

ATTACHMENT 3

**FILE NUMBER DR00-0011:
CEQA FINDINGS OF FACT**

**RESOLUTION OF THE PLANNING COMMISSION OF THE
COUNTY OF EL DORADO CERTIFYING THE
76 GAS STATION & CIRCLE K MINI-MART PROJECT
ENVIRONMENTAL IMPACT REPORT**

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SECTION A. INTRODUCTION

The purpose of these findings of fact is to satisfy the requirements of Sections 15091 and 15092 of the California Environmental Quality Act (CEQA) Guidelines, associated with adoption of the 76 Gas Station & Circle K Mini-Mart Project (hereafter known as the “project”). Findings accomplish the following: a) they address the significant environmental effects identified in the EIR for the approved project; b) they incorporate all mitigation measures associated with these significant impacts identified in the EIR; c) they indicate whether a significant effect is avoided or reduced by the adopted mitigation measures to a less-than-significant level, or remains significant and unavoidable, either because there are not feasible mitigation measures or because, even with implementation of mitigation measures, a significant impact will occur; and, d) they address the feasibility of all project alternatives identified in the EIR. The project CEQA Findings of Fact (Attachment 3 of the Planning Commission’s Resolution Certifying the 76 Gas Station & Circle K Mini-Mart EIR) document these determinations made regarding the project by the Commission.

The following information is presented to provide a brief history of the proposed project:

- On April 14, 2000, the project proponent submitted a Design Review application for the project parcel to the County (DR00-11).
- On May 3, 2000, the project proponent submitted an application for a 166 square foot pole sign (S00-11) to be processed concurrently with the design review.
- On May 15, 2000, a Boundary Line Adjustment (BLA) (BL00-35) was approved to modify the project site increasing the size from approximately 27,792 to 31,646 square feet. The BLA becomes effective when it has been recorded; to-date BL00-35 has not been recorded.
- A Mitigated Negative Declaration (MND) and staff report were prepared by the County on DR00-11 and S00-11 and presented to the El Dorado County Planning Commission (Commission) on March 22, 2001. S00-11 was withdrawn at the hearing and the remaining matter was continued to the June 14, 2001 Commission meeting. The Commission approved DR00-11 on June 14, 2001. Approval of the project was subsequently appealed by Friends of Shingle Springs Interchange. The appeal was brought before the BOS on August 14, 2001. The BOS determined that the MND was inadequate and referred the matter back to staff for review of new information presented by the applicant and determination of whether an EIR or revisions to the MND were appropriate.
- Staff revised the MND incorporating new information and submitted it to the State Clearinghouse on April 22, 2002. The revised MND was brought before the BOS. On June 11, 2002, the BOS acted unanimously to require the preparation of an EIR for the project. A Notice of Preparation (NOP) was circulated for the project in October 2002. The comment period lasted from October 14, 2002 to November 13, 2002. Contract issues delayed progress on the project. As a result, an NOP for the project was reissued on May 24, 2005 to solicit comments from interested parties; the comment period closed on June 20, 2005.

The 76 Gas Station & Circle K Mini-Mart Environmental Impact Report (EIR) (consisting of the Draft EIR (DEIR) and Final EIR (FEIR)) identified significant impacts associated with project approval. Specifically, CEQA Guidelines Section 15091 requires lead agencies to make one or more of the following written findings:

1. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the final EIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the findings. 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 measure or project alternative identified in the final EIR.

As a result of the environmental analysis for the project, the County determined that impacts associated with aesthetics, air quality, biological resources, cultural and historic resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use, noise, population, housing and socioeconomics, public services and utilities, and traffic and circulation were projected to have potentially significant impacts based on the Initial Study prepared for the project. During the Notice of Preparation (NOP) and initial review process conducted for the EIR, it was determined that agricultural resources, mineral resources, and utilities and services would not be adversely affected by the proposed project and therefore were not analyzed in the supplemental EIR (page 1.0-6 of DEIR).

This CEQA Findings of Fact has therefore been prepared as required for the Commission to certify the EIR. During its evaluation of the proposed project, the County's review of resource issues addressed in the EIR determined that the Project would cause new potentially significant impacts, but that all impacts would be reduced to a less than significant level of significance with mitigation. Each of these impacts is described in Section K. See Section I for findings regarding growth inducement, and cumulative impacts.

SECTION B. PROJECT LOCATION AND DESCRIPTION

PROJECT LOCATION

The 76 Gas Station & Circle K Mini-Mart (project) is located on a 0.64 acre site in the Shingle Springs area of El Dorado County. The site is located in the NW ¼ of Section 1, Township 9 North, and Range 9 East and the property is identified as Assessor's Parcel Number 090-430-42. The project applicant and owner of the site is ConocoPhillips. The site is located on the south side of U.S. Highway 50 (Highway 50) on the southeast corner of the intersection of Mother Lode Drive and South Shingle Road in the Community of Shingle Springs.

PROJECT OBJECTIVES AND DESCRIPTION

The following objectives are identified relative to the proposed 76 Gas Station & Circle K Mini-Mart project:

- Provide a gas station and mini-mart conveniently located off of U.S. Highway 50 in the Shingle Springs area of El Dorado County.
- Serve local residents, commuters, and travelers with another option for fueling and convenience shopping.
- Expand ConocoPhillips' presence in El Dorado County, specifically in the community of Shingle Springs.

The proposed project is a combined 76 Gas Station and Circle K Mini-Mart. Two entrances to the site are proposed: one from South Shingle Road and the other from Mother Lode Drive. The project also proposes to develop a joint access easement along the southern property boundary connecting with the neighboring auto dealership. The project includes a single, freestanding sign placed in the northwest corner of the site. The sign complies with the commercial zone requirements by being 35 feet in height and 70 square feet in area. The freestanding sign would contain both the Circle K and 76 logos. Monument price signs measuring 18 square feet in area each will be placed at each entrance. Pole-mounted lights are proposed at both entrances as well as at several locations through the project site. A fenced trash enclosure is proposed for the northeast corner of the project site. Further details regarding the gas station and mini-mart are provided below.

Gas Station

The gas station component of the proposed project includes a 76 Gas Station with six fueling stations (total of twelve fueling positions). The project would include three underground fuel storage tanks consisting of two 15,000 gallon tanks for unleaded fuel and one 12,000 gallon tank for diesel fuel, as well as underground piping from the storage tanks to the six fueling stations.

The fueling stations would be covered by a 20-foot high, approximately 4,000 square foot canopy. The canopy would provide protection from sun and rain and would be lit. The concrete pad beneath the canopy would have a finished floor elevation of 1,534 feet above mean sea level.

The project includes 15 on-site parking spaces including one handicapped parking space. Approximately 17 percent of the project site would be landscaped with trees, shrubs and ground cover. Planters are proposed along portions of the site bordering Shingle Springs Road and Mother Lode Drive.

Several smaller planters are proposed within the project site adjacent to parking stalls. All planter boxes would be designed with irrigation (sprinklers/bubblers).

Mini-Mart

The project includes a 2,976 square foot Circle K Mini-Mart. The mini-mart structure would be 16 feet tall with stucco and ceramic wall tile treatments. Lighted signage with the Circle K logo is proposed over the mini-mart's entrance. Wall-mounted security lighting is proposed on side and rear walls of the structure. In addition to the main entrance, the mini-mart would have two rear doors. An ice freezer would be located outside of the mini-mart approximately 25 feet from the building's entrance. Nine of the project's 16 parking spaces (including the handicapped space) would be located adjacent to the mini-mart. The mini-mart would be slightly elevated above the rest of the parking lot with a finished floor elevation of 1,536 feet above mean sea level (amsl).

SECTION C. DOCUMENTS AND RECORD FOR THE PROJECT FINAL EIR

The environmental analysis provided in the DEIR, FEIR, and the Findings, provided herein, are based on and are supported by the following documents, materials and other evidence, which constitute the Administrative Record for the 76 Gas Station & Circle K Project:

1. The NOP, comments received on the NOP and all other public notices issued by the County in relation to the EIR (e.g., Notice of Availability).
2. The DEIR, associated appendices to the DEIR and technical materials cited in the DEIR.
3. The FEIR, including comment letters, oral testimony and technical materials cited in the document.
4. All non-draft and/or non-confidential reports and memoranda prepared by El Dorado County and consultants.
5. Minutes and transcripts of the discussions regarding the project and/or project components at public hearings or scoping meetings held by El Dorado County Planning Commission and the Board of Supervisors.
6. Staff reports associated with Planning Commission and Board of Supervisors meetings on the project.

THE RECORD

For the purposes of CEQA and the supplemental findings hereinafter set forth, the administrative record consists of those items listed in Section 21167.6(e) of the Public Resources Code. Pursuant to the requirements of CEQA Guidelines Section 15091(e) the location and custodian

of the documents and other materials which constitute the record of proceedings upon which these decisions are based is as follows:

Development Services Director
El Dorado County Development Services Department
2850 Fairlane Court
Placerville, CA 95667
(530) 621-5355

SECTION D. DISCRETIONARY ACTIONS

The discretionary actions for approval of this project are identified as follows:

- 1) Consideration of the Design Review Application as required by Section 17.14.230 for projects adjacent to a State Highway, by the Planning Commission.
- 2) Adoption of Mitigation Monitoring Plan.

SECTION E. TERMINOLOGY OF FINDINGS

For purposes of these findings, the term "mitigation measures" shall constitute the "changes or alterations" discussed in the Introduction. The term "avoid or substantially lessen" will refer to the effectiveness of one or more of the mitigation measures or alternatives to reduce an otherwise significant environmental effect to a less than significant level. When an impact remains significant or potentially significant assuming implementation of the mitigation, the findings will generally find that the impact is "significant and unavoidable." In the process of adopting mitigation, the Commission has also made a determination regarding whether the mitigation proposed in the EIR is "feasible." Pursuant to the CEQA Guidelines, "feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. In some cases, modifications were made in the DEIR and to proposed mitigations in the DEIR to update, clarify, streamline, correct, or revise the measure.

SECTION F. LEGAL EFFECT OF FINDINGS

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

SECTION G. MITIGATION MONITORING PLAN

As required by Public Resources Code Section 21081.6, and Sections 15091(d) and 15097 of the CEQA Guidelines, the County, in adopting these findings, also adopts a Mitigation Monitoring

Plan (MMP). The monitoring and reporting plan is designed to ensure that, during the 2007 through 2025 and buildout (beyond 2025) phases of the project, the County and any other responsible parties implement the adopted mitigation measures.

SECTION H. PROJECT BENEFITS

The Planning Commission finds that adoption of the project will result in the following benefits for the County of El Dorado and County residents (in no relative order):

1. Provide a gas station and mini-mart conveniently located off of U.S. Highway 50 in the Shingle Springs area of El Dorado County.
2. Serve local residents, commuters, and travelers with another option for fueling and convenience shopping.

SECTION I. FINDINGS REGARDING ALTERNATIVES TO THE PROJECT

Pursuant to Section 15126.6 of the CEQA Guidelines, the project DEIR considers three alternatives comparatively in Chapter 6. As described in the Draft EIR Section 6.0, Alternative 1 (No Project), Alternative 2 (Ponderosa Road Location), and Alternative 3 (Gas Station Only) were analyzed at a comparative level of detail, consistent with the requirements of CEQA.

In summary, the alternatives that were analyzed are as follows:

- **Alternative #1 - No Project Alternative**
- **Alternative #2 - Ponderosa Road Location Alternative**
- **Alternative #3 - Gas Station Only Alternative**

These alternatives cover a comprehensive range of reasonable possibilities for the Commission's final action. The alternatives are described in Chapter 6 of the Draft EIR.

Based on the impacts identified in the EIR and the reasons described below, the Planning Commission finds that adoption and implementation of the 76 Gas Station & Circle K Mini-Mart is the most desirable, feasible, and appropriate project, and rejects other alternatives and other combinations and/or variations of alternatives as infeasible. It is noted that all potentially significant and significant impacts associated with the project can be mitigated to a less than significant level through the mitigation measures identified in the DEIR and FEIR and there are no remaining significant impacts that necessitate a project alternative to avoid or substantially reduce the impact.

ALTERNATIVE #1 – NO PROJECT

Under this alternative, the 76 Gas Station & Circle K Mini-Mart would not be built and the project site would remain in its current condition. This alternative considers the circumstance

under which the project does not proceed. The analysis of the impacts of the No Project Alternative were projected based on what can reasonably be expected to occur in the foreseeable future if the project were not approved as compared to the proposed project. However, the land use designations on the project site would remain the same and a similar project could be proposed in the future on the project site. No future development on the project site is planned under the No Project Alternative.

The Planning Commission, based on the information and deliberation in the record as summarized herein, and pursuant to Section 15126.6(f)(1), hereby rejects this alternative as infeasible for each of the independent reasons given below.

1. This alternative would not meet any of the project objectives.
2. This alternative would not provide additional adjacent retail and neighborhood business.
3. This alternative would not generate sales tax for the County.

ALTERNATIVE #2 – PONDEROSA ROAD LOCATION ALTERNATIVE

Alternative 2 evaluates the proposed gas station/mini-mart to be constructed on the northeastern corner of the Ponderosa Road/North Shingle Road – Wild Chaparral Drive intersection located on the north side of Highway 50, northwest of the proposed project site. Under this alternative, the proposed project site would remain in its current condition.

The Commission, based on the information and deliberation in the record as summarized herein, and pursuant to Section 15126.6(f)(1), hereby rejects this alternative as infeasible for each of the independent reasons given below.

1. This alternative would increase impacts to aesthetics and biological resources.
2. The Ponderosa Road location is more removed from existing similar businesses and does not provide the same level of convenience for travelers as the project site.
3. There are no impacts associated with the project that would remain potentially significant or significant after mitigation. Therefore, following implementation of proposed mitigations, the project as proposed would not result in more adverse significant environmental effects than this alternative.

