

# Central El Dorado Hills Specific Plan

## CEQA Findings

### Pursuant to Section 15091 and 15093 of the State CEQA Guidelines and Section 21081 of the Public Resources Code

October 2019

These Findings of Fact have been prepared in accordance with the California Environmental Quality Act (“CEQA”) the CEQA Guidelines (14 CCR § 15000 et seq.), and the local procedures adopted by El Dorado County (“County”). The County is the lead agency for the environmental review of the project and has the principal responsibility for its approval. The project covered by these Findings and the relevant CEQA documents is known as the Central El Dorado Hills Specific Plan (“CEDHSP”).

# ATTACHMENT 8: FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

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## Section 1 Introduction

### 1.1 Statutory Requirements

The California Environmental Quality Act (CEQA), (Public Resources Code Section 21080) and the CEQA Guidelines (California Code of Regulations [CCR] Title 14, Section 15063) state that if it has been determined that a project may or will have significant impacts on the environment then an Environmental Impact Report (EIR) must be prepared. Accordingly, Draft EIR and Partial Recirculated EIR (RDEIR) were prepared by El Dorado County (County) to evaluate potential environmental effects that may result from implementation of the proposed Central El Dorado Hills Specific Plan (CEDHSP). The EIR and Recirculated EIR were prepared in accordance with CEQA (Public Resources Code Section 21000 et seq.) and implementing State CEQA Guidelines (14 CCR Section 15000 et seq.).

Prior to approval of the project, the EIR must be certified pursuant to Section 15090 of the CEQA Guidelines. When a certified Final EIR identifies one or more significant environmental impacts, the approving agency must make one or more of the following findings, accompanied by a brief explanation of the rationale for each identified significant impact (Section 15091 of the CEQA Guidelines):

- a. Changes or alterations have been required in, or incorporated into, such project which avoid or substantially lessen the significant environmental effect as identified in the final environmental impact report.
- b. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency, or can and should be adopted by such other agency.
- c. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

No findings are required for impacts that are less than significant and require no mitigation.

Section 15092 of the CEQA Guidelines states that after consideration of a Final EIR, and in conjunction with making the Section 15091 findings identified above, the lead agency may decide whether to approve the project. A project that would result in a significant environmental impact may be approved only if the agency has eliminated or substantially lessened all significant effects on the environment where feasible.

Only when specific economic, legal, social, technological, or other considerations outweigh the unavoidable adverse environmental effects may a project with unmitigated significant impacts be approved. Section 15093 requires the lead agency to document and substantiate any such determination in a "Statement of Overriding Considerations." The County is adopting a Statement of Overriding Considerations in addition to these findings.

## 1.2 Record of Proceedings

The record of proceedings for the decision on the CEDHSP includes the following documents:

- The Notice of Preparation dated February 20, 2013 and all other public notices issued by the County in conjunction with the CEDSHP;
- Oral testimony received at the March 14, 2013 public scoping meeting;
- All applications for approvals and development entitlements related to the CEDHSP and submitted to the County;
- Comments received on the Notice of Preparation issued by the County;
- The DEIR, RDEIR, and all appendices to the DEIR and RDEIR for the CEDHSP;
- Notices of Completion and of Availability, providing notice that the DEIR and RDEIR had been completed and was available for public review and comment;
- All comments submitted by agencies or members of the public during the comment period on the DEIR and RDEIR;
- All comments and correspondence submitted to the County with respect to the CEDHSP, in addition to timely comments on the DEIR and RDEIR;
- The FEIR dated September 2019, including all documents referred to or relied upon therein, and documents relied upon or referenced in these findings, which include, but are not limited to the following:
  - All timely comments received on the DEIR and RDEIR and responses to those comments;
  - All Technical appendices to the DEIR and RDEIR;
  - Letters and correspondence submitted to the County following the release of the FEIR;
  - The Mitigation Monitoring and Reporting Program for the CEDHSP;
- The Notices of Public Hearing issued in connection with Planning Commission and Board of Supervisors hearings on the CEDHSP;
- All findings and resolutions adopted by the County in connection with the CEDHSP approvals, and all documents cited or referred to therein;
- All reports, studies, memoranda (including internal memoranda not protected by the attorney-client privilege), maps, staff reports, or other planning documents relating to the CEDHSP prepared by the County, consultants to the County, or responsible or trustee agencies with respect to the County's compliance with the requirements of CEQA and with respect to the County's action on the CEDHSP;
- All reports, studies, memoranda, maps, staff reports, or other planning documents related to the CEDHSP cited or referenced in the preparation of the DEIR or FEIR;
- All documents submitted to the County by other public agencies or members of the public in connection with the CEDHSP, up through the close of the public hearing.
- Any documentary or other evidence submitted to the County at any other information sessions, public meeting or public hearing;
- The relevant files of the County of El Dorado Planning Services Department for the CEDHSP;

- The relevant County files and the materials submitted by the CEDHSP applicant;
- The El Dorado County General Plan and Ordinance Code;
- Any documents expressly cited in these Findings, in addition to those cited above; and
- Any other materials required for the record of proceedings by Public Resources Code Section 21167.6(e).

Each and all of the Findings and determinations contained herein are based on the competent and substantial evidence, both oral and written, contained in the entire administrative record relating to the project. These Findings and determinations constitute the independent Findings and determinations of this Board in all respects and are fully and completely supported by substantial evidence in the record as a whole. The County finds and declares that substantial evidence for each and every Finding made herein is contained in the EIR or is in the record of proceedings in the matter.

### **1.3 Custodian of Record**

Pursuant to the requirements of CEQA Guidelines Section 15091(e), the location and custodian of the documents and other materials that constitute the record of proceedings upon which these decisions are based is as follows:

El Dorado County Community Development Agency- Long Range Planning Division  
2850 Fairlane Court, Building C  
Placerville, CA 95667  
(530) 621-5355

## Section 2 Central El Dorado Hills Specific Plan

This section lists the objectives of the proposed project, provides a brief description of the project, and lists the project alternatives evaluated in the Draft EIR.

### 2.1 Project Objectives

El Dorado County's primary objective for the proposed project is to create development patterns that make the most efficient and feasible use of existing infrastructure and public services while promoting a sense of community as envisioned by the County General Plan. There are an additional 15 objectives of the proposed project, as follows.

- ***Fulfill regional land use objectives by achieving Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) Consistency.*** Establish new development that fulfills regional land use objectives by directing growth to the established community of El Dorado Hills and achieving consistency with The Sacramento Area Council of Governments' (SACOG's) adopted 2035 MTP/SCS.
- ***Curtail suburban sprawl.*** Curtail suburban sprawl (County General Plan Goal 2.1) by utilizing undeveloped infill sites and promoting mixed-use development patterns to accommodate the County's future population growth and support economic expansion.
- ***Assist in meeting future Regional Housing Needs Allocations (RHNA) needs.*** Assist in meeting the County's RHNA for the 2022–2030 Housing Element Update by introducing new lands zoned multifamily.
- ***Broaden the housing stock in El Dorado Hills.*** Maximize opportunities for higher-density housing as an alternative to single-family detached dwellings. Offer land uses to accommodate various lot sizes, densities, and product types to satisfy the market demands of existing and future household types, sizes, and income levels (County General Plan Goal HO-1), including the senior population (County General Plan Goal HO-4).
- ***Provide a strong community identity and quality built environment.*** Establish a community setting with an identifiable character and a visually attractive design theme that is compatible with the surrounding area and contributes to the quality of life and economic health (County General Plan Goal 2.4). Carefully plan and incorporate visual elements that enhance and promote a sense of community (County General Plan Goal 2.5) and provide quality residential environments for all income levels (County General Plan Goal HO-2).
- ***Utilize existing infrastructure and public services.*** Promote compact land use patterns in Community Regions to maximize existing public services, such as water, wastewater, parks, schools, solid waste, fire protection, law enforcement, and libraries, thus accommodating new growth in an efficient manner (County General Plan Goal 5.1).
- ***Improve connectivity of the regional roadway network.*** Provide an opportunity for the County to expand its regional roadway network and improve parallel capacity to U.S. Highway 50 (US 50).
- ***Encourage future transit opportunities.*** Locate development in the El Dorado Hills Community Region within walking distance of El Dorado Hills Boulevard to improve the feasibility of future

transit services, thus reducing traffic congestion and offer alternative transportation choices to a range of users (County General Plan Goal TC-2).

- **Create a new non-motorized transportation system.** Create a new non-motorized transportation system (County General Plan Goal TC-4) linking new development to existing retail services. Incorporate Class I bike paths, “complete streets” with Class II bike lanes, and sidewalks in new development to promote alternative transportation modes and reduce vehicle miles traveled.
- **Improve north-south pedestrian and bicycle connectivity.** Reduce barriers to pedestrians created by US 50 and improve access between the north and south sides of the freeway and improve pedestrian and bicycle safety.
- **Provide opportunities for recreational facilities in El Dorado Hills.** Provide recreational facilities for the health and welfare of residents and visitors (County General Plan Goal 9.1), thus promoting opportunities to capitalize on recreational uses through tourism and recreational-based businesses and industries (County General Plan Goal 9.3).
- **Maintain characteristics of natural landscape.** Maintain natural landscape features, including ridgelines (County General Plan Goal 2.3), conserve existing natural resources for ecological value (County General Plan Goal 7.4), and conserve open space to provide for the enjoyment of scenic beauty (County General Plan Goal 7.6).
- **Minimize impacts on oak woodlands.** Minimize impacts on the oak woodlands by directing new development to areas with minimal or little oak canopy.
- **Protect important cultural resources.** Protect the County’s important cultural resources (County General Plan Goal 7.5), including significant pre-historic and Native American resources and unique historical features of the County’s Gold Rush history.
- **Foster sustainable communities.** Foster sustainable communities (County General Plan Goal 2.1) by utilizing sustainable design practices to reduce greenhouse gas emissions, and increase the efficiency of energy and water use in new development (County General Plan Goal HO-5).

## 2.2 Project Description

The CEDHSP would develop a 341-acre project site consisting of 1,000 dwelling units, 11 acres of civic-limited commercial use (50,000 square feet of commercial use), 15 acres of Community Park, 1 acre of neighborhood park, and 168 acres of natural open space. The proposed project includes an amendment to the existing El Dorado Hills Specific Plan (EDHSP) to transfer the density from Serrano Village D-1, Lots C and D to the Serrano Westside planning area, and to reduce the density and development of the Pedregal planning area as currently provided for in the County General Plan. Specifically, the entitlements that would be required to implement the CEDHSP include amendments to the EDHSP and County General Plan, adoption and implementation of the CEDHSP (including its Public Facility Financing Plan), and rezoning. These entitlements are requested under application SP12-0002. A separate application for a Development Agreement for the proposed project is filed under application DA14-0003. Applications have also been filed for a General Plan Amendment (A14-0003), a Rezone (Z14-0005), Planned Development (PD 14-0004), and a Large Lot Tentative Subdivision Map (TM14-1516).

Since release of the Draft EIR, the project design has been modified. The anticipated unit count has been reduced to 737 residential dwelling units, though the project could still reach 1,000 residential



dwelling units if age-restricted housing is provided. Development of the CEDHSP area would utilize the existing road and utility infrastructure network, preserve prominent open space areas, and provide additional recreational opportunities. There are no changes to the proposed park, open space, and civic-limited commercial land uses.

## 2.3 Alternatives

The following alternatives were evaluated in comparison with the proposed CEDHSP in this Draft EIR.

- Alternative 1—No Project. This alternative assumes that the land uses within the project area would remain as currently entitled. No General Plan amendments or rezoning would be required.
- Alternative 2—Reduced Density. This alternative would reduce the total number of dwelling units from 1,000 to 672 and would increase the development footprint by more than 50 acres to accommodate the reduced density. This alternative assumes development of Village D1, Lots C and D (135 units) and combines the current approved land uses and existing housing types within the Serrano Westside planning area with development of the Pedregal planning area.
- Alternative 3—Reduced Wetland Impact. This alternative would reduce impacts on wetlands through changes to the location and density of development. The Reduced-Wetland-Impact Alternative assumes construction of duplexes and half-plexes within the Pedregal planning area as a means to increase density, while reducing and configuring the development footprint to avoid wetlands.

A more detailed description of these alternatives, and required findings, are set forth in Section 5, *Project Alternatives*.

## 2.4 Required Permits and Approvals

Project approval requires the County, as lead agency under CEQA, as well as certain “responsible agencies” to take various planning and regulatory actions. A list of permits and approvals required by the County, as well as other federal, state, and local permits that may be required, are identified below (see also Draft EIR Chapter 2, Section 2.4, *Required Approvals*).

- Approval by the El Dorado County Board of Supervisors of a General Plan amendment.
- Approval by the El Dorado County Board of Supervisors of amendments to the EDHSP.
- Approval by the El Dorado County Board of Supervisors of rezoning.
- Approval by the El Dorado County Board of Supervisors of the CEDHSP.
- Approval by the El Dorado County Board of Supervisors of a Planned Development.
- Approval by the El Dorado County Planning Commission and/or Board of Supervisors of a large lot tentative subdivision map dividing the property into residential, civic-limited commercial, open space, recreational, and other large lots.
- Approval by the El Dorado County Board of Supervisors of a development agreement between the applicant, Serrano Associates, LLC, and the County.

- Approval by the El Dorado County Board of Supervisors of a financing plan between the applicant, Serrano Associates, LLC, and the County.
- Approval by the County of building and grading permits, General Permit for Municipal Separate Storm Sewer Systems (MS4) compliance, small lot tentative maps, and final maps.
- Approval by the County of a Planned Development (PD) permit to allow the El Dorado Hills Community Services District (CSD) to construct and operate the 15-acre Village Park (VP).
- Approval by El Dorado Irrigation District of Master Facility Plan Report (FPR) and Construction Plan Documents.
- Section 401 certification from the Regional Water Quality Control Board (Regional Water Board).
- Submittal of a Notice of Intent for coverage under the Statewide General Permit (Water Quality Order No. 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-006-DWQ) for construction activities to the State Water Resources Control Board.
- Section 1602 streambed alteration agreement from the California Department of Fish and Wildlife (CDFW).
- Section 404 permit from the U.S. Army Corps of Engineers (USACE) for fill of waters of the United States.
- Biological opinion from the U.S. Fish and Wildlife Service (USFWS) for project impacts on special-status species.

## Section 3 Effects Determined to be Mitigated to Less-than-Significant Levels

The Draft EIR identified certain potentially significant effects that could result from the project that can be reduced to a less than significant level. The following impacts are described in detail in the EIR under the titles listed below. The descriptive discussions in the EIR of each of these impacts are incorporated by reference.

The County finds for each of the significant or potentially significant impacts identified in this section that, based upon substantial evidence in light of the whole record, changes or alterations have been required or incorporated into the project which avoid or substantially lessen the significant environmental effects as identified in the final EIR. Adoption of the recommended mitigation measures will effectively make the mitigation measures part of the project.

### 3.1 Aesthetics

#### Impact AES-2: Have a substantial adverse effect on a scenic vista

##### Mitigation Measure AES-2: Apply aesthetic design treatments to buildings within oak woodland and grassland areas

Appendix B, Site Design Standards, of the Central El Dorado Hills Specific Plan shall include Section B.6, Building Design Standards, as follows. These requirements will be adopted as Conditions, Covenants and Restrictions with approval of individual subdivision maps and planned development permits.

##### B.6 BUILDING STANDARDS

Buildings associated with the proposed project that are to be located in oak woodland and grassland areas will be designed to blend with the surrounding built and natural environments so that these structures complement the visual landscape. The following measures will be applied subject to County review and approval upon issuance of building permits.

- Roofing materials within oak woodlands will be colored using a shade that is two to three shades darker than the general surrounding area.
- Building facades within oak woodlands shall be painted in mid-range to darker earth tones to help buildings blend better within the oak canopy. Lighter beiges and tans, which would make buildings stand out and contrast against the oak canopy, will be avoided.
- Roofing materials within grasslands will use colors that are similar to the mid-range earth toned colors used on existing residences because these colors blend well within grassland areas and provide visual continuity with surrounding development.
- Building facades within grasslands shall be painted in mid-range earth tones to help buildings blend better within grassland areas. Very light off-whites, beiges, and tans that make buildings stand out and contrast against grassland areas, will be avoided.

**Findings for Impact AES-2:** The County finds that implementation of Mitigation Measure AES-2 will reduce impacts on scenic vistas to a less-than-significant level. As discussed on pages 3.1-11 and 3.1-12 of the DEIR, Mitigation Measure AES-2 will further reduce the impact of the appearance of buildings located within oak woodland and grassland areas, as seen in vista views, and will reduce visual impacts associated with the proposed project to a less-than-significant level. Mitigation

Measure AES-2 will be incorporated into the project by inclusion in the Design Standards Appendix B of the Central El Dorado Hills Specific Plan. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact AES-2:** The design of the development minimizes visual intrusion upon the landscape by preserving natural areas through more site-sensitive design. Open space buffers, terrain, and remaining oak trees would reduce visibility of portions of the project site in vista views but other portions of the site would be more readily available because residential areas are at higher elevations than the project site and would have views toward ridgeline development. Compared to existing conditions, the proposed project would still permanently alter the existing visual character of the site and these changes would be more apparent in vista views. The proposed project would change the visual landscape from oak woodland and grassland open space to a planned development, permanently altering the existing visual character and aesthetic resources on portions of the project site and decreasing the amount and availability of open space resources in the vicinity. These changes would be visible in scenic vista views.

The combination of potential viewer sensitivity, permanent visual changes resulting on the site, and nature of existing, undeveloped scenic vista views toward the project site would result in impacts that would be significant. As described above, County policies, zoning ordinances, design review, and the proposed CEDHSP ensure that the proposed project minimizes visual impacts to the degree feasible. Mitigation Measure AES-2 would further reduce the appearance of buildings located within oak woodland and grassland areas, as seen in vista views, and would reduce visual impacts associated with the proposed project to a less-than-significant level.

**Impact AES-4: Substantially degrade the existing visual character or quality of the site and its surroundings**

**Mitigation Measure AES-2: Apply aesthetic design treatments to buildings within oak woodland and grassland areas**

See the description above.

**Mitigation Measure AES-4: Design proposed noise barriers to be visually consistent with existing noise barriers in the project vicinity**

Existing noise barriers in the project vicinity utilize a combination of solid barriers, earthen berms, and landscaping to mitigate the effects of noise and improve site aesthetics. The earthen berms and landscaping not only improve the quality of views along roadways, but also act to screen and reduce the visibility and apparent scale of the solid barrier. Any noise barriers constructed along Serrano Parkway and El Dorado Hills Boulevard within the Central El Dorado Hills Specific Plan shall be designed and constructed in a manner as to complement and blend with nearby existing noise barriers. New noise barriers shall be visually consistent with the design of existing noise barriers in the project vicinity, such as the noise wall at the southeast corner of El Dorado Hills Boulevard and Harvard Way and the shallow berm along Serrano Parkway. The design will include similar dimensions, barrier materials, berm dimensions, and plant species as the existing barriers along El Dorado Hills Boulevard and Serrano Parkway and the barriers proposed to be installed east of the project area.

**Findings for Impact AES-4:** The County finds that implementation of Mitigation Measures AES-2 and AES-4 will reduce visual impacts of the noise barriers to a less-than-significant level. As described on pages 3.1-13 through 3.1-15 of the DEIR, Mitigation Measure AES-2 will further reduce the impact of the appearance of buildings located within oak woodland and grassland areas, as seen in vista views, and Mitigation Measure AES-4 will improve noise barrier aesthetics and ensure that the appearance of noise barriers is consistent with the surrounding project vicinity, reducing visual impacts associated with the proposed project to a less-than-significant level. Mitigation Measures AES-2 and AES-4 will be incorporated into the project by inclusion in the Design Standards Appendix B of the Central El Dorado Hills Specific Plan. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact AES-4:** The design of the development would minimize visual intrusion on the landscape by preserving areas of open space and through site-sensitive design. Open space buffers, terrain, and remaining oak trees would reduce visibility of portions of the project site in views but other portions of the site would be more readily available because existing residential areas are at higher elevations than the project site and would have views toward the proposed development.

The CEDHSP contains policies to ensure the project would be well-integrated visually into the El Dorado Hills community. CEDHSP Policy 3.4 requires that design review, architectural review, and site plan review processes be used for development proposals to ensure the proposed building materials, landscaping, lighting, grading, and improvement plans create a sense of place and integrate with the existing character of El Dorado Hills. CEDHSP Policy 3.5 requires that, concurrent with the recording of the small lot final subdivision map, applicants prepare a development notebook for any single-family detached lot of 20,000 square feet or greater that establishes building setbacks and site-specific development criteria (similar to lot notebooks currently used in the Serrano development). CEDHSP Policy 3.6 directs that design standards are used to create a distinctive character and high-quality community, and that site development, architectural design, and landscaping standards are consistent with the Specific Plan development standards (Appendix B in the Specific Plan). Conditions, Covenants, and Restrictions (CCRs) are recorded (Pedregal) or would be recorded (Serrano Westside) for each lot to ensure compliance with policies and development standards.

