

**Mitigation Measure:** No feasible mitigation is currently available.

**Level of Significance after Mitigation:** Significant and Unavoidable.

### **Impact NOI-4**

**Impact NOI-4a:** Temporary construction-related noise in proximity to existing residential land uses north and south of the project site –

**Discussion:** The updated noise analysis considers the noise effects of the proposed project (including re-alignment of Tong Road) on this use (receptor). In addition, construction will now occur periodically at night when required to avoid safety hazards and traffic congestion. Nighttime construction is expected to occasionally exceed the General Plan threshold of 45 L<sub>eq</sub>. Implementation of Mitigation Measures NOI-1 will be required to mitigate for construction noise to the extent feasible, however, this impact is still considered Significant and Unavoidable

**Level of Significance before Mitigation:** Potentially Significant.

**Mitigation Measure NOI-1:** To reduce construction noise impacts to the maximum extent feasible, the project sponsor shall implement the following measures:

- The project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards;
- The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site;
- For construction of the interchange, the County will prohibit the construction contractor from undertaking construction activities on Sunday, legal holidays, or between the hours of 7 p.m. and 7 a.m. on other days except when the County determines that work must be performed at night to mitigate traffic congestion or safety hazards;
- Detour routes shall conform to Caltrans and County standards; and

- The construction contractor shall locate equipment staging in areas that will create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction per the County's standards.  
**Level of Significance after Mitigation:** Significant and Unavoidable

## **5.0 FINDINGS CONCERNING CUMULATIVE IMPACTS**

The County finds that all Project-specific impacts, would either be less than significant, would be mitigated to less-than-significant levels with implementation of mitigation measures identified in the SEIR and Mitigation Monitoring Plan, or found to be significant and unavoidable but determined to be acceptable by the statements of overriding consideration found herein. Because other development in the project vicinity would also be required to mitigate potential impacts, the proposed project, in combination with other past, present, or reasonably foreseeable future projects, would not result in significant adverse cumulative impacts.

## **6.0 FINDINGS CONCERNING GROWTH INDUCEMENT**

The County finds that the project will improve circulation in the area and will therefore facilitate development on adjacent properties. However, this project was identified and analyzed in the County's 2004 General Plan. The County finds that the Project and associated improvements have been designed to accommodate existing predicted traffic increases and is consistent with the 2004 General Plan. The County finds that the project Supplemental EIR, and General Plan EIR, adequately evaluated the project's effects on growth in the area. The County further finds that the future growth in the area would be subject to its own CEQA review and appropriate mitigation will be analyzed at that time.

## **7.0 STATEMENT OF OVERRIDING CONSIDERATION**

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological or other benefits of the project against its unavoidable environmental risks when determining whether to approve the Project. If the specific economic, legal, social, technological or other benefits of the project outweigh the unavoidable adverse environmental effects, those effects may be considered "acceptable" (CEQA Guidelines §15093(a)). CEQA requires the agency to state, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the Final SEIR or elsewhere in the administrative record (CEQA Guidelines §15093(b)).

The County of El Dorado hereby finds that the specific economic, legal, social, technological, and other benefits of the proposed Silva Valley Parkway Interchange project will outweigh the unavoidable environmental effects (Identified in Section 4.0 above) of the project for the following overriding consideration:

1. The Project will provide transportation facilities to accommodate planned growth as noted in the 2004 County's General Plan as well as the El Dorado Hills Specific Plan

and to accommodate commercial and residential development of the areas surrounding the proposed Interchange.

2. The Project will substantially improve traffic circulation to Silva Valley Parkway, El Dorado Hills Blvd Interchange, Bass Lake Road Interchange, US Highway 50, Serrano Parkway, Latrobe Road, White Rock Road and surrounding roadways as detailed in the traffic analysis prepared with this SEIR.
3. The Project will maintain or improve traffic circulation and levels of service to each of the 19 individual locations analyzed in the project traffic analysis as compared with the "No-Project" alternative.
4. The Project will improve the El Dorado County sustainable transportation system by augmenting the US Highway HOV and ramp metering facilities.
5. The Project will reduce the daily commute travel distance required for a substantial number of area residents and businesses.
6. The Project will implement significant portions of the General Plan Transportation Circulation Element.
7. The Project will implement significant portions of the El Dorado County Bicycle Master Plan.
8. The Project will improve safe pedestrian mobility providing a significant north-south pedestrian facility crossing of US Highway 50.
9. The construction noise related significant and unavoidable impacts will be temporary and confined to only those activities necessary for safety and traffic congestion reasons.