ALTERNATIVE #3 – GAS STATION ONLY ALTERNATIVE

Alternative #3 the convenience store component of the proposed project would be eliminated and the gas station component would be constructed on the same site. This analysis assumes that a small sales structure of approximately 400 square feet would be constructed and that landscaping would be increased by approximately 2,300 square feet. The same number of pumps and underground storage tanks would be installed and the ingress/egress configuration would be the same as under the proposed project.

The Commission, based on the information and deliberation in the record as summarized herein, and pursuant to Section 15126.6(f)(1), hereby rejects this alternative as infeasible for each of the independent reasons given below.

1. This alternative does not meet all of the project objectives.
2. This alternative would provide fewer service options for customers than the proposed project.
3. There are no impacts associated with the project that would remain potentially significant or significant after mitigation. Therefore, following implementation of proposed mitigations, the project as proposed would not result in more adverse significant environmental effects than this alternative.

SECTION J. OTHER CEQA FINDINGS

GROWTH INDUCEMENT

Chapter 7 of the DEIR provides a discussion of the growth inducing impacts of the project pursuant to Section 15126.2(d) of the CEQA Guidelines. Growth inducement may constitute an adverse impact if the growth is not consistent with or accommodated by the land use plans and growth management plans and policies for the area affected. Local land use plans provide for land use development patterns and growth policies that allow for the orderly expansion of urban development supported by adequate urban public services, such as water supply, roadway infrastructure, sewer service, and solid waste service. A project that would induce “disorderly” growth (conflict with the local land use plans) could indirectly cause additional adverse environmental impacts and other public service impacts. Thus, to assess whether a growth-inducing project will result in adverse secondary effects, it is important to assess the degree to which the growth accommodated by a project would or would not be consistent with applicable land use plans.

The proposed project would consist of the development of a 2,976 square foot mini market and a 12-pump gas station. Utilities, including water, sewer, electric, gas, and telephone service, would be extended to the project site from the surrounding area and new infrastructure for these utilities would be constructed within the project site. Improvements would be made to the Mother Lode Drive/South Shingle Road intersection to allow for improved traffic circulation and for project ingress/egress.

The 2004 El Dorado County General Plan designates the site for commercial use and the General Plan EIR discloses the growth inducing effects of the General Plan. The proposed project would not result in new growth inducing impacts or an increase in the severity of growth inducing impacts in comparison to those disclosed in the General Plan EIR. The proposed gas station and mini-mart project is consistent with the existing land use and zoning designations. This project would result in infill development of a site that is currently vacant and located in an urbanized setting, adjacent to two major roadways. The project would not provide services or extend infrastructure or public services in a manner that would induce growth.

Findings related to impacts that are significant, and to mitigation measures for those impacts, are addressed in Section K below.

CUMULATIVE

Chapters 4.1 through 4.12 and Chapter 5 of the EIR contain an analysis of the cumulative impacts, pursuant to Section 15130 of the CEQA Guidelines. Chapter 5 looks at cumulative issues on a regional basis, factoring in planning documents for other jurisdictions. Cumulative impacts are analyzed within each CEQA issue area and cumulative impacts that would result from the implementation of the project and future development in the vicinity. Based on its review of the EIR and supporting documents, the Commission has reached the following conclusions regarding the significance of each cumulative impact:

- Aesthetics – Less Than Significant
- Air Quality – Less Than Significant
- Biological Resource – Less Than Significant
- Cultural and Historical Resources – Less Than Significant
- Geology and Soils – Less Than Significant
- Hazards and Hazardous Materials – Less Than Significant
- Hydrology and Water Quality – Less Than Significant
- Land Use – Less Than Significant
- Noise – Less Than Significant
- Population, Housing, and Socioeconomics – Less Than Significant
- Public Services and Utilities – Less Than Significant
- Traffic and Circulation – Less Than Significant

See Section K below for mitigation measures intended to mitigate adverse environmental impacts as a result of the project to the furthest extent possible.

SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL EFFECTS

CEQA Guidelines Section 15126.2(b) requires an EIR to discuss unavoidable significant environmental effects, including those that can be mitigated but not reduced to a level of insignificance. El Dorado County can approve a project with unavoidable adverse impacts if it prepares a “Statement of Overriding Considerations” setting forth the specific reasons for making such a judgment. As identified in this EIR, the project would not result in any unavoidable adverse environmental impacts.

SECTION K. FINDINGS REGARDING IMPACTS AND MITIGATION MEASURES

The findings are organized into the following sections:

1. Findings Associated with Less Than Significant Impacts (or Areas of No Impact) Identified in the EIR.
2. Findings Associated with Significant, Potentially Significant, and Cumulative Significant Impacts which can be Mitigated to a Less Than Significant Level.

1. Findings Associated With Less Than Significant Impacts (or Areas of No Impact) Identified in the EIR

AESTHETICS

IMPACT 4.1.1 – Impacts to Scenic Vistas

Impact Identified in DEIR – Impact 4.1.1: The proposed project is not located along a segment of Highway 50 designated as “state scenic highway” nor would implementation of the project obstruct views from the highway.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT:

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with state scenic highways are less than significant because approval of the proposed project is not within a scenic highway segment. The segment of Highway 50 between the South Shingle Road/Ponderosa Road interchange and Greenstone Road is identified as an important public scenic viewpoint in the El Dorado County General Plan EIR (El Dorado County, 2003). However, the project site is located at the western end of this section and there is existing development east of the project site. Implementation of the project would not disrupt scenic views from the highway and would have a less than significant impact regarding the change in visual character associated with the project area as viewed from the highway. *Reference:* DEIR pages 4.1-6 – 4.1-7.

IMPACT 4.1.2: Impacts to Scenic Resources

Impact Identified in DEIR – Impact 4.1.2: The project site is currently vacant and does not contain any trees, rock outcroppings, or historic buildings.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with scenic resources are less than significant because no scenic features, or historic structures on the site, and the site is not within the viewshed of a state scenic highway (as described under Impact 4.1.1, above). The proposed project site is currently vacant and does not contain any structures or trees. The site has been substantially graded and modified by placing fill dirt. The site is elevated approximately six to ten feet above the grade of Mother Lode Drive and South Shingle Road due to deposition of fill materials in the past and has gentle topography with no major slopes. Overhead transmission lines are prevalent throughout the project area. Poles and wires associated with these facilities are visible both up close and from Highway 50. *Reference: DEIR pages 4.1-7.*

IMPACT 4.1.3: Impacts to Visual Character

Impact Identified in DEIR – Impact 4.1.3: The proposed project would introduce a gas station and mini-mart on an undeveloped parcel in an area with existing strip commercial uses.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with scenic resources are less than significant because the project is consistent with existing development in the area. The project site is located approximately 100 feet south of Highway 50. Once developed, the project and proposed sign would be visible from certain vantage points along Highway 50. While the project and proposed signage will be visible from certain angles along Highway 50, other existing commercial uses will be more dominant, as well as partially obstruct views of portions of the project site from some viewpoints. *Reference: DEIR pages 4.1-7 through 4.1.-8.*

IMPACT 4.1.4: Light Impacts

Impact Identified in DEIR – Impact 4.1.4: The proposed project would create a new source of light in the area.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts

associated with a new source of light in the area are less than significant because lighting included as part of the proposed project is consistent with current night lighting in the area. Illumination on the project site would increase the amount of lighting in the area. However, the general vicinity currently has a good deal of nighttime illumination (see Impact 4.1.3). The Chevrolet automobile dealership to the east of the site has a monument sign and substantial night lighting throughout the dealership parking lot and surrounding the showroom. To the north of the project site, across Mother Lode Drive, the strip retail development has various wall-mounted signs on both the front (facing Mother Lode Drive) and rear of the building (facing Highway 50). A pole-mounted sign approximately 30 feet tall is also located on the southwest corner of the strip retail site located on the north side of Mother Lode Drive. The strip includes parking lot lighting and a lit canopy over the gas pumps. While the project would increase existing lighting levels, it would not be out of character with current commercial development in the area. On-site lighting, with the exception of the pole-mounted sign, would be directed downward to contain lighting within the project site. *Reference:* Draft EIR pages 4.1-8 through – 4.1-10.

IMPACT 4.1.5: Cumulative Visual/Light and Glare Impacts

Impact Identified in DEIR – Impact 4.1.5: Implementation of the proposed project, in combination with other projects along the Highway 50 corridor through El Dorado County, would result in further visual changes and increased light and glare. This would contribute to the alteration of the visual character of the Highway 50 corridor.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with cumulative visual and light and glare impacts in the area are less than significant because the proposed project would not result in visual changes or increased light and glare sources beyond what was considered in the 2004 General Plan. Development proposed under the 2004 El Dorado County General Plan would result in the development of urban uses along the Highway 50 corridor resulting in alteration of views and the introduction of new sources of light and glare. Existing topography and vegetation would be modified to accommodate development and nighttime illumination would be increased along the Highway 50 corridor as a result of cumulative project development. The EIR for the 2004 General Plan determined that degradation of existing character and new sources of light and glare associated with buildout of the 2004 General Plan Alternative would be reduced to less than significant with adherence to General Plan Policy 2.8.1.1, as well as actions by the County including establishment of a General Plan Conformity Review Process for All Development Projects and establishment of an Interim Conformity Review Process to be applied until all General Plan programs are in place. Individual projects would be required to comply with General Plan Policy 2.8.1.1 and consider lighting design features to reduce effects of nighttime lighting. Outdoor lighting requirements of the County Zoning Ordinance

would be applicable on a project-by-project basis. *Reference:* Draft EIR pages 4.1-10 through 4.1-11.

AIR QUALITY

IMPACT 4.2.1: Generation of Temporary Ozone Precursor Emissions from Construction Activities

Impact Identified in DEIR – Impact 4.2.1: Construction activities associated with the development of the project site would result in the generation of temporary NO_x and ROG emissions. However, these emissions would not exceed El Dorado County AQMD emissions thresholds.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with the generation of temporary ozone precursor emissions from construction activities are less than significant because it is anticipated that the emissions would not exceed El Dorado County AQMD thresholds of 82 lb/day for ROG, and NO_x. Construction activities are a source of temporary emissions that may have a substantial, temporary impact on local air quality. Temporary increases in emissions of regional criteria pollutants and their precursors are typically greatest during initial site preparation (e.g., land clearing, ground excavation), as these phases typically result in greater disturbance of soil and use of more pieces of large diesel-powered mobile equipment. Construction-generated emissions vary substantially from day to day, depending on the level of activity, the specific operations, and the weather conditions. Offsite mobile source exhausts would be generated by construction employee trips (e.g., commute trips to and from the construction site, business trips throughout the day, and lunch trips) and offsite haul truck trips (e.g., use of trucks hauling construction and excavated materials to and from the project site during construction). Onsite exhaust emissions would result from the use of heavy-duty diesel machinery on the project site during the grading phase of project construction. The construction emissions shown are the highest calculated by URBEMIS-2002 over the entire construction period. Based on the amount of construction activities anticipated to be required by the proposed development, the impact on ozone air quality from the generation of temporary construction-related emissions would be less than significant because they do not exceed El Dorado County AQMD thresholds of 82 lb/day for ROG, and NO_x. . *Reference:* Draft EIR pages 4.2-8.

IMPACT 4.2.3: Generation of Long-Term Local Emissions

Impact Identified in DEIR – Impact 4.2.3: Project traffic would increase local carbon monoxide concentrations.

Significance Identified in DEIR – Less Than Significant**Mitigation Measures Identified in DEIR – None required**

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with generation of long-term local emissions are less than significant because emissions do not exceed or approach the most stringent ambient air quality standards. New vehicle trips add to carbon monoxide concentrations near streets providing access to the site. El Dorado County AQMD's *Guide to Air Quality Assessment* contains a screening procedure for determining if a project could have a significant impact on local carbon monoxide concentrations. The method utilizes estimates of background concentrations and an estimated project-related carbon monoxide concentration determined by the peak-hour trip generation of the proposed project. When applied to the proposed project, the estimated worst-case total concentration (project plus background) was 7.0 parts per million (ppm) for a 1-hour averaging time and 4.9 ppm for an 8-hour averaging time. *Reference:* Draft EIR pages 4.2-10. Background carbon monoxide concentration was determined to be 1.74 ppm in the *Guide to Air Quality Assessment* (Chapter 6, page 5).

IMPACT 4.2.4: Generation of Long-Term Ozone Precursor Emissions

Impact Identified in DEIR – Impact 4.2.4: Buildout of the proposed project would result in long-term ozone precursor emissions, primarily associated with mobile sources.

Significance Identified in DEIR – Less Than Significant**Mitigation Measures Identified in DEIR – None required**

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with generation of long-term ozone precursor emissions is less than significant because project emissions of ozone precursors are well below the thresholds. Project traffic emissions would have an effect on air quality outside the project vicinity. Trips to and from the project site would result in ozone precursor emissions within the Mountain Counties Air Basin (MCAB). To evaluate emissions associated with the proposed project, the URBEMIS-2002 computer program was employed. Project emissions are compared to the El Dorado County AQMD thresholds of significance. *Reference:* Draft EIR pages 4.2-10 through 4.2-11.

IMPACT 4.2.5: Generation of Long-Term Other Pollutants

Impact Identified in DEIR – Impact 4.2.5: Buildout of the proposed project would result in long-term regional emissions for other pollutants such as PM₁₀, PM_{2.5}, lead, sulfates, H₂S and SO₂.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with generation of long-term other pollutants, such as PM₁₀, PM_{2.5}, lead, sulfates, H₂S and SO₂, are considered to be less than significant. Projects that generate pollutants primarily through vehicle trips and are not stationary sources of pollutants are presumed to not have a significant impact with respect to these pollutants if the quantitative thresholds for ROG and NO_x are not exceeded. This is the case for the proposed project. As such, the project would not be considered to emit significant amounts of these pollutants. *Reference:* Draft EIR pages 4.2-11.