County policies, zoning ordinances, design review, and the proposed CEDHSP ensure that the implemented proposed project would be well-designed, sensitive to the site's natural and aesthetic resources, and seek to minimize the visual intrusion on the landscape by preserving oak trees and other aesthetic qualities and features of the site to the degree possible and help to reduce the potential for negative visual impacts that could occur as a result of project implementation. The project would preserve open space areas, designated as OS. Mitigation Measure AES-2 would further reduce the appearance of buildings located within oak woodland and grassland areas, as seen in vista views, and would reduce visual impacts associated with the proposed project to a less-than-significant level.

As specified in Mitigation Measure NOI-1b and shown on Figure 3.10-2 in Section 3.10, Noise and Vibration, noise barriers may be needed to lessen the impacts associated with noise. Mitigation Measure NOI-1b establishes that solid noise barriers and/or landscaped earthen berms may be used and that the final design, including heights, materials, and type of barrier shall be determined during final design when the locations of residences and noise sources are finalized. If the barriers are

designed without aesthetic consideration, negative visual impacts could result by degrading the quality of views from local roadways and the surrounding area and by installing a visual barrier. This would result in a significant visual impact. Mitigation Measure AES-4 would improve noise barrier aesthetics and ensure that the appearance of noise barriers is consistent with the surrounding project vicinity, reducing impacts to a less-than-significant level.

## 3.2 Air Quality

### **Impact AQ-2a: Violate any air quality standard or contribute substantially to an existing or projected air quality violation during construction**

#### **Mitigation Measure AQ-2a: Use low-VOC coatings during construction**

The project applicant will require all construction contractors to use low-VOC coatings that have a volatile organic compound (VOC) content of 10 grams per liter or less during construction. The project applicant shall submit evidence of the use of low-VOC coatings to the El Dorado County Air Quality Management District (EDCAQMD) prior to the start of construction.

#### **Mitigation Measure AQ-2b: Utilize clean diesel-powered equipment during construction to control construction-related NO<sub>x</sub> and DPM emissions**

The project applicant will ensure that the heavy-duty off-road equipment used during construction achieves a project-wide fleet-average reduction of 30% for nitrogen oxides (NO<sub>x</sub>), and 45% for DPM, compared with the most recent California Air Resources Board (ARB) fleet average at the time of construction. This can be achieved by using equipment with Environmental Protection Agency (EPA) Tier 3 or Tier 4 engines, as necessary, or through other means, as described below. The applicant shall provide documentation of compliance with this measure to EDCAQMD and El Dorado County Community Development prior to initiation of any ground disturbing activities.

The project applicant will ensure that the heavy-duty off-road equipment used during construction until 2022 will be equipped with an EPA Tier 3 or cleaner engines, except for specialized construction equipment in which an EPA Tier 3 engine is not available. Consistent with advancements of the statewide fleet average, the project applicant will ensure that all off-road diesel-powered equipment used during construction from 2023 to 2030 will be equipped with an EPA Tier 4. This requirement will ensure construction equipment remains cleaner than the fleet-wide average.

The project applicant may pursue an alternative compliance program to achieve a minimum project-wide fleet-average reduction of 30% for NO<sub>x</sub> and 45% for DPM, compared with the most recent ARB fleet average at time of construction. Use of Tier 3 and Tier 4 engines and the performance standards are not mutually exclusive, and reductions needed to meet the performance standards may be achieved through use of higher tier engines. Other ARB-approved best available control technologies, including lean NO<sub>x</sub> catalysts, exhaust gas recirculation, selective catalytic reduction, alternative fuels, and diesel particulate filters, may also be pursued. If the project applicant elects to pursue the 30% performance standard, they shall submit evidence to EDCAQMD and El Dorado County prior to the start of construction that the 30% NO<sub>x</sub> and 45% DPM performance standards will be met with the selected equipment. The mitigated analysis is currently based on compliance with the latter program (30% NO<sub>x</sub>

performance standard), because exclusive use of Tier 3 and Tier 4 engines would be sufficient to meet the performance standard. (Tier 3 engines are estimated to achieve a 38% to 39% NO<sub>x</sub> reduction relative to Tier 2 engines [current fleet-wide average], and Tier 4 engines are estimated to achieve a 89% to 91% reduction relative to Tier 3 engines [project fleet-wide average in 2023]). Note that the mitigated analysis does not currently account for DPM reductions. Accordingly, actual DPM emissions generated during construction of the plan will be lower than what is presented in Table 3.2-7 with implementation of this mitigation.

**Mitigation Measure AQ-2c: Implement EDCAQMD fugitive dust control measures and submit a Fugitive Dust Control Plan**

The project applicant shall comply with EDCAQMD Rule 223-1 and incorporate all feasible and practicable fugitive dust control measures. Emission reduction measures will include, at a minimum (as applicable), the measures identified in Draft EIR Appendix D. Additional measures may be identified by the EDCAQMD or contractor as appropriate. All measures shall be incorporated into a Fugitive Dust Control Plan, which will be submitted to and approved by EDCAQMD prior to the start of any construction activity.

**Findings for Impact AQ-2a:** The County finds that implementation of Mitigation Measures AQ-2a and AQ-2b, will reduce ROG emissions from architectural coatings and NO<sub>x</sub> emissions from construction equipment, respectively, to below thresholds and the impact will be less than significant. The County finds that, with implementation of Mitigation Measure AQ-2c, required best management practices (BMPs) for construction-related fugitive dust will be implemented by the project, reducing impacts to a less-than-significant level under the EDCAQMD CEQA Guidelines. Therefore, construction emissions will result in a less-than-significant impact with implementation of Mitigation Measures AQ-2a through AQ-2c. Mitigation Measures AQ-2a through AQ-2c will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Impact AQ-4a: Expose sensitive receptors to substantial diesel particulate matter concentrations during construction**

**Mitigation Measure AQ-2b: Utilize clean diesel-powered equipment during construction to control construction-related NO<sub>x</sub> and DPM emissions**

**Findings for Impact AQ-4a:** The County finds that the implementation of Mitigation Measure AQ-2b to reduce NO<sub>x</sub> will also reduce DPMs generated by construction activities and the impact will be less than significant. Therefore, as discussed in Chapter 3 of the FEIR, construction emissions will result in a less-than-significant impact with implementation of Mitigation Measures AQ-2b. Mitigation Measures AQ-2b will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan as policies of the Specific Plan. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact AQ-4a:** Construction activities would generate only minor amounts of DPM; maximum PM10 exhaust emissions are estimated to range from 1 to 8 pounds per day, with maximum emissions generated in 2019. Construction of the entire project would occur over a 15-year period, which is shorter than the 70- to 30-year exposure period

typically associated with increased cancer health risks. Moreover, best available control technologies implemented pursuant to Mitigation Measure AQ-2b would substantially reduce DPM emissions. Mitigation Measure AQ-2b outlines a performance standard for heavy-duty off-road equipment to achieve a project-wide fleet-average DPM reduction of 45%, compared with the most recent CARB fleet average at the time of construction. This performance standard may be met through a variety of CARB-approved best available control technologies. For example, level three diesel particulate filters are verified to reduce DPM by 85%, relative to uncontrolled levels (California Air Resources Board 2018). Several other control technologies are also available to reduce DPM, including use of electric-powered equipment and engines that meet Tier 3 or Tier 4 emission standards. Use of a performance standard, as required by Mitigation Measure AQ-2b, as opposed to a single equipment-specific control (e.g., all electric powered equipment), provides construction contractors with flexibility to select technologies that are the most cost-effective and appropriate at the time of construction. Because reduction technologies and air quality regulations are constantly changing, and it is highly likely additional control strategies will be developed throughout the course of construction, this type of mitigation also provides for continued protection of public health without precluding new control measures or existing technologies that may become economically feasible with changing market conditions.

Implementation of Mitigation Measure AQ-2b would reduce construction-related health risks to existing and new receptors. New resident exposure during construction would be further reduced by CEDHSP Policy 8.59, which requires installation of air filters that achieve a minimum efficiency reporting value (MERV) of 6 on all residential central air or ventilation systems. Accordingly, construction activities are not anticipated to result in an elevated cancer risk for exposed persons or exceed the EDCAQMD significance thresholds. Consequently, construction-related DPM emissions impacts would be less than significant with mitigation.

#### **Impact AQ-4d: Expose sensitive receptors to naturally occurring asbestos during construction**

##### **Mitigation Measure AQ-4: Submit and implement an Asbestos Dust Mitigation Plan in accordance with EDCAQMD Rule 223-2**

If in a Naturally Occurring Asbestos (NOA) area and required by EDCAQMD, the project applicant shall prepare and submit an Asbestos Dust Mitigation Plan to EDCAQMD prior to the start of any construction activity, consistent EDCAQMD Rule 223-2. All earthwork activities will be periodically observed by a geologist experienced in the visual assessment for NOA or for conditions likely to contain NOA. Additional NOA evaluation will be performed by a certified engineering geologist during grading to allow for the determination of possible capping requirements.

**Findings for Impact AQ-4d:** The County finds that implementation of Mitigation Measure AQ-4, will reduce the impact of NOA exposure to a less-than-significant level. As discussed on pages Mitigation Measure AQ-4 will require compliance with EDCAQMD's Rule 223-2 and periodic monitoring of earthwork activities for NOA will minimize the public's exposure to NOA. Rule 223 also requires specific actions such as capping with clean material if NOA is present in the near-surface or at finish-grade elevations. Mitigation Measure AQ-4 will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.



**Explanation/Facts Supporting Finding for Impact AQ-4d:** Earthmoving activities during construction could expose NOA and increase the potential for individuals to become exposed. This would be a potentially significant impact. Compliance with EDCAQMD's Rule 223-2 and periodic monitoring of earthwork activities for NOA would minimize the public's exposure to NOA Rule 223 also requires specific actions such as capping with clean material if NOA is present in the near-surface or at finish-grade elevations. With implementation of Mitigation Measure AQ-4, the impact of NOA exposure would be reduced to a less-than-significant level.

**Impact AQ-6: Violate any air quality standard or contribute substantially to an existing or projected air quality violation, expose sensitive receptors to toxic air contaminants, CO concentrations, or NOA or generate odors as a result of construction and operations of offsite improvements**

**Mitigation Measure AQ-4: Submit and implement an Asbestos Dust Mitigation Plan in accordance with EDCAQMD Rule 223-2**

See the description above.

**Findings for Impact AQ-6:** The County finds that implementation of Mitigation Measures AQ-4, will reduce the exposure to NOA exposure by requiring soil testing and implementation of NOA control measures if NOA is present to below thresholds and the impact will be less than significant. The County finds that, with implementation of Mitigation Measure AQ-4, required best management practices (BMPs) for construction-related fugitive dust will be implemented by the project, reducing impacts to a less-than-significant level under the EDCAQMD CEQA Guidelines. Therefore, construction emissions will result in a less-than-significant impact with implementation of Mitigation Measures AQ-4 will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact AQ-6:** Construction criteria pollutant emissions for the Park Drive extension, potential Silva Valley Parkway connection, Pedregal water lines, recycled water line are included in the emissions reported in Impact AQ-2a (Table 3.2-6). On an individual basis, none of the offsite improvements would result in emissions that would exceed thresholds (Appendix C). Emissions from infrastructure improvements would be reduced to less than significant levels through implementation of Mitigation Measures AQ-2a, AQ-2b, and AQ-2c.

Construction activities have the potential to disturb rock and soil that contains NOA if the offsite improvements are located in areas known to contain asbestos. However, compliance with EDCAQMD Rule 223-2 and implementation of Mitigation Measure AQ-4 would reduce the impact of NOA exposure to a less-than-significant level by requiring soils testing and implementation of NOA control measures if NOA is present.

### 3.3 Biological Resources

#### **Impact BIO-1: Loss of oak woodland canopy and oak woodland habitat**

##### **Mitigation Measure BIO-1a: Install construction barriers around the construction area to protect sensitive biological resources to be avoided**

The project construction contractor will install orange construction barriers or other similar methods as discussed in the Biological Resources Study and important habitat mitigation plan (IHMP) to protect environmentally sensitive areas as one of the first orders of work. These sensitive areas will be protected by a barrier to avoid disturbance during construction. The protected areas will be designated as environmentally sensitive areas and clearly identified on the construction plans. The barrier will be installed before construction activities are initiated, maintained throughout the construction period, and removed when construction is completed. Sensitive biological resources that occur adjacent to the construction area include special-status wildlife habitats, oak woodland and riparian woodland to be retained as open space, and wetlands and other waters of the United States to be retained. The barrier will be removed within 72 hours of completion of work.

##### **Mitigation Measure BIO-1b: Conduct environmental awareness training for construction employees**

Prior to beginning construction activities, the project applicant will employ a qualified biologist to develop and conduct environmental awareness training for construction employees on the importance of onsite biological resources, including oak woodland, riparian woodland, and mature trees to be retained; special-status wildlife habitats; potential nests of special-status birds; and roosting habitat for special-status bats. In addition, construction employees will be educated about invasive plant identification and the importance of controlling and preventing the spread of invasive plant infestations. The biologist will also explain the importance of other responsibilities related to the protection of wildlife during construction such as inspecting open trenches and looking under vehicles and machinery prior to moving them to ensure there are no lizards, snakes, small mammals, or other wildlife that could become trapped, injured, or killed in construction areas or under equipment.

The environmental awareness program will be provided to all construction personnel to brief them on the life history of special-status species in or adjacent to the project area, the need to avoid impacts on sensitive biological resources, any terms and conditions required by state and federal agencies, and the penalties for not complying with biological mitigation requirements. If new construction personnel are added to the project, the contractor's superintendent will ensure that the personnel receive the mandatory training before starting work. An environmental awareness handout that describes and illustrates sensitive resources to be avoided during project construction and identifies all relevant permit conditions will be provided to each person.

##### **Mitigation Measure BIO-1c: Conduct periodic site visits during construction**

The project applicant will employ a qualified biologist to conduct periodic site visits during construction as necessary in and adjacent to all sensitive biological resources in the construction area. The frequency of site visits will range from weekly to monthly, depending on the biological

resource, and may be done concurrently with other monitoring that may be occurring onsite (e.g., California red-legged frog, stormwater pollution prevention plan (SWPPP) compliance). The biological monitor will assist the construction crew as needed to comply with all project implementation restrictions and guidelines. The biological monitor also will be responsible for ensuring that the contractor maintains the staked and flagged perimeters of the construction area and staging areas adjacent to sensitive biological resources and will inspect the barriers to ensure that the barriers are intact. The monitor will assess any adverse effects on sensitive biological resources resulting from violations of the barrier mitigation requirements and, if adversely affected, will notify the County and the regulatory agency with jurisdiction over the affected sensitive resource. Work will stop until the barriers are reestablished. The monitor will provide the County with a monitoring log for each site visit, which will be provided to interested agencies upon request.

**Mitigation Measure BIO-1d: Avoid and minimize potential disturbance of oak woodland habitat**

If the ORMP is not in effect at the time the development applications are submitted, the project applicant will implement the following measures and the tree preservation measures in the IHMP, and will adhere to CEDHSP Policy 5.16, during construction of each project phase to protect and minimize effects on preserved trees that are adjacent to construction activities.

- The potential for long-term loss of woody vegetation will be minimized by trimming vegetation rather than removing entire trees or shrubs in areas where complete removal is not required. Any trees or shrubs that need to be trimmed will be cut at least 1 foot above ground level to leave the root systems intact and allow for more rapid regeneration. Cutting will be limited to the minimum area necessary within the construction zone. To protect nesting birds, no pruning or removal of woody vegetation will be performed between February 1 and August 31 without preconstruction bird surveys consistent with Mitigation Measure 9b.
- Operation or parking of vehicles, digging, trenching, slope cuts, soil compaction, grading, paving, or placement of fill will be prohibited within at least 1 foot outside the driplines of preserved trees.
- Runoff from the Pedregal planning area will be directed off site to prevent drainage into the open space area. Retaining walls will be installed at the edge of development areas where fill is placed to avoid ponding of water around adjacent retained oak trees.

If the ORMP is in effect at the time the development applications are submitted, in-lieu fees will be paid at the time of approval of the CEDHSP and any deed restrictions or conservation easements will occur at the time applications for permits that would result in tree removal are submitted. The project applicant will implement the following measures, and will adhere to CEDHSP Policy 5.16, during construction of each project phase to protect and minimize effects on preserved trees that are adjacent to construction activities.

Mitigation for oak woodlands can be accomplished using one or more of the following options:

1. Off-site deed restriction or conservation easement acquisition and/or acquisition in fee title by a land conservation organization for purposes of off-site oak woodland conservation;
2. In-lieu fee payment;

3. Replacement planting on-site within an area subject to deed restriction or conservation easement;
4. Replacement planting off-site within an area subject to a conservation easement; or
5. A combination of the options 1 through 4, above.

In accordance with requirements of the California PRC 21083.4, replacement planting shall not account for more than 50% of the oak woodland mitigation requirement. Therefore, half of the project's oak woodland impact mitigation requirement would consist of replacement planting on-site. The replacement planting area must be suitable for tree planting, will not conflict with current or planned land uses, and will be large enough to accommodate replacement plantings at a density equal to the density of oak woodlands impacted, up to a maximum density of 200 trees per acre. The remaining half of the project's oak woodland impact mitigation requirement would be implemented in the form of an in-lieu fee payment to the County. Since the project will mitigate 50% of the impacted 28.8 acres with replanting, under the in-lieu fee for the remaining mitigation requirement would equate to \$119,304 for 14.4 acres of woodland impact (50% of 28.8 acres) at \$8,285 per acre.

Mitigation for removal of individual native oak trees is based on an inch-for-inch replacement standard. Mitigation for Heritage Trees is based on a replacement standard of 3:1 (inches) ratio. This equates to the requirement of replanting 1,355 inches of oak trees. Replacement trees are required to be monitored and maintained for a period of seven years, calculated from the day of planting.

Impact mitigation requirements for individual native oak trees and Heritage Tree include the following options:

1. Replacement planting on-site within an area subject to a deed restriction or conservation easement;
2. Replacement planting off-site within an area subject to a conservation easement or acquisition in fee title by a land conservation organization;
3. In-lieu fee payment; or
4. A combination of the options 1 through 3 above.

The total replacement trees must have a combined diameter equal to that of the removed non-Heritage Trees, and a combined diameter equal to 3:1 of the removed Heritage Trees. Replacement tree species must be in the same proportion as those removed. Replacement plantings must be inspected, maintained and documented consistent with requirements for Mitigation Maintenance, Monitoring, and Reporting per the ORMP. Currently, the in-lieu fee program requires a payment of \$153 per inch of impact for individual oak trees and \$459 per inch for Heritage Trees. Using the per-inch mitigation fee option would result in a fee of \$126,531 for individual oaks and \$80,784 for Heritage Trees. The total fee would be \$207,315.

Since adoption of the ORMP was pending when the analysis was conducted, impacts were calculated using the 20 inch DBH standard. Because the DBH standard of Heritage Tree was changed to 36 inches, impacts and costs would be less. Regardless of which standard is adopted, all oak resource impacts associated with the CEDHSP project will be quantified and mitigated consistent with the requirements of the ORMP.

**Findings for Impact BIO-1:** The County finds that compliance with County General Plan policies and proposed CEDHSP policies will reduce permanent impacts to a less-than-significant level and also reduce potential temporary and indirect impacts on oak trees. As discussed in Chapter 3 of the FEIR, implementation of Mitigation Measures BIO-1a, BIO-1b, BIO-1c, and BIO-1d will further reduce temporary construction impacts on oak woodland to a less-than-significant level by requiring barriers to protect sensitive areas, environmental awareness training for construction employees, periodic site visits during construction, and avoidance or minimization of construction disturbance on retained oak woodland. Mitigation Measure BIO-1d will reduce indirect impacts on oak woodland due to drainage alteration to a less-than-significant level by ensuring runoff is not directed from constructed areas into the oak woodland. Because the proposed project will avoid, minimize, and compensate for impacts on oak woodland through implementation of the IHMP, it will not threaten to eliminate a plant community. Mitigation Measures BIO-1a, BIO-1b, and BIO-1c will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. Mitigation Measure BIO-1d will be included as a new policy to the Specific Plan under Objective 5.5. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact BIO-1:** Oak woodland is protected by policies in the County General Plan and County Code of Ordinance, if the ORMP remains in effect. CDFW considers oak woodland to be important wildlife habitat. The permanent loss, potential temporary impacts, and potential indirect impacts on oak woodland canopy and oak woodland habitat as a result of the proposed project would be significant impacts.

Under the ORMP, the County General Plan policy would require retention of 80.15 acres of oak woodland canopy and replacement for the loss of up to 14.15 acres of oak woodland canopy at a 1:1 ratio. Implementation of the IHMP developed for the project would retain 80.15 acres of the existing oak woodland canopy and replace 14.15 acres of oak woodland canopy. In the development areas, maintenance and replacement of dead trees would be enforced through the project's Master Owners' Association, El Dorado Hills Community Services District (CSD) Design Review Committee, or the County. Therefore, the project would comply with the County General Plan and permanent impacts would be reduced to a less-than-significant level. CEDHSP policies would reduce potential temporary and indirect impacts on oak trees.

Under the IHMP, the project avoids 123.8 acres of oak woodland within the Open Space/Avoided areas and would incorporate measures to retain additional oak woodland within the development footprint. As previously noted, 28.8 acres (18.8%) of oak woodland is within the development footprint. To comply with the ORMP and PRC 21083.4, the project would be required to mitigate all oak woodland impacts at a 1:1 ratio (because 50% or less of on-site oak woodlands are impacted), and no more than 50% of that mitigation may consist of replacement plantings. Therefore, half of the project's mitigation requirement would consist of replacement plantings on-site. The remaining half of the project's oak woodland impact mitigation would be implemented in the form of an in-lieu fee payment to the County.

The project would also be required to replace individual native oak trees based on an inch-to-inch replacement standard, and Heritage Tree replacement based on a 3:1 ratio standard. Because the adoption of the ORMP was pending at the time the analysis was conducted, calculations of Heritage Trees were based on the more conservative 20 inch DBH standard. Using a 36-inch standard to classify Heritage Trees will reduce the number of trees considered as Heritage Trees. This will reduce the total impacts to Heritage Trees and the resulting mitigation requirements.

Implementation of Mitigation Measures BIO-1a, BIO-1b, BIO-1c, and BIO-1d would further reduce temporary construction impacts on oak woodland to a less-than-significant level by requiring barriers to protect sensitive areas, environmental awareness training for construction employees, periodic site visits during construction, and avoidance or minimization of construction disturbance on retained oak woodland. Mitigation Measure BIO-1d would reduce indirect impacts on oak woodland due to drainage alteration to a less-than-significant level by ensuring runoff is not directed from constructed areas into the oak woodland. Because the proposed project would avoid, minimize, and compensate for impacts on oak woodland through implementation of the IHMP or the ORMP, it would not threaten to eliminate a plant community.

### **Impact BIO-2: Loss of riparian woodland**

#### **Mitigation Measure BIO-1a: Install construction barriers around the construction area to protect sensitive biological resources to be avoided**

See the description above.

#### **Mitigation Measure BIO-1b: Conduct environmental awareness training for construction employees**

See the description above.

#### **Mitigation Measure BIO-1c: Conduct periodic site visits during construction**

See the description above.

#### **Mitigation Measure BIO-2: Compensate for permanent loss of riparian woodland**

The project applicant will compensate for the loss of up to 2.40 acres of riparian woodland that cannot be avoided to ensure no net loss of habitat functions and values. Compensation will be at a minimum of 1:1 (i.e., 1 acre restored/created/enhanced or credits purchased for every 1 acre removed). Final compensation ratios will be based on site-specific information and determined through coordination with the appropriate state and federal agencies during the permitting process. Compensation may be a combination of mitigation bank credits and/or onsite habitat restoration and will be implemented as determined by the appropriate state and federal agencies during the permitting process. Permanent loss of riparian woodland will be compensated for by implementing one or a combination of the following options.

- The project applicant will purchase offsite mitigation bank credits for riparian woodland to allow for economy of scale and higher quality habitat due to large patch size and will provide written evidence to the resource agencies that compensation has been established through the purchase of mitigation credits.
- The project applicant will employ a qualified restoration biologist to prepare a riparian restoration and monitoring plan that involves restoring or enhancing onsite riparian woodland, potentially along the perennial creek adjacent to the proposed bike trail. The project applicant and the County will ensure implementation of the riparian restoration and monitoring plan. Similar to the oak woodland mitigation plan in the CEDHSP, the restoration plan will include a species list and number of each species, planting locations, and maintenance requirements. Plantings will consist of cuttings taken from local plants, or plants grown from local seed. Planted species will be based on those removed from the

project area and will include Fremont's cottonwood, red willow, sandbar willow, live oak, and/or valley oak. Native understory species, such as sedge species, mugwort, California wild rose, California wild grape, or other suitable species, will be planted. Plantings will be monitored annually for 10 years or as required in the project permits. For each monitoring period, the riparian restoration and monitoring plan will include a minimum percentage of planting survival to be considered successful. This percentage will be established in conjunction with the regulatory agencies, but will be in the range of 75–90%. If the survival criterion is not met in any monitoring year or at the end of the monitoring period, planting will be repeated after mortality causes have been identified and remedial measures have been implemented, and the monitoring period will be extended. The project applicant will implement the restoration plan, maintain plantings for 5 years (including weed removal, irrigation, and herbivory protection) during which annual success criteria monitoring will occur. As feasible, existing native vegetation from the affected sites should be harvested and maintained for replanting after construction.

**Findings for Impact BIO-2:** The County finds that implementation of Mitigation Measures BIO-1a, BIO-1b, BIO-1c and BIO-2 will reduce impacts on riparian woodland to a less-than-significant level. As discussed on pages 3.3-38 and 3.3-39 of the DEIR, implementation of Mitigation Measures BIO-1a, BIO-1b and BIO-1c will avoid temporary construction impacts on riparian woodland by requiring barriers to protect sensitive areas, environmental awareness training for construction employees, and periodic site visits during construction. Implementation of the required construction setbacks will avoid the potential indirect impacts on riparian woodland. Mitigation Measure BIO-2 will compensate for unavoidable permanent loss of riparian woodland and reduce the direct permanent impact to a less-than-significant level. Because the proposed project will avoid, minimize, and compensate for impacts on riparian woodland, it will not threaten to eliminate a plant community. Mitigation Measures BIO-1a, BIO-1b, BIO-1c will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. Mitigation Measure BIO-2 will be included as a new policy to the Specific Plan under Objective 5.3. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact BIO-2:** The riparian woodland retained in the designated open space areas could be subject to indirect effects during and after construction. Construction activity adjacent to preserved riparian woodland could alter the topography and indirectly affect surface and groundwater flow that supports the riparian habitat. To protect riparian habitat outside of the proposed development area, the current County standards for development require a minimum setback of 50 feet from intermittent streams and wetlands and 100 feet from perennial streams. The County may modify these interim standards if more detailed information regarding slope, soil stability, vegetation, habitat, and other site-specific conditions demonstrates that a different setback is sufficient to protect the riparian area. Actual setbacks for the CEDHSP area would be determined during the permitting process in consultation with the resource agencies, including CDFW and USACE.

Implementation of Mitigation Measures BIO-1a, BIO-1b, and BIO-1c would avoid temporary construction impacts on riparian woodland by requiring barriers to protect sensitive areas, environmental awareness training for construction employees, and periodic site visits during construction. Implementation of the required construction setbacks would avoid the potential indirect impacts on riparian woodland. Mitigation Measure BIO-2 would compensate for

unavoidable permanent loss of riparian woodland and reduce the direct permanent impact to a less-than-significant level.

**Impact BIO-3: Loss of jurisdictional wetlands, including seasonal wetlands, seasonal wetland swales, and seeps**

**Mitigation Measure BIO-1a: Install construction barriers around the construction area to protect sensitive biological resources to be avoided**

See the description above.

**Mitigation Measure BIO-1b: Conduct environmental awareness training for construction employees**

See the description above.

**Mitigation Measure BIO-1c: Conduct periodic site visits during construction**

See the description above.

**Mitigation Measure BIO-3a: Avoid and minimize disturbance of waters of the United States, including wetlands**

To the extent feasible, the project applicant will avoid and minimize impacts on waters of the United States, including wetlands, by implementing the following measures. These measures will be incorporated into contract specifications and implemented by the construction contractor.

- The project will be designed, to the extent feasible, to avoid direct and indirect impacts on waters of the United States, including wetlands.
- A SWPPP will be prepared and implemented during construction to identify appropriate BMPs for reducing construction impacts on waters of the United States.
- Within waters of the United States, including wetlands that will be preserved as part of the proposed project, construction activities will be avoided in saturated or ponded natural wetlands and drainages during the wet season (spring and winter) to the maximum extent feasible. Where such activities are unavoidable, protective practices such as use of padding or vehicles with balloon tires will be employed.
- Exposed drainage banks and levees above drainages will be stabilized immediately following completion of construction activities. Other waters of the United States will be restored in a manner that encourages vegetation to reestablish to its pre-project condition and reduces the effects of erosion on the drainage system.
- Any trees, shrubs, debris, or soils that are inadvertently deposited below the ordinary high water mark (OHWM) of streams will be removed in a manner that minimizes disturbance of the drainage bed and bank.
- To the extent feasible, in-stream construction within the OHWM of natural drainages will be restricted to the low-flow period (generally April through October).
- All activities will be completed promptly to minimize their duration and resultant impacts.



### **Mitigation Measure BIO-3b: Compensate for loss of jurisdictional wetlands**

The project applicant will compensate for the loss of up to 0.072 acre of seasonal wetland, 0.130 acre of seasonal swale, and 0.126 acre of seep habitat to ensure no net loss of habitat functions and values. The compensation will be provided at a minimum ratio of 1:1, or as permitted by the USACE (1 acre restored or created for every 1 acre filled), but final compensation ratios will be based on site-specific information and determined through coordination with state and federal agencies as part of the permitting process for the project. Compensation may be a combination of mitigation bank credits and restoration/creation of habitat and will be implemented before or immediately after completion of each phase of project construction. Permanent loss of wetland habitat will be compensated for by implementing one or a combination of the following options.

- The project applicant will purchase offsite mitigation bank credits for the affected wetland type (seasonal wetland, seasonal swale, and seep) at a locally approved mitigation bank to allow for economy of scale and higher quality habitat due to large patch size. The project applicant will provide written evidence to the resource agencies that compensation has been established through the purchase of mitigation credits.
- The project applicant will employ a qualified restoration biologist to develop a wetland restoration plan that involves creating or enhancing the affected wetland type (seasonal wetland, seasonal swale, and seep) on the project site. The project applicant and the County will coordinate with the USACE and Regional Water Board for plan approval and will ensure implementation of the wetland restoration plan. Potential restoration sites will be evaluated to determine whether this is a feasible option. If it is determined that onsite restoration is feasible, a restoration plan will be developed that describes where and when restoration will occur and who will be responsible for developing, implementing, and monitoring the restoration plan. The wetland restoration plan will also include a species list and number of each species, planting locations, and maintenance requirements. Plantings will be similar to those removed from the project area and will consist of inoculum taken from the affected wetlands, or plants grown from local material obtained within the project watershed. The vegetative cover of wetland plantings will be monitored annually for 3 years or as required in the project permits, and compared to nearby undisturbed reference wetlands. If vegetative cover of wetland plants is equivalent to reference sites at the end of the monitoring period, the revegetation will be considered successful. If the survival criterion is not met in any monitoring year or at the end of the monitoring period, planting and monitoring will be repeated after mortality causes have been identified and remedial measures have been implemented, and the monitoring period will be extended to account for the required number of monitoring years for all plantings. Mitigation sites will be protected in perpetuity in a conservation easement.

**Findings for Impact BIO-3:** The County finds that implementation of Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-3a, and BIO-3b will reduce the impacts associated with Impact BIO-3 to a less-than-significant level. Impact BIO-3 is discussed on pages 3.3-40 through 3.3-42 of the DEIR. The project applicant will implement the mitigation measures in addition to implementing the measures required as part of the Clean Water Act (CWA) permits. Implementation of Mitigation Measures BIO-1a, BIO-1b, and BIO-1c will avoid temporary construction impacts on wetlands by requiring barriers to protect sensitive areas, environmental awareness training for construction employees, and periodic site visits during construction. Implementation of Mitigation Measure BIO-3a will avoid and minimize direct and indirect impacts on wetlands. Implementation of Mitigation Measure BIO-3b

will compensate for direct impacts on wetlands. Further, CEDHSP Policy 5.10 requires preparation of a Wetland Mitigation and Monitoring Plan, which must include detailed information on the habitats present within conservation and mitigation areas, the long-term management and monitoring of these habitats, legal protection for the conservation and mitigation areas, and funding mechanism information. Implementation of CEDHSP policies and Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-3a, and BIO-3b will reduce project impacts on wetlands to a less-than-significant level. Because the proposed project will avoid, minimize, and compensate for impacts on jurisdictional wetlands, it will not threaten to eliminate a plant community. Mitigation Measures BIO-1a, BIO-1b, and BIO-1c will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. Mitigation Measure BIO-3a and BIO-3b will be included as new policies to the Specific Plan under Objective 5.3. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact BIO-3:** Earth-moving activities in the construction footprint could result in temporary and indirect impacts on wetlands that are outside of the construction footprint due to erosion and sedimentation into the non-construction areas. To protect wetlands outside of the proposed development area, the current County standards for development would require a minimum setback of 50 feet from the wetland edge. Actual setbacks for the CEDHSP area would be determined during the Section 404 permitting process in consultation with USACE.

Direct and indirect impacts on jurisdictional wetlands would be considered significant because they are regulated by the USACE and Regional Water Boards, requiring permits under CWA Sections 404 and 401, respectively. CEDHSP Policy 5.9 requires that construction, maintenance, and monitoring and compensation of wetlands comply with USACE requirements pursuant to the issuance of a Section 404 permit. In addition to implementing the measures required as part of the CWA permits, the project applicant would implement Mitigation Measures BIO-1a, BIO-1b, and BIO-1c, to avoid temporary construction impacts on wetlands by requiring barriers to protect sensitive areas, environmental awareness training for construction employees, and periodic site visits during construction; Mitigation Measure BIO-3a to avoid and minimize direct and indirect impacts on wetlands; and Mitigation Measure BIO-3b to compensate for direct impacts on wetlands. Further, CEDHSP Policy 5.10 requires preparation of a WMMP, which must include detailed information on the habitats present within conservation and mitigation areas, the long-term management and monitoring of these habitats, legal protection for the conservation and mitigation areas, and funding mechanism information. Implementation of CEDHSP policies and the following measures would reduce project impacts on wetlands to a less-than-significant level. Because the proposed project would avoid, minimize, and compensate for impacts on jurisdictional wetlands, it would not threaten to eliminate a plant community.

**Impact BIO-4: Loss of other waters of the United States, including intermittent drainages, drainage ditches/roadside ditches, and ponds**

**Mitigation Measure BIO-1a: Install construction barriers around the construction area to protect sensitive biological resources to be avoided**

See the description above.

**Mitigation Measure BIO-1b: Conduct environmental awareness training for construction employees**

See the description above.

**Mitigation Measure BIO-1c: Conduct periodic site visits during construction**

See the description above.

**Mitigation Measure BIO-3a: Avoid and minimize disturbance of waters of the United States, including wetlands**

See the description above.

**Mitigation Measure BIO-4: Compensate for loss of other waters of the United States**

The project applicant will compensate for the loss of up to 0.039 acre of perennial creek, 0.236 acre of intermittent drainage, 0.077 acre of drainage ditch/roadside ditch, and 2.261 acres of pond to ensure no net loss of habitat functions and values. The compensation will be provided at a minimum ratio of 1:1 (1 acre restored or created for every 1 acre permanently affected), but final compensation ratios will be based on site-specific information and determined through coordination with state and federal agencies as part of the permitting process for the project. Compensation may be a combination of mitigation bank credits and restoration/creation of habitat and will be implemented before or immediately after completion of each phase of project construction. In most, if not all, cases, other waters of the United States will be compensated out-of-kind by restoring riparian habitat adjacent to open water habitat. Restoration of riparian habitat will improve open water habitat quality by increasing the amount of cover adjacent to the aquatic habitat for birds and terrestrial species, and the amount of shaded riverine area in the aquatic habitat for fish and other aquatic species.

Permanent loss of other waters of the United States will be compensated for by implementing one or a combination of the following options.

- Purchase credits for created riparian stream channel at a locally approved mitigation bank. Out-of-kind compensation could also be used based on the vegetation type in the creek, i.e., seasonal wetland. Written evidence will be provided to the resource agencies that compensation has been established through the purchase of mitigation credits.
- Compensate out-of-kind for loss of drainages, ditches, and ponds by implementing other on-site wetland mitigation or compensatory mitigation for riparian woodland impacts described in Mitigation Measure BIO-2. The acreage required for compensation for loss of other waters of the United States will be added to the acreage for loss of riparian habitat.

**Findings for Impact BIO-4:** The County finds that implementation of Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-3a, and BIO-4 will reduce project impacts on other waters of the United States to a less-than-significant level. In addition, the project applicant will implement measures required as part of the CWA permits. As discussed on pages 3.3-42 through 3.3-445 of the DEIR, Mitigation Measures BIO-1a, BIO-1b, and BIO-1c will avoid temporary construction impacts on other waters of the United States by requiring barriers to protect sensitive areas, environmental awareness training for construction employees, and periodic site visits during construction. Implementation of Mitigation Measure BIO-3a will avoid and minimize direct and indirect impacts on other waters of

the United States. Implementation of Mitigation Measure BIO-4 will compensate for direct impacts on waters of the United States. Because the proposed project will compensate for the loss of other waters of the United States, it will not substantially reduce the habitat of a fish or wildlife species or threaten to eliminate a plant or animal community. Mitigation Measures BIO-1a, BIO-1b, and BIO-1c will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. Mitigation Measure BIO-3a and BIO-4 will be included as new policies to the Specific Plan under Objective 5.3. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact BIO-4:** Earth-moving activities in the construction footprint could result in temporary and indirect impacts on other waters of the United States that are outside of the construction footprint due to erosion and sedimentation into the non-construction areas. To protect other waters outside of the proposed development area, County General Plan Policy 7.3.3.4 requires a minimum setback of 50 feet from the edge of intermittent streams and a minimum 100 feet from perennial streams. Actual setbacks for the CEDHSP area would be determined during the Section 404 permitting process in consultation with USACE.

In addition to implementing the measures required as part of the CWA permits, the project applicant would implement Mitigation Measures BIO-1a, BIO- 1b, and BIO-1c to avoid temporary construction impacts on other waters of the United States by requiring barriers to protect sensitive areas, environmental awareness training for construction employees, and periodic site visits during construction; Mitigation Measure BIO-3a to avoid and minimize direct and indirect impacts on other waters of the United States; and Mitigation Measure BIO-4 to compensate for direct impacts on waters of the United States. Implementation of the measures would reduce project impacts on other waters of the United States to a less-than-significant level. Because the proposed project would compensate for the loss of other waters of the United States, it would not substantially reduce the habitat of a fish or wildlife species or threaten to eliminate a plant or animal community.

#### **Impact BIO-5: Potential impacts on special-status plant species within CEDHSP project area**

##### **Mitigation Measure BIO-5a: Conduct floristic surveys for special-status plants during appropriate identification periods**

If required, the project applicant will employ a qualified botanist to conduct floristic surveys of the 85-acre addendum area and resurvey parts of the project area that will not be constructed for several years after project approval. These surveys will be conducted after final design of the area is complete and prior to all construction activities in order to document the presence of any special-status plants before project implementation. The botanist will consult with the appropriate resource agency regarding special-status species survey methods during drought periods, if needed, but will primarily follow the CDFW botanical survey guidelines (California Department of Fish and Game 2009). All plant species observed will be identified to the level necessary to determine whether they qualify as special-status plants or are plant species with unusual or significant range extensions. The guidelines also require that field surveys be conducted when special-status plants that could occur in the area are evident and identifiable, generally during the reported blooming period. The guidelines additionally recommend visiting reference populations of special-status species that may occur in the study area. Therefore, as feasible, the surveys will include site visits of reference populations of special-status plant species with potential to occur in the project area in order to ensure that they are identifiable

during the survey period. This is particularly important for any annual plant species that has a long-lived seedbank and is known to not germinate when conditions are not conducive, e.g., during a drought. To account for different special status–plant identification periods, one or more series of field surveys may be required in spring and summer.

If any special-status plants are identified during the surveys, the botanist will photograph and map locations of the plants, document the location and extent of the special-status plant population. Requirements for compensatory mitigation will be based on the results of these surveys and are discussed in Mitigation Measure BIO-5b.

**Mitigation Measure BIO-5b: Avoid or compensate for substantial effects on special-status plants**

If one or more special-status plants are identified in the project area during preconstruction surveys conducted as part of Mitigation Measure BIO-5a, the project applicant will redesign or modify proposed project components of the project to avoid direct and indirect effects on special-status plants wherever feasible. If special-status plants can be avoided by redesigning projects, implementation of Mitigation Measures BIO-1a (barriers), BIO-1b (awareness training), and BIO-1c (biological monitor) would avoid significant impacts on special-status plants.