IMPACT 4.2.6: Generation of Toxic Air Contaminant Emissions

Impact Identified in DEIR – Impact 4.2.6: Buildout of the proposed project would result in long-term regional emissions for other pollutants such as PM₁₀, PM_{2.5}, lead, sulfates, H₂S and SO₂. These emissions would be below the El Dorado County AQMD's significance thresholds.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with the generation of toxic air contaminant (TAC) emissions would have a less than significant impact on the health risks to nearby residents. The proposed gasoline station would be a source of gasoline vapors that would include TACs such as benzene, methyl-tertiary butyl ether, toluene, xylene. Benzene is the primary TAC associated with gas stations. Gasoline vapors are released during the filling of both the stationary underground storage tanks and the transfer from those underground tanks to individual vehicles. The El Dorado County AQMD has stringent requirements for the control of gasoline vapor emissions from gasoline dispensing facilities. District Rule 238 requires all new facilities to install and maintain CARB Certified Vapor Recovery Systems. As a potential source of TACs, a gasoline filling station is subject to the El Dorado County AQMD's toxic risk screening and risk management procedures. The permitting procedures of the El Dorado

County AQMD require substantial control of emissions, and permits are not issued unless TAC risk screening or TAC risk assessment can show risks are non-significant. The El Dorado County AQMD may impose limits on annual throughput to ensure that risks are within acceptable limits. In addition, California has state-wide limits on the benzene content in gasoline, which greatly reduces the toxic potential of gasoline emissions (Ballanti, 2005). *Reference:* Draft EIR pages 4.2-12.

IMPACT 4.2.7: Regional Air Quality

Impact Identified in DEIR – Impact 4.2.7: The proposed project meets the El Dorado County AQMD consistency requirements with respect to the Air Quality Attainment Plan (AQAP).

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with regional air quality is less than significant because the proposed project would comply with all applicable EPA, CARB, El Dorado County AQMD rules and regulations and there are no TAC sources contiguous or nearby the site. A development project is considered to not have a significant cumulative impact for these pollutants if:

1. The project is not significant for “project alone” emissions of these pollutants.
2. The project complies with all applicable rules and regulations of the El Dorado County AQMD, and
3. The project is not cumulatively significant for ROG, NO_x and CO.

The air quality analysis shows that all of the above are met. The El Dorado County AQMD’s primary criterion for determining whether a proposed project has a significant cumulative impact is whether the project is consistent with an approved plan or mitigation program of District-wide or regional application in place for pollutants emitted by the project. For the ozone precursors ROG and NO_x, development projects are considered consistent with the AQAP if the following are true:

1. The project does not require a change in the existing land use designation.
2. The project does not exceed the “project alone” significance thresholds.
3. The lead agency for the project requires the project to implement any applicable emission reduction measures contained in and/or derived from the AQAP, and
4. The project complies with all applicable El Dorado County AQMD rules and regulations.

The air quality analysis shows that all of the above are met. For other pollutants such as CO, PM₁₀, SO₂ and TACs, there is no applicable air quality plan. Accordingly, the El Dorado County AQMD applies the following pollutant-specific criteria for determining the significance of cumulative impacts. The El Dorado County AQMD does not consider CO to be an area-wide or regional pollutant that is likely to have cumulative effects. Accordingly, CO emissions from a project will ordinarily be considered not cumulatively significant as

long as the “project alone” emissions are not significant. *Reference:* Draft EIR pages 4.2-12 through 4.2-14.

BIOLOGICAL RESOURCES

IMPACT 4.3.1: Impacts to Candidate, Sensitive or Special Status Species

Impact Identified in DEIR – Impact 4.3.1: The project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and wildlife Service.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with impacts to candidate, sensitive or special status species is less than significant because the site’s disturbed nature makes it unlikely that these species would become established on the project site. A total of 51 special-status wildlife species are known to occur in El Dorado County. Of these, 10 species are state or federally listed as Threatened or Endangered: vernal pool fairy shrimp, valley elderberry longhorn beetle, Lahontan cutthroat trout, California red-legged frog, willow flycatcher, American peregrine falcon, bald eagle, bank swallow, California wolverine, and Sierra Nevada red fox. The remaining 41 species are considered as Species of Special Concern by the CDFG and/or federal Species of Concern by the USFWS. A review of CDFG’s Natural Diversity Database and maps indicate that no rare, threatened, or endangered fish, animal, or insect species exist on or adjacent to the project site (El Dorado County, 2002). A separate search of the California Natural Diversity Database (CNDDDB) was also run for a 1- and 5-mile radius from the project site. The CNDDDB search identified that no CNDDDB occurrences have been identified at the project site or adjacent properties. No special status species are identified on the site. The closest recorded occurrence of special-status species include a California horned lizard, bald eagle, Pine Hill ceanothus, Stebbins’ morning glory, Red Hills soaproot, Brandegees’ clarkia, Pine Hill flannelbush, El Dorado bedstraw, Bisbee Peak rush-rose, Layne’s ragwort, and El Dorado County mule ears. Both wildlife occurrences were approximately five miles from the project site. The project site does not provide nesting habitat for bald eagle. While marginal habitat for the California horned lizard occurs on the project site, the project site is surrounded by development and roadways and provides no connectivity to habitat for this species. The project site does not support habitat for the Red-legged Frog (*Rana aurora draytonii*), which is protected by a recovery plan that includes the project area. The project site is located in an area which is becoming increasingly urbanized. The site’s disturbed nature makes it highly improbable that any special status wildlife species are located on the site. Occurrences of Pine Hill ceanothus, Stebbins’ morning glory, Red Hills soaproot, El Dorado bedstraw, Layne’s ragwort, El Dorado bedstraw, and El Dorado County mule ears

were within one mile of the project site. Occurrences of Brandegee's clarkia, Pine Hill flannelbush, and Bisbee Peak rush-rose were within five miles of the project site. None of these species were observed on the project site during field reconnaissance. In 2002, USFWS released the Recovery Plan for Gabbro Soil Plants of the Central Sierra Nevada Foothills, which identifies goals to recover and/or protect six plants that grow only on the gabbro soils found in western El Dorado County. Site reconnaissance did not identify any special-status plant, or wildlife, species on the project site. While gabbro soils are present on the project site and may support establishment of these species, the site's disturbed nature makes it unlikely that these species would become established on the project site. *Reference:* Draft EIR pages 4.3-18 through 4.3-19.

IMPACT 4.3.2: Impacts to Riparian Habitat and Natural Communities

Impact Identified in DEIR – Impact 4.3.2: The project would have no impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

Significance Identified in DEIR – No Impact

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that there is no impact associated with riparian habitat and natural communities because the project site has been disturbed, is located in an urbanizing area, and is currently covered with grasses and weeds. No riparian habitat or other sensitive natural community is located on the site. *Reference:* Draft EIR pages 4.3-19 through 4.3-20.

IMPACT 4.3.3: Impacts to Local Policies and Ordinances

Impact Identified in DEIR – Impact 4.3.3: The proposed project would not conflict with any policies or ordinances protecting biological resources or trees, or adopted for the purpose of mitigating an environmental effect.

Significance Identified in DEIR – No Impact

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that there is no impact associated with impacts to local policies and ordinances because the project site is void of trees, no tree removal would be required to accommodate the project. El Dorado County does not currently have a tree preservation policy or ordinance in place. The

Conservation and Open Space Element of the General Plan currently includes policies to protect and preserve trees (Policy 7.4.4.4, 7.4.5.1, 7.4.5.2). *Reference:* Draft EIR pages 4.3-20.

IMPACT 4.3.4: Impacts to Conservation Plans

Impact Identified in DEIR – Impact 4.3.4: The project would have a less than significant impact on a Habitat Conservation Plan, Natural Community Plan or local, regional or state habitat conservation plan.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with impacts to conservation plans are less than significant because payment of mitigation fees would make the project consistent with applicable recovery plans and the County's Ecological Preserve program. The El Dorado County General Plan Conservation Element contains policies designed to protect forest and oak woodland resources; native oaks, landmark and heritage trees; fish and wildlife habitat; stream and river riparian habitat; lake shore habitat; fish spawning areas; wetlands; wildlife corridors; and diverse wildlife habitat. However, the County does not have an adopted Habitat Conservation Plan, Natural Community Plan. The County does have an Ecological Preserve program for rare plants. The project site does have gabbro soils as identified in the USFWS Recovery Plan for Gabbro Soil Plants of the Central Sierra Nevada Foothills (USFWS, 2002.) The project is not within any of the identified preserve area for gabbro soil plants. However, since the project would develop gabbro soils, it would be required to pay Rare Plant Mitigation Fees for Mitigation Area 1 consistent with the El Dorado County Ecological Preserve program. *Reference:* Draft EIR pages 4.3-20.

IMPACT 4.3.5: Cumulative Biological Resource Impacts

Impact Identified in DEIR – Impact 4.3.5: Development of the project site would not contribute to impacts to wildlife habitat, riparian habitat, jurisdictional wetlands or other water of the United States, or special-status species.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with cumulative biological resource impacts are less than significant because the

site has been substantially graded and modified with placement of fill and does not contain any sensitive natural communities. The project would mitigate for its impacts to gabbro soils through payment of fees for Rare Plan Mitigation Area 1. Future developments in the region would disturb various project sites and require on- and offsite improvements to provide water, wastewater, storm drainage, solid waste disposal, and other services at the required level of service. Such improvements could contribute to the loss of potential habitat within the region. As described in the DEIR, implementation of the proposed project would result in less than significant impacts to wildlife habitat, riparian habitat, wetland resources, and special-status plant populations. *Reference:* Draft EIR pages 4.3-21.

CULTURAL AND HISTORICAL RESOURCES

IMPACT 4.4.4: Cumulative Impacts to Cultural Resources

Impact Identified in DEIR – Impact 4.4.4: Implementation of the proposed project, along with any foreseeable development in the project vicinity, could result in cumulative impacts on cultural resources in the region.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with cumulative impacts to cultural resources is less than significant because Mitigation measures MM 4.10.1 and MM 4.10.2 would mitigate potential cumulative impacts on cultural resources resulting from the proposed project. Grading and excavation associated with construction of the proposed project could result in the disturbance of previously undiscovered cultural resources, including archaeological resources, paleontological resources, and/or human remains. Archaeological investigations for the proposed project indicated that there are no significant resources that would be affected by implementation of the proposed project. Implementation of the proposed project, in combination with cumulative development in the area would increase the potential to disturb undiscovered cultural resources in the region. There are no known cultural resources, including paleontological, historical resources or unique archaeological resources on the project site. *Reference:* Draft EIR pages 4.4-11.

GEOLOGY AND SOILS

IMPACT 4.5.1: Exposure to Seismic-Related Hazards

Impact Identified in DEIR – Impact 4.5.1: The probability of a major seismic event in El Dorado County is low.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with exposure to seismic-related hazards are less than significant because Based on the characteristics of the fault system in El Dorado County, the potential for significant seismic activity to occur in the county is limited. No active faults have been identified under the Alquist-Priolo mapping program, and further, there have been no recorded cases of seismic fault rupture in the county. There is only one potentially active fault segment identified in the county; it is part of the Rescue Lineament-Bear Mountains fault zone, located predominantly in the Coloma/Gold Hill Market Area, within 10 miles north of the project site. No active faults pass through the project site or the immediate vicinity of the site. Nevertheless, the potential for significant seismic events to occur within the county exists based on the quantity and distribution of faults within the county and the uncertain nature of seismic events, although the probability of such events occurring is low. The extent and magnitude of potential seismic events are unknown. However, it is more likely that such events would occur near known active and/or potentially active faults in the region. The primary hazards associated with seismic events would be earthquake-induced fault rupture and ground shaking. The potential for fault rupture is negligible because there are no designated Alquist-Priolo Fault Zones in the county (i.e. areas subject to fault rupture). The county may be subject to periodic seismic groundshaking events, but the potential magnitude of such events is low to moderate throughout the county, and generally increases from west to east. The proposed project would be subject to current CBSC requirements, which would minimize the risk of structural failure of new buildings. Related secondary effects of seismic activity include liquefaction, lateral spreading, seismically induced landslides, or other ground failure. There are no Seismic Hazard Zones within El Dorado County as defined by the Seismic Hazards Mapping Program administered by the CGS. *Reference:* Draft EIR pages 4.5-5.

IMPACT 4.5.2: Loss of Soils due to Erosion

Impact Identified in DEIR – Impact 4.5.2: Implementation of the proposed project would result in grading and earth moving during construction.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with loss of soils due to erosion is less than significant because the proposed project would be subject to the County Grading Ordinance, which imposes restrictions on the time construction activity could occur and prescribes Best Management Practices (BMPs). In

addition, the proposed project would be subject to project review, including conformance with General Plan policy provisions. Development of the proposed project will require removal of vegetation and site grading. While the project applicant has not completed a final grading plan for the project, they have estimated project implementation would require removal of 11,000 cubic yards of material under a worst-case scenario. The project applicant believes that actual grading would remove approximately 8,500 cubic yards, plus an additional 400 cubic yards would be excavated for the installation of the underground storage tank (ConocoPhillips, 2005). Erosion potential of soils in the county varies depending on location. As there are no steep slopes on the project site, and the entire site is only 0.65 acre, substantial soil erosion is not anticipated. *Reference:* Draft EIR pages 4.5-5 through 4.5-6.

IMPACT 4.5.5: Cumulative Geology and Soils Impacts

Impact Identified in DEIR – Impact 4.5.5: Development of the proposed project in addition to other proposed and approved projects in El Dorado County would result in urbanization of the area by increasing the density of development.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with cumulative geology and soils impacts is less than significant because projects are required to comply with the County Building Permit Process which includes mechanisms to mitigate erosion impacts. The project would be one component of the planned development envisioned by the El Dorado County General Plan. Impacts relative to geology and soils are mitigated on a project-by-project basis. Development of each individual project site is required to comply with the provisions of the County building permit process (which requires that a soils/geotechnical report be prepared for all discretionary projects) and the Uniform Building Code (Section 16.04.030) as they pertain to protection against known geologic hazards. Impacts regarding erosion and sediment deposition can be cumulative in nature if located in a watershed. Buildout of approved and planned uses in the County have the potential to impact water quality. *Reference:* Draft EIR pages 4.5-7.