If complete avoidance of special-status plants is not feasible, then, if required by the concerned public resource agency (as determined by the legal status of the plant in question), the project applicant will prepare a mitigation plan in consultation with the resource agency. The project applicant will compensate for the effects of the project on special-status plants by transplanting or seeding replacements within appropriate habitats remaining in onsite Open Space areas. The conservation area will be preserved and managed by the County or by a conservation organization for the life of the project. Detailed information will be provided to the agencies on the location and quality of the preservation area, the feasibility of protecting and managing the area in perpetuity, and the responsible parties. Other pertinent information also will be provided, to be determined through future coordination with the resource agencies.

**Findings for Impact BIO-5:** As discussed on pages 3.3-44 through 3.3-46 of the DEIR, the County finds that implementation of Mitigation Measures BIO-5a and BIO-5b will reduce impacts on special-status plant species within CEDHSP project area associated with Impact BIO-5 to a less-than-significant level. Because the proposed project will avoid, minimize, and compensate for any impacts on special-status plants, it will not reduce the number or restrict the range of a rare or endangered plant. Mitigation Measures BIO-5a and BIO-5b will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact’s significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact BIO-5:** Although no special-status plants were found in the project area, additional special-status plant surveys could be necessary prior to project construction for two reasons. First, the survey results for the 85-acre addendum area may be questionable because of the drought conditions in 2015, particularly for annual species that might not grow in drought years. Second, construction of the parts of the proposed project, including trails in the 85-acre addendum area, might not occur until at least 5 years after the most recent surveys, and updated preconstruction surveys of these areas could be required to confirm the absence of special-status plants. Indirect impacts on special-status plants could occur adjacent to construction

activities, where vegetation would be retained, but could be indirectly affected by movement of construction equipment and nearby vegetation removal.

he potential direct and indirect impacts on special-status plants would be significant effects. Implementation of Mitigation Measures BIO-5a and BIO-5b would reduce these potential impacts to a less-than-significant level. Because the proposed project would avoid, minimize, and compensate for any impacts on special-status plants, it would not reduce the number or restrict the range of a rare or endangered plant.

**Impact BIO-6: Potential mortality or disturbance of California red-legged frog within the CEDHSP project area**

**Mitigation Measure BIO-1a: Install construction barriers around the construction area to protect sensitive biological resources to be avoided**

See the description above.

**Mitigation Measure BIO-1b: Conduct environmental awareness training for construction employees**

See the description above.

**Mitigation Measure BIO-1c: Conduct periodic site visits during construction**

See the description above.

**Mitigation Measure BIO-3a: Avoid and minimize disturbance of waters of the United States, including wetlands**

See the description above.

**Mitigation Measure BIO-6a: Assume presence of California red-legged frog or conduct protocol-level surveys and implement avoidance and minimization measures, as applicable**

Based on the presence of suitable California red-legged frog aquatic and upland habitat within CEDHSP project area, and because protocol-level surveys have not been previously conducted onsite, the project applicant will either assume presence of California red-legged frog in the project area or employ a qualified biologist to conduct protocol-level surveys for the species, unless USFWS determines a finding of no effect. If conducting surveys is the preferred approach, the surveys will follow protocols identified in the USFWS 2005 *Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog*, which includes a survey area encompassing the entire project area and all suitable habitat within up to 1 mile from the project area (limits of survey area determined during coordination with USFWS). If protocol surveys determine absence of California red-legged frog adults, tadpoles, or egg masses from the project area and from aquatic habitats up to 1 mile from project area, and if USFWS confirms the results, then the proposed project would have no impacts on California red-legged frog and no further mitigation is required. If presence of California red-legged frog is inferred by the project applicant or confirmed during surveys, the project applicant will implement Mitigation Measure BIO-6b to avoid and minimize impacts on California red-legged frog.

If presence of California red-legged frog is either inferred or confirmed, Endangered Species Act (ESA) consultation with USFWS will be required to address effects on this species before any ground-disturbing activities can occur.

**Mitigation Measure BIO-6b: Avoid and minimize impacts on California red-legged frog**

If California red-legged frogs are found during protocol-level surveys or are assumed to be present onsite, the project applicant will implement the following measures prior to and during ground-disturbing activities associated with construction to avoid and minimize potential effects on California red-legged frog.

- Before construction begins, a qualified biologist will locate appropriate relocation areas and prepare a relocation plan for California red-legged frogs that may need to be moved prior to or during construction. The project applicant will submit this plan to USFWS for approval a minimum of 30 days prior to the start of construction.
- Prior to disturbance or filling of suitable aquatic breeding habitat for California red-legged frog, visual and dip-net surveys (non-protocol) will be conducted, under the discretion of USFWS, to determine if California red-legged frog adults, tadpoles, or egg masses are present. If any of these life stages are identified, they will be relocated to a USFWS-approved offsite location according to the relocation plan (described above). Relocation activities would constitute take under the ESA and must be authorized by USFWS under a Biological Opinion.
- Immediately prior to construction, a USFWS-approved biologist will conduct a preconstruction survey for California red-legged frog within areas proposed for ground disturbance. The biologist will carefully search all obvious potential hiding spots for California red-legged frogs, such as large downed woody debris, the perimeter of pond or wetland habitat, and the riparian corridor associated with streams and drainages. Preliminary results of the preconstruction survey will be provided to the County and USFWS within 48 hours of completion.
- A USFWS-approved biologist will train all project staff regarding habitat sensitivity, identification of special-status species, and required practices before the start of ground-disturbing activities. The training will include the general measures that are being implemented to conserve this species as they relate to the project, the penalties for noncompliance, and the boundaries of the approved work area. Upon completion of training, employees will sign a form stating that they attended the training and understand all the conservation and protection measures.
- A USFWS-approved biologist will monitor initial ground-disturbing activities (i.e., grading, vegetation removal). The USFWS-approved biologist will complete a daily log summarizing activities and environmental compliance. Resumes of all biologists that will survey or monitor for California red-legged frog will be submitted to USFWS for approval prior to the start of construction.
- If a California red-legged frog is encountered during preconstruction surveys or during construction, activities will cease and USFWS will be contacted immediately for direction on how to proceed. If the individual(s) cannot or do not move offsite on their own, USFWS or a USFWS-permitted biologist will trap and move the individuals in accordance with the relocation plan (described above).

- The USFWS-approved biologist will have the authority to halt construction activities if any of the project requirements or agency conditions are not being fulfilled. If the biologist has requested a stop work due to take of California red-legged frog, USFWS will be notified within 1 working day via email or telephone.
- Construction disturbances and other types of project-related disturbance to California red-legged frog will be minimized to the maximum extent practicable and confined to the designated project site.
- Potential habitat outside the construction area but within the project area (i.e., open space) will be delineated with high visibility flagging or fencing to prevent encroachment of construction personnel and equipment into these areas during project work activities. At no time will equipment or personnel be allowed to adversely affect areas outside the project site without authorization from USFWS.
- Because dusk and dawn are often the times when California red-legged frogs are most actively foraging and dispersing, all construction activities adjacent to potentially occupied habitat should cease 0.5 hour before sunset and should not begin prior to 0.5 hour before sunrise.
- To prevent inadvertent entrapment of California red-legged frogs during construction, all excavated, steep-walled holes or trenches more than 6 inches deep will be provided with one or more escape ramps constructed of earth fill or wooden planks and will be inspected by a qualified biologist prior to being filled.
- Work crews or an onsite biological monitor will inspect open trenches, pits, and under construction equipment and material left onsite in the morning and evening to look for amphibians that may have become trapped or are seeking refuge.
- No canine or feline pets or firearms (except for federal, state, or local law enforcement officers and security personnel) will be permitted at the project site to avoid harassment or killing or injuring of California red-legged frog.
- No monofilament plastic mesh or line will be used for erosion control.
- All vehicle parking will be restricted to previously determined areas or existing roads within the designated work area.
- All workers will ensure their food scraps, paper wrappers, food containers, cans, bottles, and other trash from the project area are deposited in covered or closed trash containers to avoid attracting predators. The trash containers will be secured and covered in the project area at the end of each working day.

**Findings for Impact BIO-6:** As discussed on pages 3.3-46 through 3.3-49 of the DEIR, the County finds that implementation of Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-6a, and BIO-6b will reduce the potential impacts on California red-legged frog to a less-than-significant level. Mitigation Measures BIO-1a, BIO-1b, and BIO-1c will avoid temporary construction impacts on wetlands by requiring barriers to protect sensitive areas, environmental awareness training for construction employees, and periodic site visits during construction. Implementation of Mitigation Measure BIO-3a will result in avoidance and minimization of direct and indirect impacts on wetlands. In addition to these general protection measures, if required by USFWS, the project applicant will be required to implement all or some (as applicable) of Mitigation Measures BIO-6a and 6b, to avoid, minimize, and compensate for direct and indirect impacts on California red-legged frogs and their habitat. With the



implementation of these measures, the proposed project will avoid, minimize, and compensate for direct and indirect impacts on California red-legged frogs and their habitat, and will not substantially reduce the number or restrict the range of the species or cause the population to drop below self-sustaining levels. Therefore, the proposed project will have a less-than-significant impact on California red-legged frog. Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-6a and BIO-6b will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact BIO-6:** No California red-legged frogs were observed during a habitat assessment conducted in 2012 within the CEDHSP project area (ECORP Consulting 2013e). However, potential aquatic breeding habitat was identified in perennial and nearly perennial ponds located within the Serrano Westside planning area. In addition, uplands within the project area support grasslands with small mammal burrows that would provide upland habitat for the species, and the intermittent drainages could function as dispersal routes for the species.

If present in the project area, California red-legged frogs could be killed, injured, or disturbed by activities that remove suitable aquatic or upland habitat. Because California red-legged frog is a federally listed species, the species is rare, and populations within the Sierra Nevada foothills are uncommon and isolated, this potential impact would be significant. As described above, the project applicant will implement general protection measures for biological resources, including Mitigation Measures BIO-1a, BIO-1b, and BIO-1c, to avoid temporary construction impacts on wetlands by requiring barriers to protect sensitive areas, environmental awareness training for construction employees, and periodic site visits during construction; and Mitigation Measure BIO-3a to avoid and minimize direct and indirect impacts on wetlands. In addition to these general protection measures, if required by USFWS, the project applicant will implement all or some (as applicable) of Mitigation Measures BIO-6a and 6b, to avoid, minimize, and compensate for direct and indirect impacts on California red-legged frogs and their habitat. With the implementation of these collective measures, the proposed project would avoid, minimize, and compensate for direct and indirect impacts on California red-legged frogs and their habitat, and would not substantially reduce the number or restrict the range of the species or cause the population to drop below self-sustaining levels. Therefore, the proposed project would have a less-than-significant impact on California red-legged frog.

**Impact BIO-7: Potential mortality or disturbance of Pacific pond turtle within CEDHSP project area**

**Mitigation Measure BIO-1a: Install construction barriers around the construction area to protect sensitive biological resources to be avoided**

See the description above.

**Mitigation Measure BIO-1b: Conduct environmental awareness training for construction employees**

See the description above.

**Mitigation Measure BIO-1c: Conduct periodic site visits during construction**

See the description above.

**Mitigation Measure BIO-7: Conduct preconstruction surveys for Pacific pond turtle and exclude turtles from the work area**

The project applicant will implement the following measures to avoid and minimize impacts on Pacific pond turtles.

- The project applicant will retain a qualified wildlife biologist to conduct a preconstruction survey 2 weeks before and within 48 hours of disturbance in aquatic and riparian habitats. The survey objectives are to determine presence or absence of pond turtles in the construction work area and if necessary, to allow time for successful trapping and relocation.
- If feasible, the surveys will be timed to coincide with the time of day and year when turtles are most likely to be active and visible (during the cooler part of the day 8:00 a.m.– 12:00 p.m. during spring, summer, and late summer). Prior to conducting presence/absence surveys, the biologist will locate the microhabitats for turtle basking (logs, rocks, brush thickets) and determine a location to quietly observe turtles.
- Each survey will include a 30-minute wait time after arriving onsite to allow startled turtles to return to open basking areas. The survey will consist of a minimum 15-minute observation time per area where turtles could be observed.
- If turtles are observed during a survey and they cannot be avoided (i.e., pond will be filled), they will be either hand-captured or trapped and relocated outside the construction area to a CDFW-approved site. The relocation site will support suitable aquatic habitat and the biologist(s) performing the relocation will have a valid memorandum of understanding or scientific collecting permit from CDFW. Possible relocation sites include perennial ponds within the open space portion of the project area or Carson Creek downstream of the project area where pond turtles have been previously documented.
- Following relocation of pond turtles from the project area, the occupied habitat will be dewatered within 48 hours of relocation to minimize the potential for pond turtles to re-inhabit the site. A CDFW-approved biologist will monitor dewatering activities and will hand capture any turtles that remain and relocate them to the CDFW-approved relocation site.

**Findings for Impact BIO-7:** As discussed on pages 3.3-49 through 3.3-50, the County finds that implementation of Mitigation Measures BIO-1a, BIO-1b, BIO-1c, and BIO-7 will reduce impacts on Pacific pond turtle to a less-than-significant level. Mitigation Measures BIO-1a, BIO-1b, and BIO-1c will avoid temporary construction impacts on wetlands by requiring barriers to protect sensitive areas, environmental awareness training for construction employees, and periodic site visits during construction. In addition, Mitigation Measure BIO-7 will require pre-construction surveys and relocations if necessary. With the implementation of these measures, the proposed project will avoid and minimize impacts on Pacific pond turtle and its habitat, and will not substantially reduce the number or restrict the range of the species or cause the population to drop below self-sustaining levels. Mitigation Measures BIO-1a, BIO-1b, BIO-1c, and BIO-7 will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. The County therefore finds that

changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact BIO-7:** Pacific pond turtles have been documented within the CEDHSP project area in two large ponds along the southwestern boundary of the Serrano Westside planning area. Suitable aquatic and upland (overwintering, nesting) habitat for pond turtles would be removed by construction of the residential housing and the community park within the Serrano Westside planning area. Pacific pond turtles may be killed, injured, or disturbed by these activities. Potential direct impacts could include mortality or injury by equipment, entrapment in open trenches or other project facilities, and removal or disturbance of aquatic or upland nesting habitat. Construction activities (such as grading and movement of heavy equipment) could result in the destruction of pond turtle nests containing eggs or young individuals if affected areas are being used for egg deposition. Loss of individual turtles, nesting sites, or eggs in the project area could diminish the local population and lower reproductive potential, which could contribute to the further decline of this species. This impact would be significant without mitigation.

Implementation of general protection measures described above will avoid temporary construction impacts on wetlands by requiring barriers to protect sensitive areas, environmental awareness training for construction employees, and periodic site visits during construction. With the implementation of these measures and Mitigation Measure BIO-7, the proposed project would avoid and minimize impacts on Pacific pond turtle and its habitat, and would not substantially reduce the number or restrict the range of the species or cause the population to drop below self-sustaining levels.

**Impact BIO-8: Potential mortality or disturbance of Blainville's horned lizard within CEDHSP project area**

**Mitigation Measure BIO-1a: Install construction barriers around the construction area to protect sensitive biological resources to be avoided**

See the description above.

**Mitigation Measure BIO-1b: Conduct environmental awareness training for construction employees**

See the description above.

**Mitigation Measure BIO-1c: Conduct periodic site visits during construction**

See the description above.

**Mitigation Measure BIO-8: Include measures in the open space management plan identifying homeowner responsibilities to help reduce potential for domestic animal predation on wildlife**

The County shall ensure the open space management plan (OSMP) includes requirements to help reduce the potential for domestic pet predation on wildlife species. Specific actions should be developed by a qualified wildlife biologist. Such requirements could include, but would not be limited to, keeping pets on leash in open space and woodland areas, ensuring human and pet

food and trash sources are not accessible to wildlife, and others as recommended by the wildlife biologist.

**Findings for Impact BIO-8:** As discussed on pages 3.3-50 through 3.3-51, the County finds that implementation of Mitigation Measures BIO-1a, BIO-1b, BIO-1c, and BIO-8 will reduce impacts on Blainville's horned lizard to a less-than-significant level. Mitigation Measures BIO-1a, BIO-1b, and BIO-1c will avoid temporary construction impacts on Blainville's horned lizard by requiring barriers to protect sensitive horned lizard habitat, as determined by the biological monitor prior to construction, environmental awareness training for construction employees, and periodic site visits during construction. Prior to submittal of the first small tentative subdivision map to the County, as directed by CEDHSP Policy 5.31, the project applicant has committed to preparing an OSMP that guides the conservation and protection of oak woodland and wildlife uses within designated open space in the project area in perpetuity (described in Chapter 5 of the CEDHSP). The OSMP will require installation and maintenance of interpretive signs designating these areas as open space for the protection of sensitive natural resources with restricted uses defined (e.g., offroad vehicle prohibition, pet/wildlife interaction education). Implementation of Mitigation Measure BIO-8 requires that the OSMP also include specific provisions requiring that domestic animals be on leash, pet and human food should not be left outside, and that trash containers are closed at all times. This will help reduce the potential for domestic animal predation. With the implementation of these measures, the proposed project will avoid and minimize impacts on Blainville's horned lizard, and will not substantially reduce the number or restrict the range of the species or cause the population to drop below self-sustaining levels. Mitigation Measures BIO-1a, BIO-1b, and BIO-1c will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. Mitigation Measure BIO-8 will be incorporated into Section 9 (Implementation and Administration) of the Specific Plan. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact BIO-8:** If horned lizards are present within areas proposed for development, they could be killed, injured, or disturbed by construction activities. Additionally, horned lizards potentially occurring in adjacent open space areas would be exposed to increased predation by domestic animals such as cats and dogs. Existing extant populations of horned lizards in the Sierra foothills (including El Dorado County) are scattered and are becoming increasingly fragmented and threatened by encroaching development. Loss of individual horned lizards could diminish the local population and lower reproductive potential, which could contribute to the further decline of this species both locally and regionally. This impact would be considered significant without mitigation.

Implementation of Mitigation Measures BIO-1a, BIO-1b, and BIO-1c would avoid temporary construction impacts on horned lizards by requiring barriers to protect sensitive horned lizard habitat, as determined by the biological monitor prior to construction, environmental awareness training for construction employees, and periodic site visits during construction.

Prior to submittal of the first small tentative subdivision map to the County, as directed by CEDHSP Policy 5.31, the project applicant has committed to preparing an open space management plan (OSMP) that guides the conservation and protection of oak woodland and wildlife uses within designated open space in the project area in perpetuity (described in Chapter 5 of the CEDHSP). The OSMP would include installation and maintenance of interpretive signs designating these areas as open space for the protection of sensitive natural resources with restricted uses defined (i.e., offroad

vehicle prohibited, pet/wildlife interaction education). Implementation of Mitigation Measure BIO-8 requires that the OSMP also include specific provisions requiring that domestic animals be on leash, pet and human food should not be left outside, and that trash containers are closed at all times. This would help reduce the potential for domestic animal predation. With the implementation of these collective measures, the proposed project would avoid and minimize impacts on Blainville's horned lizard, and would not substantially reduce the number or restrict the range of the species or cause the population to drop below self-sustaining levels.

**Impact BIO-9: Potential mortality or disturbance of nesting special-status and non-special-status birds within the CEDHSP project area**

**Mitigation Measure BIO-1a: Install construction barriers around the construction area to protect sensitive biological resources to be avoided**

See the description above.

**Mitigation Measure BIO-1b: Conduct environmental awareness training for construction employees**

See the description above.

**Mitigation Measure BIO-1c: Conduct periodic site visits during construction**

See the description above.

**Mitigation Measure BIO-9a: Conduct vegetation removal activities outside the breeding season for birds and raptors**

To the maximum extent feasible, the project applicant will conduct all necessary vegetation (trees, shrubs, grasses) removal/trimming during the nonbreeding season for most birds and raptors (generally September 1–January 31). If vegetation removal cannot be removed in accordance with this timeframe, there is a high potential that birds and/or raptors will nest in the project area and require no-disturbance buffers. If vegetation removal or trimming will be conducted during the nesting season (February 1–August 31), preconstruction nesting bird surveys will be required and additional protective measures will be implemented (see Mitigation Measure BIO-9b).

**Mitigation Measure BIO-9b: Conduct nesting surveys for special-status and non-special-status birds and implement protective measures during construction**

The project applicant will retain a qualified wildlife biologist(s) to conduct preconstruction nesting bird surveys prior to the start of construction occurring between February 1 and August 31. The biologist(s) conducting the surveys will have knowledge of the relevant species to be surveyed. A minimum of three separate surveys will be conducted between February 1 and June 1 to account for different species that have different survey times. In addition, one survey will be conducted no more than 48 hours prior to initiating ground-disturbing activities. Surveys will include a search of all suitable nesting habitat (e.g., trees, shrubs, annual grassland, and emergent wetland vegetation) in the construction area. In addition, a 500-foot area around the project area will be surveyed for nesting raptors, and a 50-foot buffer area will be surveyed for other nesting birds. If no active nests are detected during these surveys, no additional measures

are required. Surveys should be repeated if there is a lapse in construction of more than 10 days or if construction begins in a new area where suitable nesting habitat is present and has not been surveyed within the previous 10 days.