HAZARDS AND HAZARDOUS MATERIALS

IMPACT 4.6.3: Cumulative Hazards

Impact Identified in DEIR – Impact 4.6.3: Implementation of the 76 Gas Station & Circle K Mini-Mart project, in combination with other proposed and approved development in western El Dorado County, would increase the potential for exposure to hazards and hazardous materials.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with cumulative hazards is less than significant because project implementation would not significantly increase human health or safety risks. Federal, state and local law would regulate hazardous materials used on the site. Compliance with these laws is anticipated to reduce hazards associated with hazardous materials use to a less than significant level. Impacts associated with health hazards and risk of upset would be site-specific and this EIR contains mitigation measures to abate the site-specific hazards. The project site is not located within one-quarter mile of any existing or planned public or private schools. The site is not within the safety zone or land use compatibility zone of any public or private airport. *Reference:* Draft EIR pages 4.6-12 and 4.6-13.

HYDROLOGY AND WATER QUALITY

IMPACT 4.7.1: Potential Increased Groundwater Usage and Interference with Groundwater Recharge

Impact Identified in DEIR – Impact 4.7.1: The proposed project would result in increased demand for water supply. However, the project would utilize a public water source and would not result in increased groundwater usage.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with the potential of increased groundwater usage and interference with groundwater recharge is less than significant because there is no evidence that the project would substantially reduce or alter the quality of groundwater in the vicinity or materially interfere with groundwater recharge in the area of the proposed project. The project would be required to connect to a public water system per EID improvement standards (EID, 2005). EID water sources include a variety of surface waters, including Jenkinson Lake, El Dorado Forebay, Folsom Reservoir, and Crawford Ditch. *Reference:* Draft EIR pages 4.7-12 and 4.7-13.

IMPACT 4.7.2: Possible Increased Urban Contaminants in Surface Runoff Due to Construction

Impact Identified in DEIR – Impact 4.7.2: Construction of the proposed project would include site clearing and grading; access improvements; and development of various site

improvements. These activities could disturb up approximately 0.65 acres, potentially resulting in accelerated erosion.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with the potential of possible increased urban contaminants in surface runoff due to construction is less than significant because no violation of water quality standards or waste discharge requirements and no substantial degradation of water quality are expected as a result of construction activities. As required by Policy 7.3.2.2 of the 2004 El Dorado County General Plan in order to obtain a grading permit the proposed project shall include an erosion control program. The purpose of the erosion control program is to limit storm water runoff and discharge from a site. All stormwater and sediment control measures contained in the Grading, Erosion and Sediment Control Ordinance must be met during all construction activities. Thus, construction is not expected to substantially increase erosion rates or delivery of sediment to surface waters. *Reference:* Draft EIR pages 4.7-13.

IMPACT 4.7.4: Drainage and Flooding

Impact Identified in DEIR – Impact 4.7.4: Surface water runoff from the project would increase existing drainage rates thereby enhancing the potential for flooding conditions.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with drainage and flooding is less than significant because compliance with the standards and requirements contained within the Grading, Erosion and Sediment Control Ordinance will limit any potential impacts to drainage ways on or adjacent to the project site, and limit erosion and siltation. The proposed project has been designed in compliance with General Plan Policy 2.2.1.5. Approximately 17 percent of the site is proposed to be developed with landscaping (i.e. pervious areas). In addition, the Grading Erosion and Sediment Control Ordinance contains specific requirements which limit the impacts to a drainage system (Section 15.14.440 and Section 15.14.590). The standards apply to any discretionary permit which requires a grading permit and would therefore apply to the proposed project. The Grading, Erosion and Sediment Control Ordinance establishes that “No person shall do or permit to be done any grading which may obstruct, impede or interfere with the natural flow of storm waters, whether such waters are unconfined upon the surface of the land of confined within any land depressions or natural drainage ways, unimproved channels or

watercourses, or improved ditches, channels or conduits, in such a manner as to cause flooding where it would not otherwise occur, aggravate any existing flooding condition or cause accelerated erosion except where said grading is in accordance with all applicable laws, including but not limited to these permit requirements” (Section 15.14.090). *Reference:* Draft EIR pages 4.7-14 through 4.7-15.

IMPACT 4.7.5: Cumulative Increase in Groundwater Demand and Related Impacts

Impact Identified in DEIR – Impact 4.7.5: The proposed 76 Gas Station & Circle K Mini-Mart project, in combination with other development within El Dorado County, would result in increased demand for water supply which may result in increased groundwater usage.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with cumulative increase in groundwater demand and related impacts is less than significant because implementation of the proposed project would not contribute to cumulative groundwater-related impacts that were not already considered in the 2004 El Dorado County General Plan EIR. Potential increases in groundwater demand were analyzed in the 2004 El Dorado County General Plan EIR and identified to be a significant and unavoidable impact for year 2025 under all four General Plan growth scenarios. All of the General Plan alternatives would allow additional residential, agricultural, and other types of growth to occur in areas that are dependent on groundwater and outside the service areas of the west-slope surface water purveyors. Groundwater is used in these areas via private wells or small water systems that rely on either springs or wells. The severity of this impact in 2025 would be least under the No Project alternative. Development under this alternative at projected 2025 levels in areas not served by water purveyors would lead to an increase in total groundwater demand of about 33,775 afy (El Dorado County, 2003). This represents a percentage change of 121 percent. The increase in population and employment associated with this alternative would thus lead to substantial increases in existing west slope groundwater demand. The EIR concludes that policies incorporated into the El Dorado County General Plan to minimize groundwater-related impacts would not eliminate the possibility that county groundwater supplies may be insufficient to meet the large and expanded increase in future groundwater demand. *Reference:* Draft EIR pages 4.7-15.

IMPACT 4.7.6: Cumulative Water Quality Impacts

Impact Identified in DEIR – Impact 4.7.6: Construction and operational activities associated with the 76 Gas Station & Circle K Mini-Mart project and the off-site intersection improvements, along with other development in El Dorado County, would contribute to cumulative surface water quality impacts to area waterways.

Significance Identified in DEIR – Less Than Significant**Mitigation Measures Identified in DEIR – None Required****FINDINGS OF FACT**

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with cumulative water quality impacts is less than significant because implementation of the proposed project would not contribute to cumulative water quality impacts that were not already considered in the 2004 El Dorado County General Plan EIR. Potential increases in water pollutants from new impervious surfaces and new urban and agricultural uses were analyzed in the 2004 El Dorado County General Plan EIR and identified as less than significant. All of the General Plan alternatives would result in additional impervious surfaces and increased runoff from development that is discharged to surface water or infiltrates into groundwater. Certain types of agriculture may increase, resulting in additional long-term soil exposure and pesticide and fertilizer use. Development under all alternatives would potentially lead to pollutant- and sediment-laden runoff to offsite locations. However, General Plan policies, the County's Storm Water Management Plan (SWMP), and applicable regulations require compliance with NPDES requirements, prohibit development adjacent to certain water bodies, and require erosion and sediment control BMPs or other water-quality protection measures. These policies and programs would apply to all nonagricultural development (including ministerial) that disturbs more than an acre. Development on less than an acre is subject to the General Plan policies as well as the SWMP (which also applies to ministerial development). Agricultural runoff is subject to the RWQCB Conditional Waiver of Agricultural Discharges, which precludes discharge of pollutants from agricultural land that could cause adverse environmental effects. *Reference:* Draft EIR pages 4.7-16.

LAND USE**IMPACT 4.8.2: Consistency with Land Use Plans and Zoning Ordinance**

Impact Identified in DEIR – Impact 4.8.2: Development of the proposed project would be compatible with applicable planning documents, including the 2004 El Dorado County General Plan and the County Zoning Ordinance.

Significance Identified in DEIR – Less than Significant**Mitigation Measures Identified in DEIR – None Required****FINDINGS OF FACT**

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with consistency with land use plans and the Zoning Ordinance is less than significant because there would be no conflict with any existing applicable land use plans. Development of the proposed project would be consistent with planning documents

applicable to the project site, including the 2004 El Dorado County General Plan and Zoning Ordinance. The 2004 El Dorado County General Plan land use designation for the site and adjacent properties is Commercial. The purpose of this land use category is to provide a full range of commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County. The proposed gas station and mini mart are consistent with the Commercial land use designation for the site. According to El Dorado County Zoning Ordinance Section 17.32.020, service stations are permitted by right in the Commercial zone. The proposed project consists of a mini mart and gas station that would be permitted by the Commercial zoning designation. *Reference:* Draft EIR page 4.8-10.

IMPACT 4.8.3: Compatibility with Adjacent Land Uses

Impact Identified in DEIR – Impact 4.8.3: The proposed project would increase the intensity of land use on the project site. The proposed land use would be compatible with neighboring land uses.

Significance Identified in DEIR – Less than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with compatibility with adjacent land uses is less than significant because the proposed use would not result in new land use conflicts between the project site and adjacent land uses. The proposed gas station and mini mart would be located approximately 500 feet south of Highway 50 and adjacent to two two-lane regional roads. An auto dealership (Family Chevrolet) borders the site to the east and south. The project proposes a joint access agreement with Family Chevrolet so that patrons may move freely between the two sites. A park and ride lot is located northwest of the project site and the vacant property to the west is designated for commercial development by the 2004 El Dorado County General Plan. Additional commercial uses, including one gas station and mini mart, are located north of the project site along Mother Lode Drive. Land use conflicts may occur when placing incompatible land uses adjacent to one another (such as agricultural uses or industrial uses adjacent to residential areas). The project involves construction of a gas station and mini mart in an urban setting near a state highway and commercial areas. *Reference:* Draft EIR page 4.8-10.

IMPACT 4.8.4: Cumulative Increased Development

Impact Identified in DEIR – Impact 4.8.4: The proposed project in addition to other reasonably foreseeable development in El Dorado County could result in land use conflicts, however, this is not considered significant under cumulative conditions.

Significance Identified in DEIR – Less than Significant

Mitigation Measures Identified in DEIR – None Required**FINDINGS OF FACT**

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with cumulative increased development is less than significant because the project would be developed consistently with the land uses designated for the site in the relevant planning documents. Development of proposed and approved projects in western El Dorado County would result in urbanization of the area from an increase in the density of residential, commercial, office, recreational, and public facility uses. This urbanization would result in a decrease in the open space and a change to the rural character of the site. Implementation of the proposed project would not result in changes to the existing development pattern in the area. The project site would become a commercial development consistent with the 2004 El Dorado County General Plan land use designations and the zoning designation. Further, the project site is located in an area designated for commercial development. *Reference:* Draft EIR page 4.8-10.

IMPACT 4.8.5: Cumulative Land Use Conflicts

Impact Identified in DEIR – Impact 4.8.5: The 76 Gas Station & Circle K Mini-Mart project in addition to other reasonably foreseeable development in El Dorado County could result in land use conflicts, however, this is not considered significant under cumulative conditions.

Significance Identified in DEIR – Less than Significant

Mitigation Measures Identified in DEIR – None Required**FINDINGS OF FACT**

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with cumulative land use conflicts are less than significant because land use conflicts are site-specific and project development would not result in a cumulative impact. Development of the proposed and approved projects in El Dorado County has the potential to create land use conflicts with existing uses, such as low-density residential uses, Cameron Park Airpark, and natural areas. Generally, land use conflicts would be related to noise, traffic, air quality, and hazards/human health and safety issues, which are discussed in the relevant sections of this document. *Reference:* Draft EIR page 4.8-12.

NOISE**IMPACT 4.9.2: Construction-Induced Vibration Impacts**

Impact Identified in DEIR – Impact 4.9.2: Construction activities for the proposed project would generate construction-induced vibration that could exceed the thresholds for architectural damage and human annoyance.

Significance Identified in DEIR – Less than Significant**Mitigation Measures Identified in DEIR – None Required****FINDINGS OF FACT**

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with construction-induced vibration impacts is less than significant because construction related vibrations are predicted to have limited impact on the nearest residential receivers. Construction-induced vibration would be mainly related to movement of heavy construction equipment. No pile driving would be necessary for construction of the project. Additionally, the project site is not located directly adjacent to any existing structures. Therefore, no architectural or structural damage is considered likely as a result of construction of the proposed project. *Reference:* Draft EIR page 4.9-14.

IMPACT 4.9.3: Increase in Traffic Noise Levels

Impact Identified in DEIR – Impact 4.9.3: The proposed project at full buildout could result in increased traffic noise levels, at offsite locations, that are generated by the increased vehicular traffic to and from the project site. County noise standards could be exceeded and the increase in noise levels could be perceptible to existing sensitive receptors.

Significance Identified in DEIR – Less than Significant**Mitigation Measures Identified in DEIR – None Required****FINDINGS OF FACT**

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with an increase in traffic noise levels is less than significant because the project would not result in a substantial increase in existing ambient noise levels in the project vicinity and would not exceed the performance standards contained within the 2004 El Dorado County General Plan. To predict noise levels due to traffic, the FHWA Traffic Noise Prediction Model (FHWA RD-77-108) was used. The model is based upon the Calveno reference noise factors for automobiles, medium trucks and heavy trucks, with consideration given to vehicle volume, speed, roadway configuration, distance to the receiver, and the acoustical characteristics of the site. The FHWA model was developed to predict hourly L_{eq} values for free-flowing traffic conditions. Traffic volumes for baseline and future no project and plus project conditions were obtained from KD Anderson Transportation Engineers in the form of peak hour intersection turning movements. Truck usage on the local area roadways was estimated from field observations. Based upon the data, the project would not result in a substantial increase in existing ambient noise levels in the project vicinity. *Reference:* Draft EIR page 4.9-14 through 4.9-15.

IMPACT 4.9.4: Cumulative Traffic Noise

Impact Identified in DEIR – Impact 4.9.4: The 76 Gas Station & Circle K Mini-Mart project in combination with other development in the area would generate increased traffic noise from increased traffic on the local roadway system.

Significance Identified in DEIR – Less than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with cumulative traffic noise is less than significant because implementation of the proposed project would not contribute to cumulative noise impacts that were not already considered in the 2004 El Dorado County General Plan EIR. Along with other projects in the project study area, a noise increase of up to 3 dBA CNEL/L_{dn} would occur along the roadway segments that would accommodate substantial volumes of traffic generated by the proposed project and other projects over existing conditions. However, the proposed project would cause increases of less than 1 dB under cumulative conditions, which less than the standard for significance of 3 to 5 dB identified in Policy 6.5.1.12. Therefore, the project's contribution to increased cumulative noise levels would not result in a significant impact. Potential exposure of noise-sensitive land uses to short-term construction noise, ground transportation noise and fixed or non-transportation noise resulting from implementation of the 2004 El Dorado County General Plan was analyzed in the 2004 El Dorado County General Plan EIR and identified as significant and unavoidable under all four General Plan growth scenarios. *Reference:* Draft EIR page 4.9-16.

POPULATION, HOUSING AND SOCIOECONOMICS

IMPACT 4.10.1: Potential for Urban Blight

Impact Identified in DEIR – Impact 4.10.1: The project proposes construction and operation of a gas station and mini-market in an area that is currently serviced by similar businesses. Competition between similar businesses in the project area may result in blight. The Shingle Springs study area is underserved by gas station/convenience stores by national, regional and countywide standards.

Significance Identified in DEIR – Less than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with the potential for urban blight are less than significant because implementation

of the project would not result in increased vacancies, store closures or blight. The proposed project would have the effect of increasing the supply of gas station/convenience stores within the study area by one store, increasing the total number in the study area from six to seven. Individual businesses may experience some decline in sales due to increased competition, however there is an existing shortfall of supply versus the existing demand in the area. It has been determined that a more than adequate market demand exists within the study area to support the six existing gas station/convenience stores plus the proposed establishment. *Reference:* Draft EIR pages 4.10-9 through 4.10-11.

IMPACT 4.10.2: Cumulative Socioeconomic Change

Impact Identified in DEIR – Impact 4.10.2: Development of the proposed project and development of other approved, planned, or potential future development in Shingle Springs would create additional housing, employment, and shopping opportunities which would alter the existing mix of these opportunities in the community.

Significance Identified in DEIR – Less than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with cumulative socioeconomic change is less than significant because the proposed project would not have an adverse impact on other business that would result in adverse physical conditions. Impacts associated with social and economic issues would be site-specific. The proposed project would contribute to future development within the Shingle Springs area that would result in increased commercial uses. Other future development would also result in increased residential, industrial, and other uses in the area. The project's contribution is anticipated to remain less than significant under cumulative conditions. Future development would undergo separate environmental review and would be analyzed for consistency with the 2004 El Dorado County General Plan, as appropriate. These future projects are anticipated to contribute to the increased residential, commercial, business, and industrial opportunities as envisioned by the 2004 General Plan Land Use Map. Further, the 2004 El Dorado County General Plan contains policies that state the County shall use appropriate land use, zoning, and permit streamlining strategies, and other financial incentives to provide for and encourage a broad mix of housing types that are compatible with wage structures associated with existing and forecasted employment (Policy 10.1.9.1 of the 2004 El Dorado County General Plan). *Reference:* Draft EIR page 4.10-11.

PUBLIC SERVICES AND UTILITIES

IMPACT 4.11.1.1: Potentially Unacceptable Levels of Service for Fire Protection and Emergency Medical Services

Impact Identified in DEIR – Impact 4.11.1.1: Construction and operation of the proposed project would increase demand for fire and emergency services that may exceed the ability of the El Dorado County Fire Protection District to meet its response time goal of 8 minutes 90 percent of the time in urban areas, resulting in unacceptable levels of service for structure fires, wildfires and medical emergencies.

Significance Identified in DEIR – Less than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with potentially unacceptable levels of service for fire protection and emergency medical services is less than significant because the fire district would review building permits to determine compliance with the fire district's development standards, including but not limited to, location of fire hydrants, accessibility around buildings, turning radii within the parking area, fire sprinklers within the building, building identification and construction phasing. The proposed project would result in the development of a 2,976 square foot mini market and 12-pump gas station with a 4,000 square foot canopy. El Dorado County FPD currently provides fire protection services to the project area. Development of the project would result in a minor increase in demand for fire protection services. The response time goal for the fire district in urban areas is an 8-minute response to 80 percent of the population within community regions. The El Dorado County Fire Protection District has reviewed the proposed project. Given the close proximity of the project site to a fire station (Engine 28), the fire district anticipates a response time of approximately two to three minutes to the project site. The fire district has indicated that there would be a less than significant impact to fire protection services (Johnson, 2005). *Reference:* Draft EIR page 4.11-7.

IMPACT 4.11.1.2: Potential Hazard Involving Interference with an Adopted Emergency Response Plan or Emergency Evacuation Plan

Impact Identified in DEIR – Impact 4.11.1.2: Construction of the project may present design features that would interfere with the County emergency response plan and/or emergency evacuation plan.

Significance Identified in DEIR – Less than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with potential hazard involving interference with an adopted emergency response plan or emergency evacuation plan is less than significant because of the location of the nearest fire station, availability of multiple access points to the project site, availability of

water for fire suppression and provisions within the County emergency response plan. The proposed project would not physically interfere with the implementation of the County emergency response and/or evacuation plan for the project area. *Reference:* Draft EIR page 4.11-7.

IMPACT 4.11.1.3: Cumulative Fire Protection and Emergency Medical Services

Impact Identified in DEIR – Impact 4.11.1.3: Cumulative development within El Dorado County would increase demand for fire and emergency medical services. However, the El Dorado County Fire Protection District has a program in place to mitigate impacts on fire protection and emergency services.

Significance Identified in DEIR – Less than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with cumulative fire protection and emergency medical services is less than significant because the proposed project would not contribute to cumulative fire protection and emergency services impacts that were not already considered in the El Dorado County General Plan EIR. Project-specific impacts are anticipated to result in less than significant impacts to fire protection and emergency medical services (See Impact 4.11.1.1 above). However, additional development would increase demands on existing facilities, equipment and staff potentially compromising their ability to maintain adequate levels of service. Providing increased services would require acquisition of service vehicles, equipment and increased staffing levels. El Dorado County FPD funds its fire services through facility improvement fees. This would reduce the potential for fires and maintain existing levels of service. Strict fire safety standards, including state, local and El Dorado County FPD would continue to be imposed on new development projects within the County. Additionally, the increased population associated with cumulative conditions would pay for the increased services and equipment necessary to maintain the current level of service. Potential impacts to fire protection and emergency medical services throughout the county for the year 2025 were analyzed in the El Dorado County General Plan EIR. Impacts to local-level providers of fire and emergency medical services were found to be less than significant, as mitigated. Increased demand for CDF services is expected to result in the need for new fire protection facilities in foothill areas. It is assumed that this cumulative demand and subsequent facility development would lead to significant environmental impacts. Planning for subsequent facility development and the analysis and mitigation of any potential impacts would be the responsibility of the State of California. *Reference:* Draft EIR page 4.11-8.

IMPACT 4.11.2.1: Increased Demand for Law Enforcement Services and Reduction in Existing Level of Service

Impact Identified in DEIR – Impact 4.11.2.1: Implementation of the proposed project would increase demand for law enforcement services and reduce the level of service currently being provided.

Significance Identified in DEIR – Less than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with increased demand for law enforcement services and reduction in existing level of service is less than significant because the proposed project would not significantly impact the achievement of this response time goal or significantly impact current response times to the project area. The proposed project would result in the development of a 2,976 square foot mini market and 12-pump gas station with a 4,000 square foot canopy. The project site would be served by the El Dorado County Sheriff's Department with a response time depending on the location of the nearest patrol vehicle. As stated in the 2004 General Plan EIR, the Sheriff's Office attempts to maintain a minimum of one deputy per 1,000 residents in the unincorporated area. In 2003, 383 staff members, including 185 sworn deputies, were employed by the Sheriff's Office. The staffing ratio provides a higher level of service with approximately 1.4 deputies per 1,000 residents (El Dorado County, 2003). The Sheriff's Office has stated that no additional facilities, equipment and/or staff would be required to adequately serve the proposed project. Further, the Sheriff's Office has no special issues or concerns relative to servicing the proposed project (Egbert, 2005). *Reference:* Draft EIR page 4.11-11.

IMPACT 4.11.2.2: Increased Demand for Law Enforcement Services and Reduction in Existing Level of Service

Impact Identified in DEIR – Impact 4.11.2.2: Cumulative development within El Dorado County, including Shingle Springs, would increase the demand for law enforcement services.

Significance Identified in DEIR – Less than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with increased demand for law enforcement services and reduction in existing level of service is less than significant because the proposed project would not contribute to cumulative law enforcement impacts that were not already considered in the 2003 El Dorado County General Plan EIR. The 2003 El Dorado County General Plan Draft EIR analyzed impacts to law enforcement services resulting from implementation of four different General Plan scenarios, including the 1996 General Plan and the 2004 General Plan. The projected

growth in population under each of the General Plan alternatives would generate the need for new and/or expanded law enforcement facilities. The smallest number of law enforcement facilities would be needed under the No Project Alternative. New facilities would be developed in response to population growth as funding allows. Development of new and expanded law enforcement facilities would require discretionary approval. The development of law enforcement facilities could potentially result in adverse physical effects on the environment. Mitigation measures were identified in the General Plan Draft EIR that would lessen potential adverse impacts to a less than significant level. These mitigation measures would limit potential land use incompatibilities by limiting the range of appropriate land use designations within which law enforcement facilities could be developed and would subject such projects to review of land use compatibility by the County and any subsequent siting and design conditions. Additionally, the County Sheriff's office did not identify any potential adverse cumulative impacts to law enforcement services or facilities resulting from project implementation. Potential impacts to law enforcement services throughout western El Dorado County for the year 2025 were found to be less than significant in the El Dorado County General Plan EIR, as mitigated. *Reference:* Draft EIR page 4.11-12.

IMPACT 4.11.3.1: Increased Demand for School Facilities

Impact Identified in DEIR – Impact 4.11.3.1: The project involves construction and operation of a commercial use. The project would have no impact on the ability of school districts servicing the area to maintain their service objectives.

Significance Identified in DEIR – No Impact

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with increased demand for school facilities is less than significant because the proposed project does not include any residential units, would not increase the number of students in the area. The proposed project would result in the development of a 2,976 square foot mini market and 12-pump gas station with a 4,000 square foot canopy. The project does not include construction of educational or governmental facilities. The El Dorado County Office of Education, Buckeye School District and El Dorado Union High School District were consulted during preparation of this EIR. Neither the school districts nor the El Dorado County Office of Education identified impacts associated with the provision of school services (Boike, 2005; Daniels, 2005; Smith, 2005). However, both school districts voiced concerns regarding the potential for increased traffic in the area. Potential traffic impacts associated with the 76 Gas Station & Circle K Mini-Mart project are discussed and mitigated for in Section 4.12 (Traffic and Circulation) of this EIR. *Reference:* Draft EIR pages 4.11-16 and 4.11-17.

IMPACT 4.11.3.2: Cumulative Impacts on School Facilities

Impact Identified in DEIR – Impact 4.11.3.2: The proposed project, in combination with reasonably foreseeable development proposed in EDHUSD and BUSD enrollment boundaries, would result in a cumulative increase in student enrollment at the districts' schools.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with cumulative impacts on school facilities is less than significant because implementation of the proposed project would not contribute to cumulative public school impacts that were not already considered in the 2003 El Dorado County General Plan EIR. Potential year 2025 impacts to public schools was analyzed in the El Dorado County General Plan EIR for four scenarios, including the 1996 General Plan and the 2004 General Plan. The smallest number of new and physically altered public school facilities would be required under the No Project Alternative. Development under this alternative would generate the need for approximately 153 acres of new and expanded school facilities. New and expanded facilities would be developed in response to the increase in school enrollment generated by population growth. Because the county does not have the direct authority for determining the construction and siting of public schools, new public school facilities may be constructed in all General Plan land use designations under the 2004 El Dorado County General Plan. Public schools can be constructed in any land use designation despite General Plan inconsistencies. The development of school facilities could potentially result in adverse physical effects on the environment. Operation of public school facilities would result in potential incompatibility with adjacent land uses from noise and traffic and access, which are not fully addressed by General Plan policies. This impact was identified as significant and unavoidable in the 2003 El Dorado County General Plan EIR. The proposed project is consistent with the General Plan land use designations of the 2004 El Dorado County General Plan. *Reference:* Draft EIR pages 4.11-17 and 4.11-18.

IMPACT 4.11.4.1: Increased Demand for Water Supply, Treatment, Distribution, and Storage Systems

Impact Identified in DEIR – Impact 4.11.4.1: Implementation of the proposed project would result in increased water demand that can be served by the existing water source, storage, and transmission systems. The project would be required to construct a water line extension to service the project.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with increased demand for water supply, treatment, distribution, and storage systems is less than significant because there is adequate capacity in the water system to serve the project. The proposed project would result in the development of a 2,976 square foot mini market and 12-pump gas station with a 4,000 square foot canopy. Public water would be provided to the project by EID. The El Dorado County Fire Protection District has determined that the minimum fire flow required for this project is 1,500 gallons per minute (GPM) for a 2-hour duration while maintaining a 20-psi residual pressure. EID has indicated that a 12-inch water main exists in Mother Lode Drive and South Shingle Road. This water line has adequate capacity and pressure to serve the project's potable water and fire flow needs (Cooper, 2005). EID operates on a first come, first served policy (EID Policy Statement No. 41). In the case where EID's water supply is depleted, water meters will not be sold. The project as proposed would require an estimated five EDU's of water supply. No new or expanded water entitlements are necessary to provide water service to the project. In order to provide this fire flow and receive service, the project proponent must construct a water line extension connecting to the existing off-site 12-inch water line in South Shingle Road or in Mother Lode Drive. This line is located adjacent to the project site and within the existing roadways. Any potential construction-related impacts of the extension would be mitigated for by adherence to the County Grading and Erosion Control Ordinance and mitigation measures in this EIR. *Reference:* Draft EIR page 4.11-24.