If active nests are found in the survey area, a minimum no-disturbance buffer for song birds and raptors will be established around the nest sites to avoid disturbance or destruction of the active nest until the end of the breeding season (approximately September 1) or until a qualified wildlife biologist determines that the young have fledged and moved out of the project area (date of fledging varies by species). The extent of the buffers will be determined by the biologists in coordination with USFWS and/or CDFW and will depend on the level of noise or construction disturbance, line-of-sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. Suitable buffer distances may vary between species. If construction activities must encroach upon established buffers, additional protection measures (developed in coordination with USFWS and/or CDFW) may be necessary to avoid take and could include periodic nest monitoring, installation of visual screens, and restrictions on construction timing to allow birds to resume normal activities during certain portions of the day.

**Findings for Impact BIO-9:** As discussed on pages 3.3-51 through 3.3-53 of the DEIR, the County finds that implementation of Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-9a, and BIO-9b will reduce impacts on nesting birds to a less-than-significant level. Mitigation Measures BIO-1a, BIO-1b, and BIO-1c will avoid temporary construction impacts on nesting birds by requiring barriers to protect active nests detected during preconstruction surveys, environmental awareness training for construction employees, and periodic site visits during construction. Mitigation Measures BIO-9a and BIO-9b will regulate vegetation removal and require preconstruction surveys. With the implementation of these measures, the proposed project will avoid and minimize impacts on nesting birds, and will not substantially reduce the number or restrict the range of listed avian species or cause populations to drop below self-sustaining levels. Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-9a, and BIO-9b will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact BIO-9:** Vegetation removal and other construction activities during the breeding season (generally February 1 through August 31) could result in the mortality or disturbance of nesting birds and raptors in and adjacent to the construction area. The removal of annual grassland and riparian and oak woodland would reduce the amount of available nesting habitat for special-status and non-special-status birds. Oak woodland mitigation would also remove suitable grassland habitat for ground-nesting birds. Planting activities during the breeding season within the areas proposed for open space protection could also disturb nesting birds.

Implementation of Mitigation Measures BIO-1a, BIO-1b, and BIO-1c, would avoid temporary construction impacts on nesting birds by requiring barriers to protect active nests detected during preconstruction surveys, environmental awareness training for construction employees, and periodic site visits during construction. In addition, Mitigation Measures BIO-9a and BIO-9b would reduce this effect on special-status and non-special-status birds. With the implementation of these collective measures, the proposed project would avoid and minimize impacts on nesting birds, and

would not substantially reduce the number or restrict the range of listed avian species or cause populations to drop below self-sustaining levels.

**Impact BIO-10: Potential injury, mortality, or disturbance of tree-roosting bats and removal of roosting habitat within the CEDHSP project area**

**Mitigation Measure BIO-1a: Install construction barriers around the construction area to protect sensitive biological resources to be avoided**

See the description above.

**Mitigation Measure BIO-1b: Conduct environmental awareness training for construction employees**

See the description above.

**Mitigation Measure BIO-1c: Conduct periodic site visits during construction**

See the description above.

**Mitigation Measure BIO-1d: Avoid and minimize potential disturbance of oak woodland habitat**

See the description above.

**Mitigation Measure BIO-9a: Conduct vegetation removal activities outside the breeding season for birds and raptors**

See the description above.

**Mitigation Measure BIO-10: Identify suitable roosting sites for bats and implement avoidance and minimization measures**

Prior to tree removal or trimming activities associated with construction, the project applicant will retain a qualified biologist to examine trees to be removed or trimmed for suitable bat roosting sites. High-quality habitat features (large tree cavities, basal hollows, loose or peeling bark, larger snags, palm trees with intact thatch, etc.) will be identified, and the area around these features will be searched for bats and bat sign (guano, culled insect parts, staining, etc.). Riparian and oak woodlands should be considered potential habitat for solitary foliage-roosting bat species. Specific survey methods for the site will be developed in coordination with CDFW.

If potential bat roosting sites are identified within or adjacent to construction areas, including tree removal/trimming, the project applicant will coordinate with CDFW to identify protective measures to avoid and minimize impacts on roosting bats based on the type of roost and timing of activities. These measures would include but are not limited to the following.

- If feasible, all tree removal will be conducted between September 15 and October 30, which corresponds to a time period when bats have not yet entered torpor or would be caring for nonvolant young. Potential roost trees will be removed in pieces rather than felled all at once.

- Active maternity roosts, whether solitary or colonial, will remain undisturbed until September 15 or only after a qualified biologist has determined the roost is no longer active.
- If a non-maternity roost tree is located within the construction area and tree removal or trimming must occur between October 30 and September 15, a qualified biologist (familiar with bats) will be present during tree trimming/removal activities. To minimize impacts on the bats, tree trimming/removal should occur in the late afternoon or evening when it is closer to the time that bats would normally arouse. Tree removal should begin with removal of limbs to create enough noise and vibration to allow bats time to arouse and leave the tree or as prescribed by CDFW biologists. The biologists should search downed vegetation for dead and injured bats. The presence of dead or injured bats that are species of special concern will be reported to CDFW. The biologist will prepare biological monitoring report that will be provided to the County and CDFW.

**Findings for Impact BIO-10:** As discussed on pages 3.3-51 through 3.3-55 of the DEIR, the County finds that implementation of Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-1d, BIO-9a, and BIO-10 will reduce impacts on tree-roosting bats and their habitat to a less-than-significant level. Mitigation Measures BIO-1a, BIO-1b, BIO-1c, and BIO-1d will avoid temporary construction impacts on bats by requiring barriers to protect roosting habitat, environmental awareness training for construction employees, periodic site visits during construction, and minimizing disturbance to oak woodland habitat. Mitigation Measure BIO-9a and Mitigation Measure BIO-10 will require identification of bat roosts and implementation of avoidance and minimization measures to lessen effects on western red bat, pallid bat, and other bat species. With the implementation of these measures, the proposed project will avoid and minimize impacts on tree-roosting bats and their habitat, and will not substantially reduce the number or restrict the range of these species or cause populations to drop below self-sustaining levels. Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-9a, and BIO-10 will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. Mitigation Measure BIO-1d will be incorporated as a new policy in the Specific Plan under Objective 5.5. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact BIO-10:** Tree removal/trimming and noise or other construction activities could result in the injury, mortality, or disturbance of roosting bats if they are present in cavities, crevices, furrowed bark, or foliage of trees within or adjacent to construction areas. Mortality of tree-roosting bats during the maternity season or hibernation period that results from tree removal/trimming or other disturbances has the potential to affect a large number of bats and could substantially reduce the local populations of these species. This impact would be significant without mitigation.

Implementation of Mitigation Measures BIO-1a BIO-1b, BIO-1c, and BIO-1d to avoid temporary construction impacts on bats by requiring barriers to protect roosting habitat, environmental awareness training for construction employees, periodic site visits during construction, and minimizing disturbance to oak woodland habitat, in addition to Mitigation Measure 9a and Mitigation Measure BIO-10 to identify bat roosts and implement avoidance and minimization measures would lessen effects on western red bat, pallid bat, and other bat species. With the implementation of these collective measures, the proposed project would avoid and minimize impacts on tree-roosting bats and their habitat, and would not substantially reduce the reduce the



number or restrict the range of these species or cause populations to drop below self-sustaining levels.

**Impact BIO-11: Interfere with the movement of resident or migratory wildlife**

**Mitigation Measure BIO-1d: Avoid and minimize potential disturbance of oak woodland habitat**

See the description above.

**Mitigation Measure BIO-8: Include measures in the open space management plan identifying homeowner responsibilities to help reduce potential for domestic animal predation on wildlife**

See the description above.

**Findings for Impact BIO-11:** As discussed on pages 3.3-55 through 3.3-56 of the DEIR, County finds that implementation of Mitigation Measures BIO-1d and BIO-8 will reduce impacts on resident and migratory wildlife and its habitat to a less-than-significant level. The OSMP that will be prepared by the applicant (see Impact BIO-8) guides the conservation and protection of oak woodland and wildlife uses within designated open space in the project area in perpetuity. The OSMP will include installation and maintenance of interpretive signs designating these areas as open space for the protection of sensitive natural resources with restricted uses defined (e.g., offroad vehicle prohibited, pet/wildlife interaction education). In addition to the OSMP requirements, implementation of the IHMP (as described under Impact BIO-1: Loss of oak woodland) will ensure that oak canopy affected by the proposed project will be replaced onsite at a 1:1 ratio. Replacement trees will be monitored and managed according to specifications outlined in the IHMP (Appendix F of the Draft EIR). Implementation of Mitigation Measure BIO-8 will ensure the OSMP includes requirements to help reduce the potential for domestic animal predation on wildlife.

Protection of open space lands under the OSMP, compensation for the loss of oak woodland habitat under the IHMP, and implementation of Mitigation Measures BIO-1d and BIO-8 will reduce indirect impacts on the movement of resident and migratory wildlife to a less-than-significant level. Because the proposed project will avoid and minimize impacts on resident and migratory wildlife and its habitat, the project will not substantially reduce the habitat of a wildlife species. Mitigation Measure BIO-1d will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D and Mitigation Measure BIO-8 will be incorporated into Section 9 (Implementation and Administration) of the Specific Plan. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact BIO-11:** Because the proposed project is located within an area of existing development and is not adjacent to any designated important biological corridors or ecological preserves, no impact on migratory corridors for larger wildlife species would occur as a result of project development. The western edge of the riparian habitat in the Serrano Westside planning area is adjacent and parallel to El Dorado Hills Boulevard, which creates some existing disturbance for wildlife in the riparian area. The eastern edge, however, currently borders annual grassland that is undeveloped except for a paved golf cart path that receives occasional use by maintenance staff and recreational users. This area provides a buffer for wildlife species that occupy the riparian habitat. After development of the CEDHSP area, this buffer

would be converted to residential uses and the riparian habitat would be subject to encroachment by people and domesticated animals, which could cause increased disturbance to and mortality of wildlife in the open space riparian habitat. Similarly, proposed development within the Pedregal planning area would encroach upon and fragment existing oak woodland habitat in the southern portion of this area, also leading to increased encounters with people and pets. This impact is potentially significant without mitigation.

Protection of open space lands under the OSMP, compensation for the loss of oak woodland habitat under the IHMP, and implementation of Mitigation Measures BIO-1d (avoid and minimize disturbance of oak woodland) and BIO-8 (OSMP requirements) would reduce indirect impacts on the movement of resident and migratory wildlife to a less-than-significant level. No additional mitigation is required. Because the proposed project would avoid and minimize impacts on resident and migratory wildlife and their habitat, it would not substantially reduce the habitat of a wildlife species, cause a wildlife population to drop below self-sustaining levels, threaten to eliminate an animal community, or reduce the number or restrict the range of a rare or endangered animal.

### **Impact BIO-13: Potential introduction and spread of noxious plant species**

#### **Mitigation Measure BIO-13: Avoid the introduction and minimize spread of noxious plants**

Noxious weed species are those listed on the California Noxious Weed List by the California Department of Agriculture Section 4500 of the California Code of Regulations.

To avoid the introduction of new noxious plants and minimize the spread of invasive plants previously documented in the study area, the project applicant will implement the following measures during construction.

- Educate construction supervisors and managers on weed identification and the importance of controlling and preventing the spread of noxious weed infestations.
- Small, isolated infestations will be treated with approved eradication methods at an appropriate time to prevent and/or destroy viable plant parts or seed.
- Mulch with certified weed-free mulch. Rice straw may be used to mulch upland areas.
- Any aggregate or gravel brought to the site must be certified as weed-free.
- Use native, non-noxious species or nonpersistent hybrids in erosion control plantings to stabilize site conditions and prevent invasive species from colonizing.
- Minimize surface disturbance to the greatest extent feasible.
- Equipment that is regularly kept on-site be initially cleaned of soil and plant debris.
- Perform monitoring of noxious weed infestations for one year post-construction in order to eradicate any new infestations (e.g. from rotating temporary equipment).

**Findings for Impact BIO-13:** As discussed on page 3.3-57 of the DEIR, the County finds that implementation of Mitigation Measure BIO-13 will reduce the impacts related to invasive plant species to a less-than-significant level by ensuring that the proposed project will avoid the introduction, and minimize the spread, of invasive plants. Mitigation Measure BIO-13 will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D.

The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact BIO-13:** Introduction or spread of noxious plant species is of concern to CDFW. Therefore, this is a potentially significant impact without mitigation. Implementation of Mitigation Measure BIO-13 would reduce this impact to a less-than-significant level. Because the proposed project would avoid the introduction and minimize the spread of noxious plants, it would not substantially reduce the habitat of a wildlife species or threaten to eliminate a plant or animal community.

**Impact BIO-14: Potential loss of sensitive natural communities within the offsite infrastructure improvement areas**

**Mitigation Measure BIO-1a: Install construction barriers around the construction area to protect sensitive biological resources to be avoided**

See the description above.

**Mitigation Measure BIO-1b: Conduct environmental awareness training for construction employees**

See the description above.

**Mitigation Measure BIO-1c: Conduct periodic site visits during construction**

See the description above.

**Mitigation Measure BIO-1d: Avoid and minimize potential disturbance of oak woodland habitat**

See the description above.

**Mitigation Measure BIO-2: Compensate for permanent loss of riparian woodland**

See the description above.

**Mitigation Measure BIO-14: Compensate for loss of oak woodland in offsite infrastructure improvement areas**

Per the requirements of County General Plan Policy 7.4.4.4 (Option A), and its Interim Interpretive Guideline, replacement of removed oak tree canopy will be mitigated at a density of 200 trees per acre lost. Based on the maximum potential oak impact area of up to 1.275 acres, up to 258 oak trees will be planted as mitigation within the designated oak planting areas for the CEDHSP project. Prior to construction, the actual oak canopy impacts will be quantified, based on the design details and proposed limits of construction, and a final number of oak trees for mitigation will be determined. The planting, maintenance, and monitoring details of this mitigation will follow those set forth in the IHMP for the oak woodland impacts within the project area.

Should the Oak Resources Management Plan be in effect at the time development entitlement applications are submitted, the applicant would be required to implement at least one of the following options for oak woodlands: Off-site deed restriction or conservation easement

acquisition and/or acquisition in fee title by a land conservation organization for purposes of off-site oak woodland conservation; In-lieu fee payment; Replacement planting on-site within an area subject to deed restriction or conservation easement; or Replacement planting off-site within an area subject to a conservation easement.

**Findings for Impact BIO-14:** As discussed on pages 3.3-58 through 3.3-59 of the DEIR, the County finds that implementation of Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-1d, BIO-2, and BIO-14 will reduce impacts associated with Impact BIO-14 to a less-than-significant level. Mitigation Measures BIO-1a, BIO-1b, BIO-1c, and BIO-1d will reduce temporary construction impacts to a less-than-significant level by requiring barriers to protect sensitive areas, environmental awareness training for construction employees, periodic site visits during construction, and avoidance or minimization of construction disturbance on retained oak canopy and riparian woodland. Implementation of Mitigation Measure BIO-2 will reduce direct impacts on riparian woodland to a less-than-significant level. Implementation of Mitigation Measure BIO-14 will reduce direct effects on oak canopy to a less-than-significant level. Because the proposed project will avoid, minimize, and compensate for impacts on oak woodland in the offsite infrastructure improvement areas through implementation of the IHMP and measures to compensate for impacts on riparian woodland, it will not threaten to eliminate a plant community. Mitigation Measures BIO-1a, BIO-1b, BIO-1c, and BIO-14 will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. Mitigation measure BIO-1d will be incorporated into the Specific Plan as a new policy under Objective 5.5 and Mitigation measure BIO-2 will be incorporated into the Specific Plan as a new policy under Objective 5.3. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact BIO-14:** The types of impacts from construction would be similar to those described above under Impacts BIO-1 and BIO-2 and would result in significant effects on oak woodland canopy and riparian woodland, if it is not avoidable by construction. Implementation of Mitigation Measures BIO-1a, BIO-1b, BIO-1c, and BIO-1d would reduce temporary construction impacts to a less-than-significant level by requiring barriers to protect sensitive areas, environmental awareness training for construction employees, periodic site visits during construction, and avoidance or minimization of construction disturbance on retained oak canopy and riparian woodland. Implementation of Mitigation Measure BIO-2 would reduce direct impacts on riparian woodland to a less-than-significant level. Implementation of Mitigation Measure BIO-14 would reduce direct effects on oak canopy to a less-than-significant level. Because the proposed project would avoid, minimize, and compensate for impacts on oak woodland through implementation of the IHMP and impacts on riparian woodland, it would not threaten to eliminate a plant community.

**Impact BIO-15: Potential loss of waters of the United States within the offsite infrastructure improvement areas**

**Mitigation Measure BIO-1a: Install construction barriers around the construction area to protect sensitive biological resources to be avoided**

See the description above.

**Mitigation Measure BIO-1b: Conduct environmental awareness training for construction employees**

See the description above.

**Mitigation Measure BIO-1c: Conduct periodic site visits during construction**

See the description above.

**Mitigation Measure BIO-3a: Avoid and minimize disturbance of waters of the United States, including wetlands**

See the description above.

**Mitigation Measure BIO-3b: Compensate for loss of jurisdictional wetlands**

See the description above.

**Findings for Impact BIO-15:** As discussed on pages 3.3-59 through 3.3-60 of the DEIR, the County finds that implementation of Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-3a, and BIO-3b will reduce project impacts on other waters of the United States within the offsite infrastructure improvement areas to a less-than-significant level. In addition, the project applicant will implement the measures required as part of the CWA permits. Mitigation Measures BIO-1a, BIO-1b, and BIO-1c, will avoid temporary construction impacts on wetlands by requiring barriers to protect sensitive areas, environmental awareness training for construction employees, and periodic site visits during construction. Implementation of Mitigation Measure BIO-3a will avoid and minimize direct and indirect impacts on wetlands. Implementation of Mitigation Measure BIO-3b will compensate for direct impacts on wetlands at a minimal ratio of 1:1, or as required under the CWA permits. Implementation of the measures will reduce project impacts on wetlands to a less-than-significant level. Because the proposed project will avoid, minimize, and compensate for impacts on waters of the United States, it will not threaten to eliminate a plant community. Mitigation Measures BIO-1a, BIO-1b, and BIO-1c will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. Mitigation Measures BIO-3a and BIO-3b will be incorporated into the Specific Plan as new policies under Objective 5.3. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact BIO-15:** Installation of infrastructure improvements and other ground disturbances within the proposed offsite areas have the potential to directly affect and fill wetlands and other waters as part of the project construction. Wetlands and other waters that are adjacent to the infrastructure improvement areas would be retained but could be indirectly affected by adjacent construction. To protect wetlands outside of the proposed development area, the current County standards for development would require a minimum setback of 50 feet from wetland edges, 50 feet from the edge of intermittent streams, and 100 feet from perennial streams. Actual setbacks for the CEDHSP area would be determined during the Section 404 permitting process in consultation with USACE.

Impacts on wetlands and other waters of the United States are regulated under CWA Sections 404 and 401 by the USACE and Regional Water Boards, and direct impacts on these resources would require permits from both agencies. Impacts on wetlands and other waters of the United States would be considered significant without mitigation, including compliance with federal and state

permitting requirements. In addition to implementing the measures required as part of the CWA permits, the project applicant would implement Mitigation Measures BIO-1a, BIO-1b, and BIO-1c, to avoid temporary construction impacts on wetlands by requiring barriers to protect sensitive areas, environmental awareness training for construction employees, and periodic site visits during construction; Mitigation Measure BIO-3a to avoid and minimize direct and indirect impacts on wetlands; and Mitigation Measure BIO-3b to compensate for direct impacts on wetlands at a minimal ratio of 1:1, or as required under the CWA permits. Implementation of the measures would reduce project impacts on wetlands to a less-than-significant level. Because the proposed project would avoid, minimize, and compensate for impacts on waters of the United States, it would not threaten to eliminate a plant community.

**Impact BIO-16: Potential impacts on special-status plant species within the offsite infrastructure improvement areas**

**Mitigation Measure BIO-1a: Install construction barriers around the construction area to protect sensitive biological resources to be avoided**

See the description above.

**Mitigation Measure BIO-1b: Conduct environmental awareness training for construction employees**

See the description above.

**Mitigation Measure BIO-1c: Conduct periodic site visits during construction**

See the description above.

**Mitigation Measure BIO-16a: Conduct floristic surveys in the offsite infrastructure improvement areas for special-status plants during appropriate identification periods**

The project applicant will employ a qualified botanist to survey the offsite infrastructure improvement areas, after final design of the areas is complete and prior to all construction activities, to document the presence of special-status plants before project implementation. The botanists will consult with the appropriate resource agency regarding special-status species survey methods during drought periods, if needed, but will primarily follow the CDFW botanical survey guidelines (California Department of Fish and Game 2009). All plant species observed will be identified to the level necessary to determine whether they qualify as special-status plants or are plant species with unusual or significant range extensions. The guidelines also require that field surveys be conducted when special-status plants that could occur in the area are evident and identifiable, generally during the reported blooming period. The guidelines additionally recommend visiting reference populations of special-status species that may occur in the study area. Therefore, as feasible, the surveys will include site visits of reference populations of special-status plant species with potential to occur in the project area in order to ensure that they are identifiable during the survey period. This is particularly important for any annual plant species that has a long-lived seedbank and is known to not germinate when conditions are not conducive (e.g., during a drought). To account for different special status-plant identification periods, one or more series of field surveys may be required in spring and summer.

If any special-status plants are identified during the surveys, the botanist will photograph and map locations of the plants, document the location and extent of the special-status plant population. Requirements for compensatory mitigation will be based on the results of these surveys and are discussed in Mitigation Measure BIO-16b.

**Mitigation Measure BIO-16b: Avoid or compensate for substantial effects on special-status plants**

If one or more special-status plants are identified in the offsite infrastructure improvement areas during preconstruction surveys conducted as part of Mitigation Measure BIO-15a, the project applicant will redesign or modify proposed project components of the project to avoid direct and indirect effects on special-status plants wherever feasible. If special-status plants can be avoided by redesigning projects, implementation of Mitigation Measures BIO-1a (barriers), BIO-1b (awareness training), and BIO-1c (biological monitor) would avoid significant impacts on special-status plants.

If complete avoidance of special-status plants is not feasible, then, if required by the concerned public resource agency (as determined by the legal status of the plant in question), the project applicant will prepare a mitigation plan in consultation with the resource agency. The project applicant will compensate for the effects of the project on special-status plants by transplanting or seeding replacements within appropriate habitats remaining in onsite Open Space areas. The conservation area will be preserved and managed by the County or by a conservation organization for the life of the project. Detailed information will be provided to the agencies on the location and quality of the preservation area, the feasibility of protecting and managing the area in perpetuity, and the responsible parties. Other pertinent information also will be provided, to be determined through future coordination with the resource agencies.

**Findings for Impact BIO-16:** As discussed on pages 3.3-60 through 3.3-62 of the DEIR, the County finds that implementation of Mitigation Measures BIO-16a and BIO-16b will reduce impacts on special-status plants to a less-than-significant level. In addition, depending on the approach undertaken as part of Mitigation Measure BIO-16b, implementation of Mitigation Measures BIO-1a, BIO-1b, and BIO-1c will contribute to the avoidance of significant impacts on special-status plants. Because the proposed project will avoid, minimize, and compensate for impacts on special-status plants, it will not reduce the number or restrict the range of a rare or endangered plant. Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-16a, and BIO-16b will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact BIO-16:** Installation of infrastructure improvements within the proposed offsite areas has the potential to directly affect special-status plant species as part of the project construction. Any special-status plants that are adjacent to the infrastructure improvement areas would be retained but could be indirectly affected by adjacent construction.

Based on the preliminary assessment of special-status plant habitat in the proposed offsite infrastructure improvement areas, up to 11 species have potential to occur (see Table 3.3-3 of the DEIR). Specific surveys of these areas have not been conducted to confirm the presence or absence of special-status plants. Direct and indirect impacts on special-status plants would be a significant effect. Implementation of Mitigation Measures BIO-16a and BIO-16b would reduce this impact to a

less-than-significant level. In addition, depending on the approach undertaken as part of Mitigation Measure BIO-20b, implementation of Mitigation Measures BIO-1a, BIO-1b, and BIO-1c would contribute to the avoidance of significant impacts on special-status plants. Because the proposed project would avoid, minimize, and compensate for impacts on special-status plants, it would not reduce the number or restrict the range of a rare or endangered plant.

**Impact BIO-17: Potential mortality or disturbance of listed vernal pool branchiopods and their habitat within offsite infrastructure improvement areas**

**Mitigation Measure BIO-1a: Install construction barriers around the construction area to protect sensitive biological resources to be avoided**

See the description above.

**Mitigation Measure BIO-1b: Conduct environmental awareness training for construction employees**

See the description above.

**Mitigation Measure BIO-1c: Conduct periodic site visits during construction**

See the description above.

**Mitigation Measure BIO-3a: Avoid and minimize disturbance of waters of the United States, including wetlands**

See the description above.

**Mitigation Measure BIO-17a: Conduct a habitat assessment in the offsite infrastructure improvement areas for federally listed branchiopods**

The project applicant will employ a qualified biologist to conduct a habitat assessment for federally listed branchiopods within the offsite infrastructure improvement areas after the limits of proposed disturbance have been identified. All seasonal pools, wetlands, and swales will be mapped within 250 feet of proposed construction areas identified for infrastructure improvements, including staging areas and access routes. Suitable habitat will be mapped and described sufficient to determine if these habitats could support vernal pool fairy shrimp and vernal pool tadpole shrimp.

If suitable habitat for vernal pool fairy shrimp and/or vernal pool tadpole shrimp is identified within 250 feet of proposed infrastructure improvements, the project applicant will implement Mitigation Measure Bio-17b.

**Mitigation Measure BIO-17b: Avoid or compensate for effects on vernal pool fairy shrimp and vernal pool tadpole shrimp and their habitat**

If suitable habitat for vernal pool fairy shrimp and/or vernal pool tadpole shrimp is identified within proposed construction areas for infrastructure improvements or within 250 feet of proposed construction, the project applicant will redesign or modify proposed project components to avoid this habitat to the maximum extent feasible. If avoidance of direct and indirect impacts on this habitat is not feasible, the project applicant will either retain a USFWS-



permitted biologist to conduct protocol-level branchiopod surveys to determine presence/absence of vernal pool fairy shrimp and vernal pool tadpole shrimp or they will assume presence of these species.

If the presence of vernal pool fairy shrimp and/or vernal pool tadpole shrimp is confirmed or inferred for the proposed project, the project applicant will compensate for direct and indirect effects on occupied or presumed occupied habitat for federally listed branchiopods by purchasing the appropriate mitigation credits from a USFWS-approved conservation area/mitigation bank. Minimum mitigation ratios will be 2:1 preservation and 1:1 creation for direct effects and 1:1 preservation for indirect effects (within 250-foot of ground disturbance), or as determined by USFWS during ESA Section 7 consultation.

If presence of vernal pool fairy shrimp or vernal pool tadpole shrimp is either inferred or confirmed, ESA consultation with USFWS will be required to address impacts on this species before any ground-disturbing activities can occur.

**Findings for Impact BIO-17:** As discussed on pages 3.3-62 through 3.3-64 of the DEIR, the County finds that implementation of Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-17a, and BIO-17b will reduce impacts on federally listed branchiopods to a less-than-significant level. To avoid and minimize indirect effects on wetlands and potential habitat for federally listed branchiopods outside the construction area, the project applicant will implement Measures BIO-1a (install construction barriers), BIO-1b (conduct environmental awareness training), BIO-1c (retain a biological monitor), and BIO 3a (minimize impact on waters of the United States). In addition to these general protection measures, the project applicant will implement Mitigation Measures BIO-17a and BIO-17b to reduce potential impacts on vernal pool fairy shrimp and/or vernal pool tadpole shrimp. With the implementation of these measures, the proposed project will avoid and minimize impacts on federally listed branchiopods and their habitat, and will not substantially reduce the number or restrict the range of these species or cause populations to drop below self-sustaining levels. Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-17a, and BIO-17b will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. Mitigation Measure BIO-3a will be incorporated into the Specific Plan as a new policy under Objective 5.3. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact BIO-17:** Direct and indirect impacts on federally listed branchiopods and their habitat would be considered a significant impact without mitigation. To avoid and minimize indirect effects on wetlands and potential habitat for federally listed branchiopods outside the construction area, the project applicant will implement Measures BIO-1a (install construction barriers), BIO-1b (conduct environmental awareness training), BIO-1c (retain a biological monitor), and BIO 3a (minimize impact on waters of the United States), as described above. In addition to these general protection measures, the project applicant will implement Mitigation Measures 17a and 17b, as applicable, to reduce potential impacts on vernal pool fairy shrimp and/or vernal pool tadpole shrimp. With the implementation of these collective measures, the proposed project would avoid and minimize impacts on federally listed branchiopods and their habitat, and would not substantially reduce the number or restrict the range of these species or cause populations to drop below self-sustaining levels.

**Impact BIO-19: Potential mortality or disturbance of California red-legged frog within offsite infrastructure improvement areas**

**Mitigation Measure BIO-1a: Install construction barriers around the construction area to protect sensitive biological resources to be avoided**

See the description above.

**Mitigation Measure BIO-1b: Conduct environmental awareness training for construction employees**

See the description above.

**Mitigation Measure BIO-1c: Conduct periodic site visits during construction**

See the description above.

**Mitigation Measure BIO-6a: Assume presence of California red-legged frog or conduct protocol-level surveys and implement avoidance and minimization measures, as applicable**

See the description above.

**Mitigation Measure BIO-6b: Avoid and minimize impacts on California red-legged frog**

See the description above.

**Findings for Impact BIO-19:** As discussed on pages 3.3-65 through 3.3-66 of the DEIR, the County finds that implementation of Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-6a, and BIO-6b will reduce impacts on California red-legged frog to a less-than-significant level. Implementation of Mitigation Measures BIO-1a, BIO-1b, and BIO-1c, to avoid temporary construction impacts on wetlands by requiring barriers to protect sensitive areas, environmental awareness training for construction employees, and periodic site visits during construction, and if required by USFWS, Mitigation Measures BIO-6a and 6b, to avoid, minimize, and compensate for direct and indirect impacts on California red-legged frogs and their habitat, will reduce this impact. With the implementation of these measures, the proposed project will avoid, minimize, and compensate for direct and indirect impacts on California red-legged frogs and their habitat, and will not substantially reduce the number or restrict the range of the species or cause the population to drop below self-sustaining levels. Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-6a, and BIO-6b will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact BIO-19:** Potential breeding habitat (Carson Creek, tributaries, and instream pond) and potential foraging and dispersal habitat (annual grassland) for California red-legged frog is present within the proposed offsite infrastructure improvement areas. If California red-legged frogs are present in or adjacent to infrastructure improvement construction areas, impacts on this species would be similar to those described above under Impact BIO-6 and are considered potentially significant. Implementation of Mitigation Measures BIO-1a BIO-1b, and BIO-1c, to avoid temporary construction impacts on wetlands by requiring barriers to protect sensitive areas, environmental awareness training for construction

employees, and periodic site visits during construction, and if required by USFWS, Mitigation Measures BIO-6a and 6b, to avoid, minimize, and compensate for direct and indirect impacts on California red-legged frogs and their habitat would reduce this impact to a less than significant level.

**Impact BIO-20: Potential mortality or disturbance of Pacific pond turtle within offsite infrastructure improvement areas**

**Mitigation Measure BIO-1a: Install construction barriers around the construction area to protect sensitive biological resources to be avoided**

See the description above.

**Mitigation Measure BIO-1b: Conduct environmental awareness training for construction employees**

See the description above.

**Mitigation Measure BIO-1c: Conduct periodic site visits during construction**

See the description above.

**Mitigation Measure BIO-7: Conduct preconstruction surveys for Pacific pond turtle and exclude turtles from the work area**

See the description above.

**Findings for Impact BIO-20:** As discussed on page 3.3-66 of the DEIR, the County finds that implementation of Mitigation Measures BIO-1a, BIO-1b, BIO-1c, and BIO-7 will reduce impacts on Pacific pond turtle and its habitat to a less-than-significant level. Implementation of Mitigation Measures BIO-1a, BIO-1b, and BIO-1c, to avoid temporary construction impacts on wetlands by requiring barriers to protect sensitive areas, environmental awareness training for construction employees, and periodic site visits during construction, and BIO-7, to conduct preconstruction and exclude pond turtles from work area, will reduce this impact. With the implementation of these measures, the proposed project will avoid and minimize impacts on Pacific pond turtle and its habitat, and will not substantially reduce the number or restrict the range of the species or cause the population to drop below self-sustaining levels. Mitigation Measures BIO-1a, BIO-1b, BIO-1c, and BIO-7 will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact BIO-20:** Construction activities associated with the potential connection to Silva Valley Parkway and the recycled water line expansion north of US 50 could result in impacts on Pacific pond turtle habitat. If pond turtles are present in or adjacent to infrastructure improvement construction areas, impacts on this species would be similar to those described above under Impact BIO-7 and are considered potentially significant. Implementation of Mitigation Measures BIO-1a BIO-1b, and BIO-1c, to avoid temporary construction impacts on wetlands by requiring barriers to protect sensitive areas, environmental awareness training for construction employees, and periodic site visits during construction, and BIO-7 to conduct

preconstruction and exclude pond turtles from work area, would reduce this impact to a less than significant level.

**Impact BIO-21: Potential mortality or disturbance of Blainville's horned lizard within offsite infrastructure improvement areas**

**Mitigation Measure BIO-1a: Install construction barriers around the construction area to protect sensitive biological resources to be avoided**

See the description above.

**Mitigation Measure BIO-1b: Conduct environmental awareness training for construction employees**

See the description above.

**Mitigation Measure BIO-1c: Conduct periodic site visits during construction**

See the description above.

**Findings for Impact BIO-21:** As discussed on page 3.3-67 of the DEIR, the County finds that implementation of Mitigation Measures BIO-1a, BIO-1b, and BIO-1c will reduce impacts on Blainville's horned lizard to a less-than-significant level. Mitigation Measures BIO-1a, BIO-1b, and BIO-1c will avoid temporary construction impacts on horned lizards by requiring barriers to protect sensitive Blainville's horned lizard habitat as determined by the biological monitor prior to construction, environmental awareness training for construction employees, and periodic site visits during construction. With the implementation of these measures, the proposed project will avoid and minimize impacts on Blainville's horned lizard, and will not substantially reduce the number or restrict the range of the species or cause the population to drop below self-sustaining levels. Mitigation Measures BIO-1a, BIO-1b, and BIO-1c, will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact BIO-21:** Construction activities such as grading, paving, and staging of equipment, associated with the potential connection to Silva Valley Parkway and the recycled water line expansion could directly affect Blainville's horned lizards. If Blainville's horned lizards are present in or adjacent to infrastructure improvement construction areas, impacts on this species would be similar to those described above under Impact BIO-7 and are considered potentially significant. Mitigation Measures BIO-1a, BIO-1b, and BIO-1c, to avoid temporary construction impacts on horned lizards by requiring barriers to protect sensitive Blainville's horned lizard habitat as determined by the biological monitor prior to construction, environmental awareness training for construction employees, and periodic site visits during construction would reduce these construction impacts. With the implementation of these collective measures, the proposed project would avoid and minimize impacts on Blainville's horned lizard.

**Impact BIO-22: Potential mortality or disturbance of nesting special-status and non-special-status birds within offsite infrastructure improvement areas**

**Mitigation Measure BIO-1a: Install construction barriers around the construction area to protect sensitive biological resources to be avoided**

See the description above.

**Mitigation Measure BIO-1b: Conduct environmental awareness training for construction employees**

See the description above.

**Mitigation Measure BIO-1c: Conduct periodic site visits during construction**

See the description above.

**Mitigation Measure BIO-9a: Conduct vegetation removal activities outside the breeding season for birds and raptors**

See the description above.

**Mitigation Measure BIO-9b: Conduct nesting surveys for special-status and non-special-status birds and implement protective measures during construction**

See the description above.

**Findings for Impact BIO-22:** As discussed on pages 3.3-67 through 3.3-68 of the DEIR, the County finds that implementation of Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-9a, and BIO-9b will reduce impacts on special-status and non-special-status birds to a less-than-significant level. Mitigation Measures BIO-1a, BIO-1b, and BIO-1c, will avoid temporary construction impacts on nesting birds by requiring barriers to protect active nests, environmental awareness training for construction employees, and periodic site visits during construction. In addition, the project applicant will implement Mitigation Measures BIO-9a and BIO-9b, which require conducting vegetation removal outside of the breeding season for birds and raptors, and nesting surveys for special-status and non-special status birds, to reduce effects on special-status and non-special-status birds. With the implementation of these measures, the proposed project will avoid and minimize impacts on nesting birds, and will not substantially reduce the number or restrict the range of listed avian species or cause populations to drop below self-sustaining levels. Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-9a, and BIO-9b will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact BIO-22:** If nesting special-status and non-special-status birds are present in or adjacent to infrastructure improvement construction areas, impacts on these species would be similar to those described under Impact BIO-9 and are considered potentially significant. Implementation of Mitigation Measures BIO-1a, BIO-1b, and BIO-1c, to avoid temporary construction impacts on nesting birds by requiring barriers to protect areas active nests, environmental awareness training for construction employees, and periodic site visits during construction, in addition to Mitigation Measures BIO-9a and BIO-9b, which require

conducting vegetation removal outside of the breeding season for birds and raptors, and nesting surveys for special-status and non-special status birds would reduce this effect on special-status and non-special-status birds. With the implementation of these collective measures, the proposed project would avoid and minimize impacts on nesting birds, and would not substantially reduce the number or restrict the range of listed avian species or cause populations to drop below self-sustaining levels.

**Impact BIO-23: Potential injury, mortality, or disturbance of tree-roosting bats and removal of roosting habitat within offsite infrastructure improvement areas**

**Mitigation Measure BIO-1a: Install construction barriers around the construction area to protect sensitive biological resources to be avoided**

See the description above.

**Mitigation Measure BIO-1b: Conduct environmental awareness training for construction employees**

See the description above.

**Mitigation Measure BIO-1c: Conduct periodic site visits during construction**

See the description above.

**Mitigation Measure BIO-1d: Avoid and minimize potential disturbance of oak woodland habitat**

See the description above.

**Mitigation Measure BIO-9a: Conduct vegetation removal activities outside the breeding season for birds and raptors**

See the description above.

**Mitigation Measure BIO-10: Identify suitable roosting sites for bats and implement avoidance and minimization measures**

See the description above.

**Findings for Impact BIO-23:** As discussed on pages 3.3-68 through 3.3-69 of the DEIR, the County finds that implementation of Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-1d, BIO-9a, and BIO-10 will reduce impacts on tree-roosting bats to a less-than-significant level. Mitigation Measures BIO-1a, BIO-1b, BIO-1c, and BIO-1d will avoid temporary construction impacts on bats by requiring barriers to protect roosting habitat, environmental awareness training for construction employees, periodic site visits during construction, and minimization of disturbance to oak woodland habitat. In addition, the project applicant will implement Mitigation Measure BIO-9a and Mitigation Measure BIO-10, which require identification of bat roosts and implementation of avoidance and minimization measures, to reduce this impact on western red bat, pallid bat, and other bat species. With the implementation of these measures, the proposed project will avoid and minimize impacts on tree-roosting bats and their habitat, and will not substantially reduce the number or restrict the range of these species or cause populations to drop below self-sustaining levels. Mitigation

Measures BIO-1a, BIO-1b, BIO-1c, BIO-9a, and BIO-10 will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. Mitigation Measure BIO-1d will be incorporated into the Specific Plan as a new policy under Objective 5.5. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact BIO-23:** If roosting bats are present in or adjacent to infrastructure improvement construction areas, impacts on these species would be similar to those described above under Impact BIO-10 and would be potentially significant. Implementation of Mitigation Measures BIO-1a BIO-1b, BIO-1c, and BIO1-d to avoid temporary construction impacts on bats by requiring barriers to protect roosting habitat, environmental awareness training for construction employees, periodic site visits during construction, and minimizing disturbance to oak woodland habitat, in addition to Mitigation Measure 9a and Mitigation Measure BIO-10 to identify bat roosts and implement avoidance and minimization measures would reduce this impact on western red bat, pallid bat, and other bat species. With the implementation of these collective measures, the proposed project would avoid and minimize impacts on tree-roosting bats and their habitat, and would not substantially reduce the number or restrict the range of these species or cause populations to drop below self-sustaining levels.

### 3.4 Cultural Resources

**Impact CUL-1: Cause a substantial adverse change in the significance of an archaeological resource that is a historical resource as defined in Section 15064.5**

**Mitigation Measure CUL-1a: Develop and implement a site-specific Historic Properties Treatment Plan for the Pedregal Archaeological District**

In order to mitigate for potential impacts on the Pedregal Archaeological District (PAD), the project applicant will retain a qualified archaeologist to develop a site-specific Historic Properties Treatment Plan (HPTP) that meets the requirements of Section 106 of the National Historic Preservation Act (NHPA). The HPTP will stipulate specifications for treatment of adversely affected resources, and at a minimum will include the following.

- An oral history regarding the resource will be conducted.
- Specific protocols will be developed for the management of unanticipated discoveries of Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony.
- Protocols for fencing, signage, and other avoidance measures, both during construction and after project completion.
- Protocols for the reburial of any artifacts gathered during excavation onsite in accordance with the requests of the Native American community.