IMPACT 4.11.4.2: Cumulative Water Service

Impact Identified in DEIR – Impact 4.11.4.2: Implementation of the proposed project in combination with other reasonably foreseeable projects in El Dorado County would not impair EID's ability to provide water service to the 76 Gas Station & Circle K Mini-Mart project.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with cumulative water service is less than significant because implementation of the proposed project would not contribute to cumulative water service impacts beyond those that were already considered in the 2003 El Dorado County General Plan EIR. Surface water and groundwater demand would increase as a result of new residential, commercial and industrial development in the county, and to a lesser extent, from increases in the acreage of land under irrigated agricultural production. Potential year 2025 impacts to water supply were addressed in the 2003 El Dorado County General Plan EIR under four scenarios, including the 2004 El Dorado County General Plan. Using water demand projections and

related analysis of the existing, available and firm supplies of the west-slope purveyor's water systems, the projected and potential shortage conditions associated with each General Plan alternative were defined. It was determined that implementation of the No Project Alternative would result in the least potential year 2025 surface water shortages. The total water demand associated with the No Project alternative at 2025 is estimated to range from 56,543 acre feet per year (afy) to 65,049 afy for EID and from 12,030 afy to 15,277 afy for the Georgetown Divide Public Utility District (GDPUD), and is estimated to be 197 afy for the Grizzly Flat Community Services District (GFCSD). Compared to existing water demand, and using the upper end of the respective demand ranges, this alternative would cause about a 72 percent increase in total water demand for EID, a 38 percent increase in such demand for GDPUD and a 25 percent increase in total water demand for GFCSD. The total water demand for other county areas on the west slope would be about 13,498 afy to 16,358 afy under no project 2025 conditions, and would primarily be supplied by groundwater, if sufficient groundwater supplies are available. This alternative would therefore cause about a 121 percent increase in total water demand for other county areas. Increased water demand and likelihood of surface water shortages resulting from expected development was identified as a significant and unavoidable impact in the 2003 El Dorado County General Plan EIR. Potential impacts associated with the development of new surface water supplies and related infrastructure was also identified in the 2003 El Dorado County General Plan EIR as significant and unavoidable under all four growth scenarios. Further, the increase in groundwater demand and related impacts was identified as a significant and unavoidable impact in the 2003 El Dorado County General Plan EIR under all four growth scenarios. *Reference:* Draft EIR page 4.11-25.

IMPACT 4.11.5.1: Increased Demand for Wastewater Treatment

Impact Identified in DEIR – Impact 4.11.5.1: Buildout of the proposed project would increase the demand for wastewater treatment that would be treated by the existing wastewater treatment facility.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with increased demand for wastewater treatment is less than significant because no expansion of the Deer Creek WWTP would be required to service the project. The proposed project would result in the development of a 2,976 square foot mini market and 12-pump gas station with a 4,000 square foot canopy. In EID's July 14, 2005 Facility Improvement letter, EID states that adequate capacity to service the project exists in the 4-inch gravity sewer main in Mother Lode Drive (Cooper, 2005). *Reference:* Draft EIR page 4.11-29.

IMPACT 4.11.5.2: Increased Need for Wastewater Conveyance Facilities

Impact Identified in DEIR – Impact 4.11.5.2: Implementation of the proposed project would result in increased sewer flows, which would be conveyed by EID to the Deer Creek WWTP. In order to receive service, the project proponent would need to construct an extension to the off-site sewer main in Mother Lode Drive.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with increased need for wastewater conveyance facilities is less than significant because there is capacity to accommodate the project's anticipated needs. A 4-inch gravity sewer main is located on the opposite side of Mother Lode Drive from the project site. This line has adequate capacity to accommodate the project's anticipated needs (Cooper, 2005). In order to gain service, the applicant would need to install an extension across Mother Lode Drive to connect with this sewer line. This existing 4-inch sewer line is not designed to handle full sewage. Gravity service would require a solids interceptor tank and a pumped service would require a private full sewage lift station with a submersible grinder pump. *Reference:* Draft EIR pages 4.11-29 and 4.11-30.

IMPACT 4.11.5.3: Cumulative Wastewater Service

Impact Identified in DEIR – Impact 4.11.5.3: Implementation of cumulative development within EID's service area would potentially result in an increase in wastewater flows over the WWTP's treatment capacity.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with cumulative wastewater service is less than significant because implementation of the proposed project would not contribute to cumulative wastewater service impacts that were not already considered in the 2003 El Dorado County General Plan EIR. Development within El Dorado County would cause substantial increases in wastewater flows. The potential increase in wastewater flows and related infrastructure impacts were analyzed in the 2003 El Dorado County General Plan EIR and determined to be a significant and unavoidable impact under all four growth scenarios. Within the service area for EID's wastewater collection system, all four General Plan alternatives would generate a similar amount of wastewater. Differences in flow between alternatives would be minor and the

infrastructure needs would be expected to be the same. Therefore, all of the General Plan alternatives would cause wastewater flows to exceed WWTP capacities. OWTS-related wastewater flows would vary substantially by alternative. Under year 2025 conditions, all four General Plan alternatives would lead to an increase in existing wastewater flows of approximately 2.5 mgd in the El Dorado Hills WWTP service area, and an increase of approximately 1.2 mgd in the Deer Creek WWTP service area. Existing treatment plant capacity would be reached around 2015 at the El Dorado Hills WWTP, and around 2025 at the Deer Creek WWTP. It is estimated that the El Dorado Hills WWTP would need to treat approximately 4.9 mgd of wastewater flows when buildout conditions are reached. These flows would exceed the WWTP's existing capacity by about 1.9 mgd. The Deer Creek WWTP is expected to need to treat about 6.8 mgd under buildout conditions. Such buildout flows would exceed this plant's capacity by approximately 3.2 mgd (El Dorado County, 2003). The likelihood of EID receiving the funding it needs for the future treatment improvements identified in its related UWMP is excellent because EID does not need to rely upon uncertain federal or state funding. Such improvements are fully funded by the new development they serve through connection fees and wastewater service rates. There is no reason to believe fees will not be collected in the future to make improvements as needed. As development increases, so does the revenue collected by EID to make needed improvements. Therefore, it is likely that the necessary revenue needed to pay off the financing of these treatment improvements would be sufficient and the improvements would be built (El Dorado County, 2003). *Reference:* Draft EIR pages 4.11-30 and 4.11-31.

IMPACT 4.11.6.1: Generation of Additional Solid Waste Requiring Disposal

Impact Identified in DEIR – Impact 4.11.6.1: Buildout of the proposed project would generate additional solid waste to be disposed of by El Dorado Disposal.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with generation of additional solid waste requiring disposal is less than significant because project waste would be transported to Lockwood Landfill which has available capacity. The proposed project would result in the development of a 2,976 square foot mini market and 12-pump gas station. Development and operation of the project would require disposal of solid waste. The currently active disposal unit at Lockwood Landfill has a closure date of 2025. The Lockwood Landfill has indicated that it would be able to provide waste disposal capacity for the County's projected solid waste tonnage expected with development under the 2004 El Dorado County General Plan at 2025 and for the foreseeable future beyond that. The County and its franchise operators may contract with landfills elsewhere in California or Nevada to continually ensure sufficient landfill capacity for the solid waste generated in the County (El Dorado County, 2003). County Ordinance No. 4319 requires that new development provide areas for adequate, accessible, and convenient

storing, collecting and loading of solid waste and recyclables. For residential development curbside trash and pick-up of recyclable materials is provided by a local provider contracting to the property owner for the service. For multi-family, commercial and industrial development some on-site separation of materials is required and areas are required to be set aside for the storage of solid waste in accordance with Ordinance No. 4319. The project includes an on-site trash enclosure. El Dorado Disposal has reviewed the proposed project and stated that the project would have a less than significant impact on disposal services (Harlow, 2005). *Reference:* Draft EIR pages 4.11-35 and 4.11-36.

IMPACT 4.11.6.2: Cumulative Solid Waste Disposal

Impact Identified in DEIR – Impact 4.11.6.2: Under cumulative conditions, implementation of the project and other reasonably foreseeable projects would generate additional solid waste to be disposed of by El Dorado Disposal and other service providers within the county; however, it would result in a less than significant impact on the solid waste services and the County’s solid waste reduction program.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with cumulative solid waste disposal is less than significant because implementation of the proposed project would not contribute to cumulative solid waste impacts that were not already considered in the El Dorado County General Plan EIR. Additional development in the county would generate substantial solid waste. The potential for inadequate landfill capacity resulting from growth within El Dorado County was analyzed in the 2003 El Dorado County General Plan EIR and determined to be less than significant under all four growth scenarios. Based on the generation rate of 2.2 lbs/year (0.4015 ton per year) of solid waste per resident and 4.2 lbs/day (0.7665 ton per year) of solid waste per employee, the General Plan EIR growth scenarios would produce between 49,263 tons of solid waste per year (under the No Project Alternative) and 65,151 tons of solid waste per year (under the Environmentally Constrained Alternative) in 2025. Lockwood Landfill has indicated that it would be able to provide waste disposal capacity for the county’s projected solid-waste tonnage for all General Plan alternatives at 2025 and for the foreseeable future beyond that. However, the County and its franchise operators may contract with landfills elsewhere in California or Nevada for disposal capacity if the capacity at Lockwood Landfill is somehow made unavailable in the future (El Dorado County, 2003). There is ample available and planned landfill to accommodate county needs well beyond the planning horizon. The El Dorado County General Plan EIR also analyzed potential non-compliance with the state-mandated diversion rate under all four growth scenarios and identified this impact as a significant and unavoidable adverse impact as there may not be adequate MRF capacity to achieve the CIWMB-mandated 50 percent by 2025. *Reference:* Draft EIR pages 4.11-36 and 4.11-37.

IMPACT 4.11.7.1: Extension of Electrical Service

Impact Identified in DEIR – Impact 4.11.7.1: Implementation of the proposed project would require extension of electrical service.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with extension of electrical service is less than significant because the service provider, Pacific Gas & Electric (PG&E), has not identified any significant impacts associated with provision of electrical service to the project site. The project involves construction and operation of the 76 Gas Station & Circle K Mini Mart at a currently vacant site. Electric service would be provided to the project site by PG&E. Existing overhead electrical infrastructure would be relocated, if necessary, as part of the project and would likely be placed along the northern border of the site. An existing power transformer would be relocated as part of the project. Project implementation would increase electrical usage in association with providing heat and hot water to the Circle K Mini-Mart. The project would be required to pay fees for service that would offset impacts to the service providers. *Reference:* Draft EIR page 4.11-40.

IMPACT 4.11.7.2: Extension of Telephone Infrastructure

Impact Identified in DEIR – Impact 4.11.7.2: Implementation of the proposed project would extension of telephone service to the project site.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with extension of telephone infrastructure is less than significant because no potentially significant impacts associated with level of service were identified by the service providers. The project consists of construction of the 76 Gas Station & Circle K Mini-Mart in an urban area that is currently serviced with local and long-distance phone service. Telephone service would need to be extended to the project site to serve the proposed mini-mart. Physical impacts associated with construction are addressed in the air, traffic, noise, hydrology and water quality and geology and soils sections of this EIR. *Reference:* Draft EIR page 4.11-40.

IMPACT 4.11.7.3: Cumulative Electrical and Telephone Service

Impact Identified in DEIR – Impact 4.11.7.3: Under cumulative conditions, implementation of the proposed project and other reasonably foreseeable projects would require additional electricity and provision of telephone services.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with cumulative electrical and telephone service is less than significant because service providers have been contacted regarding provision of service to the project site and have not indicated any concerns relative to serving the site in a cumulative context. Based on the relatively small size of the mini-mart (2,976 sq. ft.) the project is not anticipated to have significant impacts on electrical supply. Similarly, telephone infrastructure is located in this portion of El Dorado County and extension of service to the project site is not anticipated to result in negative impacts to telephone service. *Reference:* Draft EIR page 4.11-41.

IMPACT 4.11.8.1: Parks and Recreation Facilities

Impact Identified in DEIR – Impact 4.11.8.1: Implementation of the proposed project would not increase the demand for additional parks and recreational facilities.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with parks and recreation facilities is less than significant because the proposed project is a commercial development that would not generate any additional population, displace existing recreational facilities or provide additional or expanded recreational facilities. The 2004 El Dorado County General Plan contains parkland dedication requirements that apply to residential development projects. The standards provide for regional, community and neighborhood parks and require either parkland dedication or in-lieu fees based on the population generated by a proposed project. *Reference:* Draft EIR page 4.11-43.

IMPACT 4.11.8.2: Cumulative Impacts on Parks, Recreational Facilities and Trails

Impact Identified in DEIR – Impact 4.11.8.2: The proposed project and other reasonably foreseeable development would require additional park and recreation facilities and trails in El Dorado County.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with cumulative impacts on parks, recreational facilities and trails is less than significant because implementation of the proposed project would not contribute to cumulative parks and recreation impacts that were not already considered in the 2003 El Dorado County General Plan EIR. Implementation of the proposed project, in combination with other approved and proposed projects within El Dorado County would result in an increased need for additional parks and recreational facilities to serve the area's population. The potential deterioration of existing park and recreation facilities and need for new facilities was analyzed in the 2003 El Dorado County General Plan EIR and identified as a less than significant impact, as mitigated. The least amount of parkland (268.1 acres of additional parkland through 2025 based on a ratio of 5 acres per 1,000 population) would be required under the No Project Alternative. As mitigated by the addition of new General Plan Policies (Policies 9.1.1.8, 9.2.2.2 and 9.2.2.5), impacts would be reduced to a less than significant level because the policies would aid in attaining the necessary funding for the acquisition, development, and maintenance of new parkland and park and recreation facilities. In addition, the potential land use incompatibility associated with development of park and recreation facilities was analyzed in the 2003 El Dorado County General Plan EIR and identified as a less than significant impact, as mitigated. *Reference:* Draft EIR page 4.11-44.

TRAFFIC AND CIRCULATION

IMPACT 4.12.2: Temporary Traffic Impacts During Construction

Impact Identified in DEIR – Impact 4.12.2: The proposed project includes roadway improvements and other construction-related activities that may temporarily inhibit normal traffic flow.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with temporary traffic impacts during construction is less than significant because

the project would be required to comply with Title 12, Chapter 12.08 of the County Code that establishes standards for road encroachments and identifies specific standards for construction, including the use of warning signs and devices, as well as other safety measures, and identification of detours or maintenance of a minimum of one lane for traffic to pass while work is in progress. Implementation of the proposed project includes roadway improvements in the project area that may temporarily inhibit normal traffic flow. Additionally, activities related to utility extension/installation, transport of construction, fill and spoil materials, and construction related traffic might temporarily affect traffic flow in the immediate area. However, these temporary impacts would be relatively short in duration. *Reference:* Draft EIR pages 4.12-27 and 4.12-28.

IMPACT 4.12.3: Potential Design Hazards

~~**Impact Identified in DEIR**—Impact 4.12.3: Implementation of the Circle K Mini Mart/76 Gas Station project would require construction of driveway access within close proximity of the South Shingle Road/Mother Lode Drive intersection, which may produce circulation hazards. However, the project design is not expected to result in a significant increase in traffic hazards.~~

~~**Significance Identified in DEIR**—Less Than Significant~~

~~**Mitigation Measures Identified in DEIR**—None Required~~

~~FINDINGS OF FACT~~

~~Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with potential design hazards is less than significant because there are no specific design features that would result in undue accident patterns, as long as existing applicable County roadway standards are applied to the improved intersection and driveway accesses. On-site circulation in the Short Term Future scenario is expected to consist generally of most traffic utilizing the South Shingle Road access for both inbound and outbound movements. This would necessitate maintaining a clear zone on both sides of the fueling positions so that vehicles can make 180-degree turns to either enter the fueling position locations or to turn to exit to South Shingle Road. In the Future with the South Shingle Road access right in, right-out only, it is expected that the circulation pattern will change with most inbound traffic entering via Mother Lode Drive and exiting to South Shingle Road. This would produce a generally clockwise circulation pattern. Traffic entering the site from Mother Lode Drive would have to make a u-turn at either the South Shingle Road/Mother Lode Drive intersection (if allowable) or at the South Shingle Road/Durock Road Intersection, relocated about 350 feet south of the existing South Shingle Road/Durock Road intersection location. *Reference:* Draft EIR page 4.12-28.~~

IMPACT 4.12.4: Emergency Access

Impact Identified in DEIR – Impact 4.12.4: The proposed project provides access to the site by way of two primary access points located on opposite sides of the site.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with emergency access is less than significant because implementation of the proposed project provides two access points located on opposite sides of the site; one from Mother Lode Drive on the northern border of the site and one from South Shingle Road on the western border of the site. Additional access to the site would be available from the adjacent automobile dealership through the joint access easement. *Reference:* Draft EIR page 4.12-28.

IMPACT 4.12.5: Potential Conflicts with Pedestrian and Bicycle Uses

Impact Identified in DEIR – Impact 4.12.5: The proposed project includes frontage and roadway improvements that would improve pedestrian and bicycle safety adjacent to the project site once construction is complete.

Significance Identified in DEIR – Less Than Significant

Mitigation Measures Identified in DEIR – None Required

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with potential conflicts with pedestrian and bicycle uses is less than significant because signage and/or other appropriate traffic control measures would consistent with Title 12, Chapter 12.08 of the County Ordinance Code to reduce the potential for temporary hazards to pedestrians and bicyclists at the project site. The proposed project would include frontage improvements including installation of a pedestrian sidewalk along the northern and western boundaries of the project site and the addition of a designated bike lane adjacent to the project site along South Shingle Road. There is an existing bike lane along Mother Lode Drive. Pedestrian and bicycle travel on the borders of the project site would be temporarily reduced during construction. *Reference:* Draft EIR page 4.12-29.

2. Findings Associated with Significant, Potentially Significant, and Cumulative Significant Impacts which can be Mitigated to a Less Than Significant Level

CEQA contains a general statutory command that public agencies should not approve projects that would cause significant environmental effects when there are feasible mitigation measures or feasible alternatives that can substantially lessen such effects. (Cal. Pub. Res. Code § 21002.) CEQA requires that, after certifying a final EIR, the decision-makers of a lead agency must adopt findings describing the disposition of each significant effect identified in the EIR. One possible finding is that proposed mitigation measures or alternatives are infeasible. [Pub. Res. Code § 21081, subd. (a)]. “Feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors. (CEQA Guidelines Section 15364).

“Feasibility” under CEQA encompasses “desirability” to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors. *City of Del Mar v. City of San Diego (1982) 133 Cal.App.3d 401, 417*. Thus, an agency’s decision-makers are free to reject an alternative that they consider undesirable from a policy standpoint, provided that any such decision reflects this balance of these factors.

El Dorado County (County) hereby adopts and makes the following findings relating to its approval of the 76 Gas Station & Circle K Mini-Mart project. Having received, reviewed, and considered the entire record, both written and oral, relating to the 76 Gas Station & Circle K Mini-Mart and associated Draft and Final Environmental Impact Report, the County makes the following findings associated with significant, potentially significant, and cumulative significant impacts which can be mitigated to a less than significant level through implementation of mitigation measures identified in the EIR:

ADDENDUM: Mitigation measures that were drafted requiring the applicant to construct all necessary road improvements in order to reduce the project’s impacts to less than significant have been revised upon subsequent review by the Department of Transportation. Their revisions were based upon amendments to General Plan Policies TC-Xd and TC-Xf, as a result of Measure Y approval by the voters in November 2008. Based upon the amendments to these policies, the applicant is no longer required to construct road improvements if they are included in the County’s 20 year Capital Improvement Plan (CIP). The revisions are reflected under Mitigation Measures 4.12.1a, 4.12.1b, and 4.12.1c.

AIR QUALITY

IMPACT 4.2.2: Generation of Temporary Fugitive Emissions from Construction Activities

Impact Identified in DEIR – Impact 4.2.2: Construction activities associated with the development of the project site would result in the generation of fugitive dust, particulate matter emissions, and naturally occurring asbestos (NOA). If uncontrolled, these emissions could result in localized exceedances of the state/federal particulate standards.

Significance Identified in DEIR – Potentially Significant**Mitigation Measures Identified in DEIR –**

MM 4.2.2a The project contractor shall implement measures found in the El Dorado County AQMD Rule 223-2-Fugitive Dust – Asbestos Hazard Mitigation (adopted July 19, 2005). Measures include monitoring and mitigation that is standardized and approved by the AQMD. The applicable Best Available Control Measures listed in Tables 1 through 6 of Rule 223-2 shall be implemented by the project contractor, including application of water or stabilizing agents to all disturbed soils on a regular basis to prevent the generation of visible dust; pre-watering soils prior to excavation; minimizing drop heights and emptying speeds from loader buckets to avoid dust plumes; hydroseeding; and limiting stockpile sizes among other measures.

Timing/Implementation: To be incorporated into construction contracts and implemented prior to site disturbance.

Enforcement/Monitoring: El Dorado County AQMD.

MM 4.2.2b The project contractor shall comply with the provisions of the Airborne Toxic Control Measure (ATCM) at Title 17 Section 93105 adopted in 2002 by the California Air Resources Board (CARB). This ATCM identifies Construction as any activity that disturbs soil containing asbestos in concentrations of 0.25% or greater. The Construction ATCM also includes activities that disturb soil where asbestos building material debris or NOA may have been dumped or in areas that contain NOA. In accordance with the California Air Resources Board Final Regulation Order for Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations, Section 93105 (March 10, 2004), the Department of Transportation shall notify the AQMD Officer in writing at least 14 days prior to construction and must implement dust control measures from Section 93105 in addition to the County regulations.

Timing/Implementation: To be incorporated into construction contracts and implemented prior to site disturbance.

Enforcement/Monitoring: El Dorado County AQMD.

Significance Identified in DEIR After Mitigation – Less Than Significant**FINDINGS OF FACT**

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with the generation of temporary fugitive emissions from construction activities

impacts (dust, particulate and NOA) would result in a less than significant impact with implementation of mitigation measures MM 4.2.2a and 4.2.2b.

CULTURAL AND HISTORIC RESOURCES

IMPACT 4.4.1: Impacts to Archaeological Resources

Impact Identified in DEIR – Impact 4.4.1: Construction of the proposed project could result in the disturbance of previously undiscovered archaeological resources on the project site.

Significance Identified in DEIR – Potentially Significant

Mitigation Measures Identified in DEIR –

MM 4.4.1 If any prehistoric or historic artifacts or other indications of archaeological resources are found once the project construction is underway, all work in the immediate vicinity must stop and the County shall be immediately notified. An archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, shall be retained to evaluate the finds and recommend appropriate mitigation measures.

Timing/Implementation: As a condition of project approval, and implemented during construction activities.

Enforcement/Monitoring: El Dorado County Development Services Department

Significance Identified in DEIR After Mitigation – Less Than Significant

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with the impacts to archaeological resources from construction activities would be avoided or reduced to a less than significant level with implementation of mitigation measure MM 4.4.1. The project site has been graded and modified by fill dirt. No archaeological resources were identified on the project site and the archaeological resources report prepared for the project indicated that the project was unlikely to affect archaeological resources. However, the potential for undiscovered archaeological resources does exist. Mitigation measure MM 4.4.1 would ensure that impacts to archaeological resources are reduced to a less than significant level.

IMPACT 4.4.2: Impacts to Paleontological Resources

Impact Identified in DEIR – Impact 4.4.2: Construction of the proposed project could result in the disturbance of previously undiscovered paleontological resources on the project site.

Significance Identified in DEIR – Potentially Significant

Mitigation Measures Identified in DEIR –

MM 4.4.2 If any paleontological resources (as defined above) or indications of paleontological resources are found once the project construction is underway, all work in the immediate vicinity must stop and the County shall be immediately notified. A paleontologist meeting the Society of Vertebrate Paleontology’s criteria for a “qualified professional paleontologist” shall be retained to evaluate the finds and recommend appropriate mitigation measures.

Timing/Implementation: As a condition of project approval, and implemented during construction activities.

Enforcement/Monitoring: El Dorado County Development Services Department.

Significance Identified in DEIR After Mitigation – Less Than Significant

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts to paleontological resources from construction activities would be avoided or reduced to a less than significant level with implementation of mitigation measure MM 4.4.2. No paleontological resources have been discovered on the project site or in the area immediately adjacent to the project site based on previous surveys. The project site does not contain any known paleontological sites or known fossil locales. However, the potential exists for previously undiscovered paleontological resources to be discovered during site grading activities or construction of the project. Mitigation measure MM 4.4.1 would ensure that impacts to paleontological resources are reduced to a less than significant level.

IMPACT 4.4.3: Impacts to Human Remains

Impact Identified in DEIR – Impact 4.4.3: Construction of the proposed project could result in the disturbance of human remains on the project site.

Significance Identified in DEIR – Potentially Significant

Mitigation Measures Identified in DEIR –

MM 4.4.3 If human remains are encountered during the construction of the proposed project, the County Coroner shall be contacted immediately. If the County Coroner determines that the remains are Native American, the Coroner will then be required to contact the NAHC (pursuant to Section 7050.5 (c) of the

California Health and Safety Code) and the County Coordinator of Indian Affairs. A qualified archaeologist shall also be contacted immediately.

Timing/Implementation: As a condition of project approval, and implemented during construction activities.

Enforcement/Monitoring: El Dorado County Development Services Department.

Significance Identified in DEIR After Mitigation – Less Than Significant

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with the impacts to human remains from construction activities would be avoided or reduced to a less than significant level with implementation of mitigation measure MM 4.4.3. Based on archival research, there is no indication that human remains will be impacted by the proposed alternative. However, there is always the potential for inadvertent discovery at the time of ground disturbance and construction activities. This mitigation measure would ensure that impacts to human remains are reduced.

GEOLOGY AND SOILS

IMPACT 4.5.1: Impacts Resulting from Unstable Soils/Expansive Soils

Impact Identified in DEIR – Impact 4.5.1: The project site is not located in an area with steep slopes or unstable soils. However, soil properties and/or site features have resulted in a rating of ‘very limited’ in regard to development of the proposed project site. Therefore, impacts could result from development on a geologic unit or soil that could become unstable as a result of the project.

Significance Identified in DEIR – Potentially Significant

Mitigation Measures Identified in DEIR –

MM 4.5.3 The project applicant shall provide a geotechnical report prepared by a registered engineer or engineering geologist at the time that the building permit application is submitted. This report should evaluate the temporary and long-term stability for the project site and identify design guidelines and construction techniques to ensure that constructed slopes would be stable. Additionally, the report should identify any special feasibility studies that may be required prior to development of the site. These investigations would be conducted in accordance with guidelines of the California Geological Survey (2002) and all other applicable standards of professional geologic/geotechnical practice, and design and construction work would comply with relevant building codes.

Timing/Implementation: Concurrent with submittal of building permit application and as a condition of project approval.

Enforcement/Monitoring: El Dorado County Development Services Department.

Significance Identified in DEIR After Mitigation – Less Than Significant

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts resulting from unstable soils/expansive soils would be reduced to a less than significant level with implementation of mitigation measure MM 4.5.3. This mitigation measure would ensure that impacts resulting from development on a geologic unit or soil that is unstable, or that could become unstable as a result of the project, are reduced.