This HPTP will be reviewed by the County to ensure the standards above are included, and approved prior to issuance of the first grading permit for development in the PAD. The County shall ensure all construction and landscape plans include a requirement to comply with the HPTP. Implementation will vary by task.

**Mitigation Measure CUL-1b: Perform archaeological construction monitoring during ground-disturbing activities within 100 feet of known cultural resource sites**

The project applicant will retain a qualified archaeologist to conduct construction monitoring during ground-disturbing construction activities within 100 feet of a significant cultural resource sites intended for preservation within the plan area or a known cultural resource site within the offsite improvement areas. The archaeologist will observe the ground-disturbing activities to ensure that no cultural material is present or disturbed during those activities. If potential cultural material is observed, all work within 100 feet of the find will cease and the archaeologist, and if the site is prehistoric or ethnographic in origin, a Native American representative, will assess the significance of the find. If the find is determined to be associated with the PAD, it will be treated in accordance with the HPTP. If the find is not associated with the PAD, Mitigation Measure CUL-1d will be implemented to address potential effects.

Upon completion of the monitoring in sensitive areas, the archaeologist shall prepare a report that describes the results of the monitoring and/or testing, including any measures that may have been implemented for mitigation of impacts on significant archaeological deposits identified during monitoring. The report shall be submitted to the El Dorado County Planning Division and the North Central Information Center (NCIC).

**Mitigation Measure CUL-1c: Protect P-09-1667 from future impacts**

The project applicant will place a conservation easement over P-09-1667 to preserve the site from further development. Portions of this area are already in a biological conservation area. The operations and management plan for the conservation easement will allow for capping, fencing, and other avoidance measures, should they be necessary. Proof of recordation of the easement shall be submitted to the County.

**Mitigation Measure CUL-1d: Stop work in the event of discovery of previously unknown cultural resources.**

If at any point during construction cultural resources, artifacts, midden, or any concentration of chipped or ground stone are encountered, construction will stop within 100 feet of the find until the find is assessed by a qualified archaeologist. The archaeologist will determine if the resource is associated with the PAD, in which case the HPTP described in Mitigation Measure CUL-1a will apply. If the resource is not associated with the PAD, it shall be evaluated for listing in the California Register of Historic Resources (CRHR) or National Register of Historic Places (NRHP) or to determine whether it qualifies as a “unique archaeological resource” under CEQA. If the deposits are neither a historical nor unique archaeological resource, avoidance and mitigation is not necessary. If the find is determined to be significant and cannot be avoided by project design, mitigation measures will be developed in consultation with the SHPO, the County and other appropriate agencies. Mitigation can include, but is not necessarily limited to, excavation of the deposit in accordance with a data recovery plan (see CEQA Guidelines Section 15126.4[b][3][C]) and standard archaeological field and laboratory methods and procedures and curation standards.

Upon completion of project construction, the archaeologist shall prepare a report that documents discoveries and their disposition. The report shall include any measures that may have been implemented for mitigation of impacts on significant archaeological deposits



identified during project construction. The report shall be submitted to the El Dorado County Planning Division and the NCIC.

**Findings for Impact CUL-1:** As discussed on pages 3.4-13 through 3.4-16 of the DEIR, the County finds that implementation of Mitigation Measures CUL-1a, CUL-1b, CUL-1c, and CUL-1d will reduce potential impacts on cultural resources to a less-than-significant level. Mitigation Measure CUL-1a will reduce the impact on resources during construction by requiring fencing, signage, and other avoidance measures during construction and after completion. Implementation of Mitigation Measure CUL-1a, which has been modeled from the recommendations in the Section 106 Compliance Report, and Mitigation Measure CUL-1b, will reduce impacts on the PAD to a less-than-significant level. Regardless of individual eligibility for listing on the CRHR or NRHP, all contributing elements to the PAD will be kept in open space to preserve the integrity of the district, if feasible. Where that is not feasible, implementation of Mitigation Measure CUL-1a will reduce impacts to a less-than-significant level by ensuring the appropriate treatment of the resources.

Implementation of Mitigation Measure CUL-1a requires development and compliance with an HPTP, as required by CEDHSP Policy 5.22. This will include requirements for avoidance measures, reburial of excavated artifacts, fencing, and a data recovery plan for affected resources to ensure that this impact will be less than significant.

Additionally, there is always the possibility that buried resources with no surface components are located within the project area. Construction of the project could result in impacts on buried cultural resources. If those resources are eligible for listing in the CRHR or the NRHP, disturbance or destruction would be a significant impact. Implementation of Mitigation Measure CUL-1d will reduce this impact to a less-than-significant level.

Because the proposed project will avoid and mitigate for individually eligible and contributing elements of the PAD, it will not eliminate an important example of California history or prehistory.

Mitigation Measures CUL-1b and CUL-1d will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. Mitigation Measures. Mitigation Measure CUL-1a and CUL-1c will be incorporated into the Specific Plan as new policies under Objective 5.6.

The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact CUL-1:** Archaeological resources P-09-1661, P-09-1663, P-09-1667, and the PAD (composed of nine contributing elements shown in Table 3.4-1 of the DEIR) are within the project area and are eligible for listing in the NRHP and CRHR. P-09-1661 and P-09-1663 are both individually eligible and contributing elements of the PAD. P-09-1667 is individually eligible and not a contributing element of the PAD. P-09-1661, P-09-1665 and P-09-5557 will be located in areas designated for open space. P-09-1663, P-09-1667, and P-09-5556 are located within areas designated for residential development, but direct impacts on these resources will be avoided through project design by arranging building and associated parking areas to avoid these resources. The remaining four eligible resources (P-09-1660, P-09-1662, P-09-1666, and P-09-5559, all contributing elements of the PAD) are located within areas designated for residential development and will be directly affected by the project.

Impacts on the PAD would be significant unless mitigated, as four contributing elements would be directly affected. P-09-1661, P-09-1665, and P-09-5557 are contributing elements to the PAD and are within open space (OS land use designation) and therefore will not be directly affected. P-09-

1663 and P-09-5556 are contributing elements to the PAD located in areas designated for residential development, but direct impacts on these resources will be avoided through project design. Additionally, Mitigation Measure CUL-1a would reduce the impact on these resources during construction by requiring fencing, signage, and other avoidance measures during construction and after completion. Direct impacts on four contributing elements to the PAD (P-09-1660, P-09-1662, P-09-1666, and P-09-5559) would be considered significant impacts. Implementation of Mitigation Measure CUL-1a, which has been modeled from the recommendations in the Section 106 Compliance Report, and Mitigation Measure CUL-1b, would reduce impacts on the PAD to a less-than-significant level. Regardless of individual eligibility for listing on the CRHR or NRHP, all contributing elements to the PAD will be kept in open space to preserve the integrity of the district, if feasible. Where that is not feasible, implementation of Mitigation Measure CUL-1a will reduce impacts to less than significant by ensuring the appropriate treatment of the resources.

P-09-1667, an individually eligible resource, is located in an area that is designated for residential development, but direct impacts on the site will be avoided through project design. This resource would not be directly affected by the project. However, because the area is not designated open space, future impacts cannot be ruled out. The implementation of Mitigation Measure CUL-1c will ensure that future impacts are avoided and this impact is less than significant.

Although implementation of the project would result in more people in the area, the project area is already in a developed area used by a public that is generally aware of the cultural resources in this area and the proposed project would not substantially increase the potential for indirect impacts on these resources due to public access. Implementation of Mitigation Measure CUL-1a requires development and compliance with a Historic Properties Treatment Plan (HPTP), as required by CEDHSP Policy 5.22. This would include requirements for avoidance measures, reburial of excavated artifacts, fencing, and a data recovery plan for affected resources, would ensure that this impact would be less than significant.

There is always the possibility that buried resources with no surface components are located within the project area. Construction of the project could result in impacts on buried cultural resources. If those resources are eligible for listing in the CRHR or the NRHP, disturbance or destruction would be a significant impact. Implementation of Mitigation Measure CUL-1d would reduce this impact to a less-than-significant level.

### **Impact CUL-3: Disturb any human remains, including those interred outside of formal cemeteries**

#### **Mitigation Measure CUL-3: Perform construction monitoring during ground-disturbing activities and stop work if human remains are encountered**

The project applicant will retain a qualified archaeologist to conduct construction monitoring during ground-disturbing construction activities within 100 feet of known prehistoric archaeological sites. The archaeologist will observe the ground-disturbing activities to ensure that no human remains are present or disturbed during those activities. During any project excavation, regardless of the presence of an archaeological monitor, if human remains (or remains that are suspected to be human) are discovered all work shall cease in the vicinity of the find (a minimum of 100 feet) and the El Dorado County coroner will be notified immediately. If the coroner determines the remains to be Native American in origin, the coroner will be responsible for notifying the Native American Heritage Commission (NAHC), which will appoint

a most likely descendant (MLD) (Public Resources Code Section 5097.99). The archaeological consultant, project applicant, County, and MLD will make all reasonable efforts to develop an agreement for the dignified treatment of human remains and associated or unassociated funerary objects (CCR Title 14 Section 15064.5[d]). The agreement should take into consideration the appropriate excavation, removal, recording, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. The MLD will have 24 hours after notification by the NAHC to make their recommendation (Public Resources Code Section 5097.98). If the MLD does not agree to the reburial method, the project shall follow Public Resources Code Section 5097.98(b), which states, “the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance.”

**Findings for Impact CUL-3:** As discussed on pages 3.4-16 through 3.4-17 of the DEIR, the County finds that implementation of Mitigation Measure CUL-3 will reduce potential impacts on cultural resources to a less-than-significant level. Although no human remains are known to be located in or near the project area, the possibility always exists that unmarked burials may be unearthed during project construction. Mitigation Measure CUL-3 will reduce the impact by requiring specific appropriate measures. Mitigation Measure CUL-3 will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact’s significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact CUL-3:** No human remains are known to be located in or near the project area. However, the possibility always exists that unmarked burials may be unearthed during project construction. This impact would be significant unless mitigated. It would be reduced to a less-than-significant level by implementing Mitigation Measure CUL-3, which provides means for the respectful handling of any remains, including involvement of the MLD.

**Impact CUL-4: Result in disturbance to or destruction of cultural resources as a result of offsite improvements**

**Mitigation Measure CUL-1b: Perform archaeological construction monitoring during ground-disturbing activities within 100 feet of known cultural resource sites**

See the description above.

**Mitigation Measure CUL-1d: Stop work in the event of discovery of previously unknown cultural resources**

See the description above.

**Mitigation Measure CUL-3: Perform archaeological construction monitoring during ground-disturbing activities and stop work if human remains are encountered**

See the description above.

**Mitigation Measure CUL-4: Perform cultural resources surveys of the offsite areas and mitigate eligible resources in accordance with State CEQA Guidelines Section 15126.4**

When the exact locations and specific design of offsite improvements are identified (e.g., depth for underground utility lines and the Silva Valley Parkway connection alignment), the project applicant will retain a qualified cultural resources management provider to conduct studies to determine whether resources are located within the area that would be affected by the construction and operation of the improvements. These studies will include, as appropriate, a records search, archival research, contacting NAHC and interested parties, and pedestrian inventories. Recommendations made for avoidance and minimization will be considered by the County and implemented as required. These measures could include monitoring and presence/absence testing in sensitive areas, or training for construction personnel. Any resources that are located will be evaluated for eligibility for listing in the CRHR or NRHP. If resources found eligible cannot be avoided through project design, mitigation measures will be designed in consultation with the County, SHPO, and other appropriate agencies or parties. Mitigation can include, but is not necessarily limited to, excavation of the deposit in accordance with a data recovery plan (see CEQA Guidelines Section 15126.4[b][3][C]) and standard archaeological field and laboratory methods and procedures, and curation standards.

Upon completion of cultural resources studies, the archaeologist shall prepare a report that describes the methods and results of the studies. The report shall be submitted to the El Dorado County Planning Division and the NCIC.

**Findings for Impact CUL-4:** As discussed on pages 3.4-17 through 3.4-18 of the DEIR, the County finds that implementation of Mitigation Measures CUL-1b, CUL-1d, CUL-3 and CUL-4 will reduce potential impacts on cultural resources resulting from disturbance to or destruction of known or unknown cultural resources during construction of offsite improvements to a less-than-significant level. Implementation of Mitigation Measures CUL-4, which requires preconstruction surveys of the offsite areas and evaluation and treatment of identified, eligible resources; CUL-1b, which requires construction monitoring within 100 feet of known cultural resources; CUL-1d, which provides for discovery of previously unrecorded or unknown resources; and CUL-3, which identifies actions that will be taken if human remains are discovered during construction, will reduce this impact to a less-than-significant level. Because the proposed project will avoid and mitigate, where required, impacts on resources that could be determined to be significant, it will not eliminate an important example of California history or prehistory. Mitigation Measures CUL-1b, CUL-1d, CUL-3 and CUL-4 will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact CUL-4:** The project's constraints analysis indicates that the area proposed for the potential connection to Silva Valley Parkway, and the recycled waterline expansion are highly sensitive for cultural resources. Construction of offsite improvements could result in disturbance to or destruction of known or unknown cultural resources. If those resources were listed in or eligible for listing in the CRHR or the NRHP, this would be a significant impact unless mitigated. Implementation of Mitigation Measures CUL-4, which requires preconstruction surveys of the offsite areas and evaluation and treatment of identified, eligible resources; CUL-1b, which requires construction monitoring within 100 feet of known cultural resources; CUL-1d, which provides for discovery of previously unrecorded or

unknown resources; and CUL-3, which identifies actions that would be taken if human remains are discovered during construction, would reduce this impact to a less-than-significant level.

### 3.5 Geology, Soils, Minerals and Paleontological Resources

#### **Impact GEO-4: Result in fracturing and/or erosion from special construction methods that could result in unstable geologic or soil conditions**

##### **Mitigation Measure GEO-4: Incorporate mitigation measures identified in geotechnical report and use standard engineering practices to mitigate for increased fracturing and/or erosion**

The project applicant's soil scientists or engineers will be responsible for conducting a final geotechnical evaluation of hard rock areas where blasting is being proposed prior to excavation/blasting activities. The final geotechnical evaluation shall specifically address the impacts of any special site preparation techniques on rock or soils present on or adjacent to the project area. Specific mitigation shall be developed prior to construction and implemented to minimize potential impacts on or adjacent to the project area from unstable geologic or soils conditions that could be caused by blasting. The project applicants will select one or more of these measures in consultation with a qualified engineer before excavation/blasting activities begin.

**Findings for Impact GEO-4:** As discussed on page 3.5-23, the County finds that implementation of Mitigation Measure GEO-4 will reduce potential impacts related to unstable soils or erosion resulting from blasting or excavation to a less-than-significant level. Mitigation Measure GEO-4 will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact GEO-4:** If blasting is necessary during site preparation, it could result in fracturing and/or erosion, thereby creating unstable geologic or soil conditions on the project site or adjacent properties if not properly managed. In addition to complying with applicable state and federal agency blasting regulations, implementation of Mitigation Measure GEO-4 would ensure that this impact would be less than significant.

#### **Impact GEO-9: Directly or indirectly destroy a unique paleontological resource**

##### **Mitigation Measure GEO-9a: Educate construction personnel in recognizing fossil material**

Prior to construction, the project applicant will ensure that all construction personnel receive training provided by a qualified professional paleontologist who is experienced in teaching non-specialists to ensure that construction personnel can recognize fossil materials in the event any are discovered during construction.

##### **Mitigation Measure GEO-9b: Stop work if fossil remains are encountered during construction**

If fossil remains (particularly vertebrate remains) are discovered during earth-disturbing activities, activities will stop immediately until a State-registered professional geologist or

qualified professional paleontologist can assess the nature and importance of the find and a qualified professional paleontologist can recommend appropriate treatment. Treatment may include preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection and may also include preparation of a report for publication describing the finds. The project applicant will be responsible for ensuring that recommendations regarding treatment and reporting are implemented.

**Findings for Impact GEO-9:** As discussed on page 3.5-25, the County finds that implementation of Mitigation Measures GEO-9a and GEO-9b, which require training construction workers training to recognize paleontological resources and work stoppage if resources or caves are encountered, and evaluation of the find by a qualified professional, will reduce this impact to a less-than-significant level. Mitigation Measures GEO-9a and GEO-9b will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact GEO-9:** If fossils are present in the project area, they could be damaged during earth-disturbing construction activities, such as excavation for foundations, fills, and road work. Substantial damage to or destruction of significant paleontological resources as defined by the SVP (2010) would be a significant impact unless mitigated. Implementation of Mitigation Measures GEO-9a and GEO-9b, which require construction workers training to recognize paleontological resources and work stoppage if resources or caves are encountered, and evaluation of the find by a qualified professional would reduce this impact to a less-than-significant level.

**Impact GEO-10: Impacts on geological and paleontological resources resulting from offsite improvements**

**Mitigation Measure GEO-4: Incorporate mitigation measures identified in geotechnical report and use standard engineering practices to mitigate for increased fracturing and/or erosion**

**Mitigation Measure GEO-9a: Educate construction personnel in recognizing fossil material**

**Mitigation Measure GEO-9b: Stop work if substantial fossil remains are encountered during construction**

**Findings for Impact GEO-10:** As discussed on pages 3.5-25 through 3.5-26, the County finds that implementation of Mitigation Measure GEO-4 will reduce potential impacts resulting from offsite improvements related to unstable soils or erosion resulting from blasting or excavation to a less-than-significant level. In addition, implementation of Mitigation Measures GEO-9a and GEO-9b, which require training construction workers to recognize paleontological resources and work stoppage if resources or caves are encountered, and evaluation of the find by a qualified professional, will reduce this impact to a less-than-significant level. Mitigation Measures GEO-4, GEO-9a and GEO-9b will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan as policies of the Specific Plan. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact GEO-10:** All relevant IBC and CBSC standards would be incorporated into offsite improvements project design for applicable features to minimize the potential fault rupture and ground-shaking hazards on associated project features. The most recent seismic design parameters at the time of construction would also be implemented. A SWPPP, adherence to the applicable El Dorado County Grading Ordinance, Subdivision Ordinance, Design and Improvement Standards Manual, and Drainage Manual will all minimize any effects from erosion, runoff, and sedimentation. If special construction methods, such as blasting, are necessary, Mitigation Measure GEO-4 would be implemented to reduce impacts to a less than significant level.

If fossils are present in the offsite improvement areas, they could be damaged during earth-disturbing construction activities related to offsite improvements, such as grading, fills, and road work associated with the road extensions and grading and trenching associated with installation of water lines. Units with potential to contain paleontological resources in the offsite improvement areas include Quaternary alluvium (high sensitivity for paleontological resources) and the volcanic units (unknown to low sensitivity for paleontological resources). Substantial damage to or destruction of significant paleontological resources as defined by the SVP (2010) would be a significant impact. Implementation of Mitigation Measures GEO-9a and GEO-9b would reduce this impact to a less-than-significant level.

### 3.6 Hazards and Hazardous Materials

**Impact HAZ-9: Create a significant hazard to the public or the environment as a result of offsite improvements**

**Mitigation Measure AQ-4: Submit and implement an asbestos dust mitigation plan and perform naturally occurring asbestos evaluations during site grading as necessary**

See the discussion above.

**Findings for Impact HAZ-9:** As discussed on pages 3.7-14 through 3.7- of the DEIR, the County finds that implementation of Mitigation Measure AQ-4 will reduce potential impacts related to NOA to a less-than-significant level. As required by Mitigation Measure AQ-4, soil will be routinely inspected during construction. If naturally occurring asbestos is found, the soil will be handled and disposed of in compliance with the BMPs and requirements identified in applicable regulations (e.g., ARB's *Asbestos Airborne Toxic Control Measure for Surfacing Applications* and *Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations*). Mitigation Measure AQ-4 will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan as policies of the Specific Plan. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact HAZ-9:** Construction of offsite improvements is anticipated to involve grading and disruption of the existing soil and geology on the project site. While NOA does exist in El Dorado County, only trace amounts have been identified on the project site. As required by Mitigation Measure AQ-4, soil would be routinely inspected during construction. If naturally occurring asbestos is found, the soil would be handled and disposed of in compliance with the BMPs and requirements identified in applicable regulations (e.g., California Air Resources Board's (ARB's) *Asbestos Airborne Toxic Control Measure for Surfacing Applications* and *Asbestos*

Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations). Construction would also require heavy construction equipment (e.g., excavators, backhoes, grading machines, asphalt machines), the operation and maintenance of which would involve the use and handling of hazardous materials, including diesel fuel, gasoline, lubricants, and solvents. The quantities of hazardous materials could exceed regulatory thresholds and, thus, require transport, handling, storage, and disposal in accordance with applicable federal, state, or local regulations, as described above in the Regulatory Setting to minimize the potential for release of hazardous materials into the environment. Construction equipment that would be used to build the proposed project has the potential to release oils, greases, solvents, and other materials through accidental spills. Construction-related spills of hazardous materials are not uncommon, but the enforcement of construction and demolition standards, including a SWPPP and BMPs by appropriate local and state agencies (i.e., fire departments) would minimize the potential for an accidental release of petroleum products and/or hazardous materials during construction. It is not anticipated that use of hazardous materials during construction would result in a reasonably foreseeable upset or accident conditions that would cause significant hazard to the public or environment. Operation and maintenance of the additional roadways and utility lines could allow for the transport, use, or disposal of hazardous materials. However, all maintenance and hazardous waste handlers are required to comply with BMPs, as described in the DEIR discussion. Therefore, construction of the offsite improvements would not result in a significant hazard to the public or environment.