HAZARDS AND HAZARDOUS MATERIALS

IMPACT 4.6.1: Potential Construction Hazards

Impact Identified in DEIR – Impact 4.6.1: Construction activities associated with intersection improvements could place area residents and visitors at risk of injury.

Significance Identified in DEIR – Potentially Significant

Mitigation Measures Identified in DEIR –

MM 4.6.1 Prior to any construction activities requiring complete or partial closure of area roadways, the project applicant shall provide a traffic control plan that provides access to businesses to the maximum extent feasible and ensures safety of pedestrians, cyclists, and vehicle traffic to the satisfaction of the El Dorado County Department of Transportation. The traffic control plan shall include the following measures, at a minimum:

- Provide written notice to property owners along affected roadways one week prior to roadway closures.
- To ensure public safety, clearly mark and secure construction areas.
- Steel plates or other appropriate measures shall be placed over open trenches at the end of each workday to restore vehicle access.

Timing/Implementation: Prior to and during construction activities on adjacent roadways.

Enforcement/Monitoring: El Dorado County Department of Transportation.

Significance Identified in DEIR After Mitigation – Less Than Significant

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with potential construction hazards associated with intersection improvements are reduced to a less than significant level with implementation of mitigation measure MM 4.6.1. Implementation of this mitigation measure would avoid or substantially lessen the significant environmental effect to a less than significant level.

IMPACT 4.6.2: Potential Hazard Through the Routine Transport, Use or Disposal of Hazardous Materials

Impact Identified in DEIR – Impact 4.6.2: Operation of the gas station could put area residents or visitors at risk associated with routine transport, use or disposal of hazardous materials.

Significance Identified in DEIR – Potentially Significant

Mitigation Measures Identified in DEIR –

MM 4.6.2a The applicant must comply with the permit application and plan submittal process of the Hazardous Materials Division and shall comply with all sections of the California Code of Regulations, Underground Tank Regulations. The submittal of plans shall clearly identify all components of the facility, and the installation must comply with the current UST regulations.

Timing/Implementation: Prior to approval of project plans.

Enforcement/Monitoring: El Dorado County Environmental Management Department.

MM 4.6.2b The applicant shall prepare and submit a hazardous materials business/hazardous waste generator management plan for the site to include hazardous materials and hazardous waste handling and storage. The plan shall be submitted to the El Dorado County Environmental Management Department for review and all applicable fees paid.

Timing/Implementation: Prior to approval of project plans.

Enforcement/Monitoring: El Dorado County Environmental Management Department

Significance Identified in DEIR After Mitigation – Less Than Significant

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with potential hazards through the routine transport, use or disposal of hazardous materials are reduced to a less than significant level with implementation of mitigation measures MM 4.6.2a and MM 4.6.2b. These mitigation measures would reduce potential impacts associated with the routine transport, use or disposal of hazardous materials.

HYDROLOGY AND WATER QUALITY

IMPACT 4.7.3: Possible Long-Term Increase in Urban Contaminants in Surface Runoff

Impact Identified in DEIR – Impact 4.7.3: Development and operation of the proposed project would increase the amount of impervious surfaces and cause an increase in urban contaminants in surface runoff from the proposed project site.

Significance Identified in DEIR – Potentially Significant

Mitigation Measures Identified in DEIR –

MM 4.7.3 Pursuant to the County’s storm water management plan, the following conditions shall apply to the site.

- The canopy shall have dimensions equal to or greater than the grade break. All runoff from the canopy shall not drain onto the fueling area. The downspouts shall be routed so as to prevent drainage across the fueling area.
- The fuel dispensing area shall be paved with Portland cement concrete, or an equally impervious surface. The use of asphalt concrete is prohibited.
- The fuel dispensing area shall be sloped at 1.5% to 4% to promote drainage away from the dispensers.
- The concrete dispensing area must extend at least 6.5 feet beyond the corner of each dispenser, or one foot beyond the length at which the nozzle/hose assembly may be operated, whichever is less.
- The fuel dispensing area shall be separate from the surrounding area by a grade break to prevent storm water run on.

Timing/Implementation: Prior to approval of project plans.

Enforcement/Monitoring: El Dorado County Development Services Department/El Dorado County Environmental Management Department.

Significance Identified in DEIR After Mitigation – Less Than Significant

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with possible long-term increase in urban contaminants in surface runoff are reduced to a less than significant level with implementation of mitigation measure MM 4.7.3. This mitigation measure would reduce potential impacts associated with runoff from the project site.

LAND USE

IMPACT 4.8.1: Potential Temporary Construction-Related Land Use Incompatibility/Conflicts

Impact Identified in DEIR – Impact 4.8.1: Implementation of the proposed project would result in temporary adverse effects on adjacent and nearby land uses due to disruption of traffic patterns and site access associated with construction activities.

Significance Identified in DEIR – Potentially Significant

Mitigation Measures Identified in DEIR –

Implementation of mitigation measure MM 4.6.1 (identified in Section 4.6, Hazards and Hazardous Materials) would reduce construction hazards.

Significance Identified in DEIR After Mitigation – Less Than Significant

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with potential temporary construction-related land use incompatibility/conflicts are reduced to a less than significant level with implementation of mitigation measure MM 4.6.1. This mitigation measure would reduce potential construction hazards.

NOISE

IMPACT 4.9.1: Possible Increase in Temporary Construction Noise

Impact Identified in DEIR – Impact 4.9.1: Construction activities associated with the proposed project would temporarily generate noise that may be audible at nearby noise-sensitive receptors.

Significance Identified in DEIR – Potentially Significant

Mitigation Measures Identified in DEIR –

MM 4.9.1a In noise sensitive areas, construction equipment, compressors, and generators, shall be fitted with heavy duty mufflers specifically designed to reduce noise impacts.

Timing/Implementation: Include as a note on all grading and improvement plans

Enforcement/Monitoring: El Dorado County Development Services Department.

MM 4.9.1b If nighttime construction is allowed by the County pursuant to General Plan Policy 6.5.1.11, construction contractors shall conduct construction activities in such a manner in order to not exceed 65 dB noise levels at residential facades during nighttime construction activities, except where existing noise conditions already exceed 65 dB at residential façade. In those cases, construction activities shall not increase existing noise conditions by more than 5 dB. Nighttime construction is defined as 7:00 p.m. until 7:00 a.m. during the weekdays and 5:00 p.m. to 8:00 a.m. on the weekends. Construction work may occur on the holidays if in compliance with these standards.

Timing/Implementation: Include as a note on all grading and improvement plans.

Enforcement/Monitoring: El Dorado County Development Services Department.

Significance Identified in DEIR after Mitigation – Less Than Significant

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with possible increase in temporary construction noise are reduced to a less than significant level with implementation of mitigation measure MM 4.9.1a and MM 4.91b. This mitigation measure would reduce project construction noise.

TRAFFIC AND CIRCULATION

IMPACT 4.12.1: Project Potential to Exceed an Established Level of Service Standard

Impact Identified in DEIR – Impact 4.12.1: Project implementation would generate additional traffic along area roadways which may exceed El Dorado County level of service standards.

Significance Identified in DEIR – Potentially Significant

Mitigation Measures Identified in DEIR –

MM 4.12.1a Prior to issuance of building permits, the project applicant shall pay its fair share (43.7 percent) (based on the project traffic divided by the difference between the short term future plus project and the existing traffic) for second left-through-right lane on westbound North Shingle Road at Ponderosa Road.

~~improvements to the Ponderosa Road/North Shingle Road intersection as identified below:~~

- ~~• Install a second lane along westbound North Shingle Road at Ponderosa Road; this lane will be a left through right lane and provide direct access to the US 50 westbound on-ramp.~~

This improvement is part of the programmed US Highway 50 / Ponderosa / North Shingle Roads Realignment CIP Project No. 71339. Consistent with the revised General Plan Policy TC-Xa (based on the passage of Measure Y in November 2008), payment of TIM fees is sufficient. A condition of approval had been added requiring TIM Fee payment prior to issuance of a building permit.

Timing/Implementation: Prior to issuance of building permits.

Enforcement/Monitoring: El Dorado County Department of Transportation.

MM 4.12.1b Prior to issuance of building permits, the project applicant shall pay its fair share (51.2 percent) (based on the project traffic divided by the difference between the short term future plus project and the existing traffic) to add a 500 foot eastbound left turn lane and a 300 foot right turn lane along Durock Road at South Shingle Road and a right turn lane for southbound South Shingle Road between Mother Lode Drive and Durock Road.

~~for improvements to the South Shingle Road / Durock Road intersection as identified below:~~

- ~~• Add an eastbound left turn lane (500') and a right turn lane (300') along Durock Road at South Shingle Road;~~
- ~~• Add a right turn lane for southbound South Shingle Road between Mother Lode Drive and Durock Road.~~

These improvements are part of the programmed US Highway 50 / Ponderosa / North Shingle Roads Realignment CIP Project Nos. 71333 and 71338. Consistent with the revised General Plan Policy TC-Xa, payment of TIM fees is sufficient. A condition of approval had been added requiring TIM Fee payment prior to issuance of a building permit.

Timing/Implementation: Prior to issuance of building permits.

Enforcement/Monitoring: El Dorado County Department of Transportation.

MM 4.12.1c ~~Prior to issuance of occupancy permits, the project applicant shall construct the following improvements:~~

- ~~• Add a 120-foot left turn lane to southbound South Shingle Road at Durock Road to provide access to the project site.~~
- ~~• Add a 120-foot left turn to southbound Ponderosa Road at the US 50 Eastbound ramps – Mother Lode Drive intersection.~~
- ~~• Modify the Ponderosa Road – South Shingle Road intersection/US 50 eastbound ramps – Mother Lode Drive intersection to a split phase condition along all approaches, similar to the adjacent intersections to the north.~~
- ~~• Extend the second northbound through lane along South Shingle Road. The lane should extend 500 feet south from the Durock Road intersection.~~

Construction of:

- 1) A 120-foot left turn lane on southbound South Shingle Road at Durock Road to provide access to the project site;
- 2) A 120-foot left turn lane on southbound Ponderosa Road at the Mother Lode Drive intersection;
- 3) Split phasing of Ponderosa Road / South Shingle Road / US Highway 50 eastbound on-off ramps intersection; and
- 4) Extend second northbound through lane along South Shingle road for 500 feet south of Durock Road.

These improvements are part of the programmed US Highway 50 / Ponderosa / South Shingle Roads Interchange Improvement CIP Project Nos. 71333 and 71338. Consistent with the revised General Plan Policy TC-Xa, payment of TIM fees is sufficient. A condition of approval had been added requiring TIM Fee payment prior to issuance of a building permit.

Timing/Implementation: Prior to issuance of certificate of occupancy.

Enforcement/Monitoring: El Dorado County Department of Transportation.

Significance Identified in DEIR After Mitigation – Less Than Significant

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with project potential to exceed an established level of service standard are reduced to a less than significant level with implementation of mitigation measures MM 4.12.1a, MM 4.12.1b, and MM 4.12.1c. These mitigation measures would reduce the potential to exceed the established level of service.

IMPACT 4.12.3

Impact Identified in DEIR – Impact 4.12.3: Implementation of the Circle K Mini Mart/76 Gas Station project would require construction of driveway access within close proximity of the South Shingle Road/Mother Lode Drive intersection, which may produce circulation hazards.

Significance Identified in DFEIR – Potentially Significant

Mitigation Measure Identified in DFEIR –

MM 4.12.3 Prior to the issuance of building permits, the applicant will provide to the County a cross-sectional view of the South Shingle Road driveway identifying the roadway/driveway intersection as well as the adjacent slope and provide analysis as to this slope's potential to obstruct the view of a site-exiting driver. Any landscaping, signage or any other objects that could obstruct the sight distance shall be prohibited to the satisfaction of the County.

Timing/Implementation: Prior to issuance of building permits

Enforcement/Monitoring: El Dorado County Department of Transportation

Significance Identified in FEIR After Mitigation – Less Than Significant

FINDINGS OF FACT

Based upon the analysis presented in Section 3.0 of the Final EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with project potential to result in circulation hazards from access to South Shingle Road are reduced to a less than significant level with implementation of mitigation measure MM 4.12.3. This mitigation measure would ensure any potential sight distance obstructions associated with the project design for vehicles exiting the site onto South Shingle Road are prohibited. Reference: Final EIR pages 2.0-38 through -40 and May 2009 Corrections to the Final EIR.

IMPACT 4.12.6: Exceedance of an Established LOS Standard

Impact Identified in DEIR – Impact 4.12.6: The Level of Service at the South Shingle Road/Durock Road intersection in the a.m. peak hour is projected to decline from LOS E to LOS F under Future Plus Project conditions in exceedance of LOS standards.

Significance Identified in DEIR – Potentially Significant

Mitigation Measures Identified in DEIR –

MM 4.12.6 Prior to issuance of certificate of occupancy, the project applicant shall modify the right only lane along the US 50 Eastbound off-ramp at Mother Lode Drive to a through lane, as well as provide a deceleration lane for turning into the project site from Mother Lode Drive. This will require addition of a through lane on the departure leg of Mother Lode Drive (eastbound) and a right-turn deceleration lane into the project site; these improvements can be dropped after the project driveway. The project should complete this improvement.

Note: Under a coordinated signal system, improvement to one intersection can affect the other intersections in the system as the improvement at one intersection can alter the timing at another intersection; this can result in an improvement in the level of service at the second intersection. This is the case at this intersection.

Timing/Implementation: Prior to issuance of certificate of occupancy.

Enforcement/Monitoring: El Dorado County Department of Transportation.

Significance Identified in DEIR After Mitigation – Less Than Significant

FINDINGS OF FACT

Based upon the analysis presented in Section 4.0 of the Draft EIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with exceedance of an established level of service standard are reduced to a less than significant level with implementation of mitigation measure MM 4.12.6. This mitigation measure would reduce the potential to exceed the established level of service.