### 3.7 Hydrology, Water Quality, and Water Resources

#### Impact WQ-6: Otherwise substantially degrade water quality

##### **Mitigation Measure BIO-1a: Install construction barrier fencing around the construction area to protect sensitive biological resources to be avoided**

See the above description.

##### **Mitigation Measure BIO-1b: Conduct environmental awareness training for construction employees**

See the above description.

##### **Mitigation Measure BIO-1c: Conduct periodic site visits during construction**

See the above description.

##### **Mitigation Measure BIO-3a: Avoid and minimize disturbance of waters of the United States, including wetlands**

See the above description.

##### **Mitigation Measure BIO-3b: Compensate for loss of jurisdictional wetlands**

See the above description.



**Mitigation Measure BIO-4: Compensate for loss of other waters of the United States**

See the above description.

**Findings for Impact WQ-6:** As discussed on pages 3.8-24 through 3.8-25 of the DEIR, the County finds that implementation of Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-3a, BIO-3b, and BIO-4 will reduce potential water quality impacts on wetlands and other waters to a less-than-significant level. Mitigation Measures BIO-1a, BIO-1b, and BIO-1c will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. Mitigation Measures BIO-3a, BIO-3b, BIO-4 will be incorporated into the Specific Plan as new policies under Objective 5.3. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact WQ-6:** In addition to urban runoff, one other potential impact on water quality is the discharge of dredged or fill material into waters of the United States. These impacts could affect beneficial uses of the wetlands, such as riparian and wildlife habitat. Construction requiring removal of wetlands would be subject to USACE jurisdiction under Section 404 of the CWA, and CDFW and the Central Valley Water Board jurisdiction under California Department of Fish and Game Code 1602 and CWA Sections 401 and 402. Wetland loss and/or removal without avoidance, minimization, or compensation would constitute a significant impact. Implementation of Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-3a, BIO-3b, and BIO-4 would reduce potential water quality impacts on wetlands and other waters to a less-than-significant level.

**Impact WQ-11: Impacts on hydrology and water quality resulting from offsite improvements**

**Mitigation Measure BIO-1a: Install construction barrier fencing around the construction area to protect sensitive biological resources to be avoided**

See the above description.

**Mitigation Measure BIO-1b: Conduct environmental awareness training for construction employees**

See the above description.

**Mitigation Measure BIO-1c: Conduct periodic site visits during construction**

See the above description.

**Mitigation Measure BIO-3a: Avoid and minimize disturbance of waters of the United States, including wetlands**

See the above description.

**Mitigation Measure BIO-3b: Compensate for loss of jurisdictional wetlands**

See the above description.

**Mitigation Measure BIO-4: Compensate for loss of other waters of the United States**

See the above description.

**Findings for Impact WQ-11:** As discussed on pages 3.8-26 through 3.8-27 of the DEIR, the County finds that implementation of Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-3a, BIO-3b, and BIO-4 will reduce potential water quality impacts on wetlands and other waters resulting from offsite improvements to a less-than-significant level. Mitigation Measures BIO-1a, BIO-1b, and BIO-1c will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. Mitigation Measures BIO-3a, BIO-3b, BIO-4 will be incorporated into the Specific Plan as new policies under Objective 5.3. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact WQ-11:** Construction impacts on water resources resulting from offsite improvements would be similar to those described in Chapter 3.8 of the DEIR for onsite impacts. The projects would be required to implement applicable water quality protection (i.e., Construction General Permit, Small MS4 Permit, WDRs for dewatering). Groundwater depletion or interference with groundwater recharge would be less than significant because the improvements would generally be linear features and would not include large areas of impervious surfaces. Per the County Drainage Manual, a hydrologic and hydraulic analysis would be submitted with designs for the offsite roadway improvements. Those improvements would incorporate storm drainage features to ensure runoff can be accommodated in the drainage system without causing or exacerbating flooding. Proper measures to maintain water quality after construction would be required (i.e., source and treatment control measures contained in the County SWMP [El Dorado County 2004b], the County Drainage Manual [El Dorado County 1995], Section E.12 of the Small MS4 permit, and the Stormwater Quality Control Ordinance No. 5022. As discussed under Impact WQ-6, Mitigation Measures BIO-1a, BIO-1b, BIO-1c, BIO-3a, BIO-3b, and BIO-4 would reduce construction impacts on wetlands and other waters to a less-than-significant level.

## 3.8 Noise and Vibration

**Impact NOI-1b: Expose persons to or generate noise levels from project-generated traffic in excess of standards established in the General Plan**

**Mitigation Measure NOI-1b: Prepare and implement an operational noise control plan to reduce noise at sensitive land uses**

The applicant shall prepare a design-level operational noise control plan that identifies all project features and treatments that will be implemented to be in compliance with County noise standards listed in County General Plan Tables 6-1 and 6-2 (Tables 3.10-8 and 3.10-9 in the Draft EIR). The plan shall be developed by an acoustical design professional. The design features and treatments will ensure that exterior and interior noise levels at new proposed uses are in compliance with the noise standards. The report shall be submitted to the County for review and approval as part of the tentative map/planned development permit processing stage for the project. Depending on the noise exposure for a particular site, such treatments may include, but are not limited to those listed below, as recommended by the acoustical design professional. This measure is applicable to new and existing sensitive land uses that would experience noise that exceeds the County's compatibility standard or are otherwise affected by project-generated noise.

- Construction of solid noise barriers and/or landscaped earthen berms between noise sources and receivers. The specific locations and heights of barriers shall be determined by a qualified acoustical consultant when the locations of residences and noise sources are finalized and prior to tentative map approval. Figure 3.10-2 in the Draft EIR shows potential locations for noise barriers required to mitigate roadway noise. The barriers shall be of sufficient height and composition to reduce noise levels at the closest sensitive receptor to levels required by County standards (General Plan Table 6-1).
- Installation of enclosures around noise-generating mechanical equipment at the civic-limited commercial land use sufficient to reduce noise levels to meet County standards for stationary noise sources.
- Provide maximum setbacks or barriers on lots facing the Village Park to maximum attenuation of noise over distance.
- Installation of noise-reducing treatment in new buildings.
  - High-performance, sound-rated double glazed windows.
  - Sound-rated doors.
  - Sound-rated exterior wall constructions.
  - Special acoustical details for vents.
  - Acoustical caulking at all exterior façade penetrations.
  - Sound-rated roof ceiling constructions.
  - Adequate mechanical ventilation so that windows and doors may be kept closed at the discretion of the building occupants to control environmental noise intrusion.
- In conjunction with Mitigation Measure NOI-1c, the County shall ensure the site plan submitted by the El Dorado Hills CSD for the Village Park locates all playground features at the Village Park outside the 70  $L_{dn}$  noise contour of US 50.

**Findings for Impact NOI-1b:** As discussed on pages 3.10-18 through 3.10-21 of the DEIR, the County finds that implementation of Mitigation Measure NOI-1b will reduce this impact to a less-than-significant level by ensuring playgrounds will not be located where they could be exposed to noise in excess of 70  $L_{dn}$ . Mitigation Measure NOI-1b will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix B as a new section (B.7 – Noise Barriers). The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact’s significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact NOI-1b:** The noise impact associated with the exposure of new residences and new open space areas and parks to traffic would be significant without mitigation. Mitigation Measure NOI-1b includes a variety of potential treatments that can be employed to reduce noise. These treatments include the use of solid barriers and setbacks from roadways and enhanced noise insulation in new construction. These treatments would be expected to reduce noise by 5 to 15 dB depending on the specific treatment or combination of treatments. Combinations of treatments would be employed to ensure compliance with applicable noise compatibility standards. This mitigation measure would therefore reduce this impact to a less-than-significant level for residential uses primarily through the use of noise barriers.

Noise from traffic on US 50 could exceed the County's standard for playgrounds and neighborhood parks of 70  $L_{dn}$  within about 340 feet of US 50. The Village Park area would consist of active and passive uses available to the public, as defined in Policy 9.1.1.3 in the Parks and Recreation Element. Such facilities are intended to provide a focal point and gathering place for the larger community, are generally 10–44 acres, and may include multi-purpose fields, ball fields, playgrounds, and other amenities. As such, the 70  $L_{dn}$  standard would not apply to the Village Park in its entirety, but it would apply to any playground facilities that could be developed in the park by the El Dorado Hills CSD. Implementation of Mitigation Measure NOI-1b would reduce this impact to a less-than-significant level by ensuring playgrounds would not be located where they could be exposed to noise in excess of 70  $L_{dn}$ .

**Impact NOI-1c: Expose persons to or generate noise levels in excess of standards established in the General Plan for stationary or non-transportation noise sources during project operation**

**Mitigation Measure NOI-1b: Prepare and implement an operational noise control plan to reduce noise at sensitive land uses**

**Mitigation Measure NOI-1c: Implement a noise control plan for the Village Park**

Prior to issuing a Planned Development permit to the El Dorado Hills CSD to construct and operate the proposed Village Park, the County shall require the CSD's proposed site plan for the park places the loudest outdoor activity noise sources as far as practical from residential uses in the Serrano Westside planning area, and that all playground features at the Village Park are located outside the 70  $L_{dn}$  noise contour of US 50. The plan shall be accompanied by a noise study prepared by a qualified acoustical consultant that identifies physical and administrative measures that will be used to reduce noise levels. The County shall condition the park project to implement EIR Mitigation Measure NOI-1a to reduce construction noise and to adhere to County Code of Ordinances Chapter 9.16, *Noise*, which prohibits the production of loud and raucous noise that unreasonably interferes with the peace and quiet of private property. The County may also condition the park project, if deemed necessary, to include other restrictions such as limiting the use of amplified sound systems to certain hours.

**Findings for Impact NOI-1c:** As discussed on pages 3.10-21 through 3.10-22 of the DEIR, the County finds that implementation of Mitigation Measures NOI-1b and NOI-1c will reduce impacts to a less-than-significant level. Mitigation Measure NOI-1b specifies a variety of potential treatments that can be employed to reduce noise. These treatments include setbacks and use of noise-reducing treatment in new buildings within the CEDHSP. These treatments are expected to reduce noise by 5 to 15 decibels (dB) depending on the specific treatment or combination of treatments. Combinations of treatments will be employed to ensure compliance with applicable noise compatibility standards and to ensure that potential noise impacts will be addressed through design. Mitigation Measure NOI-1b will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix B as a new section (B.7 – Noise Barriers).

The El Dorado Hills CSD will construct and operate the proposed Village Park. The CSD will be required to submit an application to the County for a Planned Development permit. The County will review the site plan and noise study to ensure the park can be operated in a manner that is consistent with County policies and standards and will incorporate Mitigation Measure NOI-1c into Section 9 (Implementation and Administration) of the Specific Plan related to coordination with the

El Dorado CSD. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact NOI-1c:** The noise impacts associated with the exposure of new and existing residences to non-transportation sources of noise such as office uses and recreation areas would be significant without mitigation. Mitigation Measure NOI-1b includes a variety of potential treatments that can be employed to reduce noise. These treatments include, but are not limited to, setbacks and use of noise-reducing treatment in new buildings within the CEDHSP. These treatments would be expected to reduce noise by 5 to 15 dB depending on the specific treatment or combination of treatments. Combinations of treatments would be employed to ensure compliance with applicable noise compatibility standards and to ensure that potential noise impacts would be addressed through design.

The El Dorado Hills CSD would construct and operate the proposed Village Park. The CSD will be required to submit an application to the County for a Planned Development permit. The County would review the site plan and noise study to ensure the park can be operated in a manner that is consistent with County policies and standards and would condition the park project, as necessary, to ensure compliance. Implementation of Mitigation Measures NOI-1b and NOI-1c would reduce impacts to a less-than-significant level.

**Impact NOI-2: Expose persons to or generate excessive groundborne vibration or groundborne noise levels**

**Mitigation Measure NOI-2: Employ measures to reduce airblast and vibration from blasting**

Contractors shall retain a qualified blasting specialist to develop a site-specific blasting program report to assess, control, and monitor airblast and ground vibration from blasting. The report shall be reviewed and approved by the County prior to issuance of a blasting permit. The report shall include, at minimum, the following measures.

- The contractor shall use current state-of-the-art technology to keep blast-related vibration at offsite residential, other occupied structures and well sites as low as possible, consistent with blasting safety. In no instance shall blast vibration, measured on the ground adjacent to a residential or other occupied structure or well site be allowed to exceed the frequency-dependent limits specified in the Alternative Blasting Level Criteria contained in U.S. Bureau of Mines (USBM) *Report of Investigations 8507*.
- The project contractor shall use current state-of-the-art technology to keep airblast at offsite residential and other occupied structures as low as possible. In no instance shall airblast, measured at a residence or other occupied structure, be allowed to exceed the 0.013-psi (133-dB) limit recommended in USBM *Report of Investigations 8485*.
- The project contractor shall monitor and record airblast and vibration for blasts within 1,000 feet of residences and other occupied structures to verify that measured levels are within the recommended limits at those locations. The contractor shall use blasting seismographs containing three channels that record in three mutually perpendicular axes and which have a fourth channel for recording airblast. The frequency response of the instrumentation shall be from 2 to 250 Hz, with a minimum sampling rate of 1,000 samples per second per channel. The recorded data must be such that the frequency of the vibrations

can be determined readily. If blasting is found to exceed specified levels, blasting shall cease, and alternative blasting or excavation methods shall be employed that result in the specified levels not being exceeded.

- Airblast and vibration monitoring shall take place at the nearest offsite residential or other occupied structure. If vibration levels are expected to be lower than those required to trigger the seismograph at that location, or if permission cannot be obtained to record at that location, recording shall be accomplished at some closer site in line with the structure. Specific locations and distances where airblast and vibration are measured shall be documented in detail along with measured airblast and vibration amplitudes.
- Blasting shall be prohibited between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and 5:00 p.m. to 8:00 a.m. on weekends and federally recognized holidays.

**Findings for Impact NOI-2:** As discussed on pages 3.10-22 through 3.10-23 of the DEIR, the County finds that implementation of Mitigation Measure NOI-2 will reduce impacts related to vibration and air blast to a less-than-significant level. Mitigation Measure NOI-2 will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact NOI-2:** Blasting may be required to prepare the project site for construction. Because existing residences and other structures not associated with the project, and new residences constructed as part of the project while construction is still occurring are and will be located within 500 feet of the potential blasting sites, the data in Table 3.10-16 of the DEIR indicate that airblast and ground-vibration impacts could be significant. Implementation of Mitigation Measure NOI-2 would reduce this impact to a less-than-significant level by applying attenuation requirements on limiting the hours of blasting in order to minimize disruptions to nearby residents.

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

**Mitigation Measure NOI-1b: Prepare and implement an operational noise control plan to reduce noise at sensitive land uses**

See the above description.

**Mitigation Measure NOI-1c: Implement a noise control plan for the Village Park**

See the above description.

**Findings for Impact NOI-3:** As discussed on pages 3.10-25 through 3.10-26 of the DEIR, the County finds that implementation of Mitigation Measures NOI-1b and NOI-1c will reduce impacts related to HVAC equipment and noise from active play fields on adjacent land uses. Mitigation Measure NOI-1b will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix B as a new section (B.7 – Noise Barriers).

The El Dorado Hills CSD will construct and operate the proposed Village Park. The CSD will be required to submit an application to the County for a Planned Development permit. The County will review the site plan and noise study to ensure the park can be operated in a manner that is

consistent with County policies and standards and will incorporate Mitigation Measure NOI-1c into Section 9 (Implementation and Administration) of the Specific Plan related to coordination with the El Dorado CSD). The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact NOI-3:** HVAC equipment and noise from active play fields could be a source of noise that could affect adjacent land uses. These sources of noise could potentially result in a substantial permanent increase in noise at nearby existing residences. Implementation of Mitigation Measures NOI-1b and NOI-1c would reduce this impact to a less-than-significant level by reducing noise at its source.

**Impact NOI-7: Result in noise impacts due to activities associated with project offsite improvements**

**Mitigation Measure NOI-1a: Employ noise-reducing construction practices**

The construction contractor shall employ noise-reducing construction practices so that construction noise does not exceed construction noise standards specified in County General Plan Table 6-3 (Draft EIR Table 3.10-7) to the extent feasible.

Measures that can be used to limit noise include, but are not limited to, those listed below.

- Prohibiting noise-generating construction activity between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and 5:00 p.m. to 8:00 a.m. on weekends and federally recognized holidays.
- Locating equipment as far as feasible from noise sensitive uses.
- Requiring that all construction equipment powered by gasoline or diesel engines have sound-control devices that are at least as effective as those originally provided by the manufacturer and that all equipment be operated and maintained to minimize noise generation.
- Not idling inactive construction equipment for prolonged periods (i.e., more than 2 minutes).
- Prohibiting gasoline or diesel engines from having unmuffled exhaust.
- Scheduling construction activities and material hauling that may affect traffic flow to off-peak hours and using routes that would affect the fewest number of people.
- Using noise-reducing enclosures around noise-generating equipment (minimum 15 dB insertion loss).
- Constructing temporary barriers between noise sources and noise-sensitive land uses or taking advantage of existing barrier features (terrain, structures) to block sound transmission.

**Mitigation Measure NOI-1b: Prepare and implement an operational noise control plan to reduce noise at sensitive land uses**

See the above description.

**Findings for Impact NOI-7:** As discussed on pages 3.10-27 through 3.10-28 of the DEIR, the County finds that implementation of construction practices described in Mitigation Measure NOI-1a will reduce construction noise at the offsite locations. It may not be feasible to reduce noise to levels below the County daytime noise standards at all sensitive land uses surrounding the offsite improvements locations. However, unlike the proposed project, construction of offsite improvements will occur over a much shorter period of time and noise impacts will be temporary. Consequently, with the implementation of Mitigation Measure NOI-1a, the construction noise impact is considered to be less than significant for the offsite improvements. Extension of Park Drive to Silva Valley Parkway will introduce a new source of noise because there is no roadway at that location. Because the dominant noise source in the southern area of Serrano Village D2 is traffic on US 50, the noise from the roadway extension will not likely be highly noticeable. Nevertheless, the acoustical analysis required under Mitigation Measure NOI-1b will demonstrate what noise-reducing treatments, if any, are necessary. Mitigation Measure NOI-1a will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact NOI-7:** The construction noise impacts associated with offsite improvements would likely be similar to the impacts within the project area. Implementation of construction practices described in Mitigation Measure NOI-1a would reduce construction noise at the offsite locations. It may not be feasible to reduce noise to levels below the County daytime noise standards at all sensitive land uses surrounding the offsite improvements locations. However, unlike the proposed project, construction of offsite improvements would occur over a much shorter period of time and noise impacts would be temporary. As such, with the implementation of Mitigation Measure NOI-1a, the construction noise impact is considered to be less than significant.

The extension of Park Drive to Silva Valley Parkway would introduce a new source of noise because there is no roadway at that location. Noise from the new roadway would be approximately 62.4 dB (see Table 5-4 in Section 5.2.2, Analysis of Potential Cumulative Impacts). This would be above the County's compatibility standard for residences. Because the dominant noise source in the southern area of Serrano Village D2 is from US 50, the noise from the roadway extension would not likely be highly noticeable. Nevertheless, the acoustical analysis per Mitigation Measure NOI-1b would demonstrate what noise-reducing treatments, if any, would be necessary.

### 3.9 Public Services and Utilities

**Impact PSU-3: Require or result in the construction of new wastewater treatment or conveyance facilities or the expansion of existing facilities, the construction of which could cause significant environmental effects**

**Mitigation Measure AQ-2b: Utilize clean diesel-powered equipment during construction to control construction-related NO<sub>x</sub> and DPM emissions**

See the above description.



**Mitigation Measure AQ-2c: Implement EDCAQMD fugitive dust control measures and submit a Fugitive Dust Control Plan**

See the above description.

**Mitigation Measure AQ-4: Submit and implement an Asbestos Dust Mitigation Plan and perform naturally occurring asbestos evaluations during site grading**

See the above description.

**Mitigation Measure BIO-1a: Install construction barriers around the construction area to protect sensitive biological resources to be avoided**

See the above description.

**Mitigation Measure BIO-1b: Conduct environmental awareness training for construction employees**

See the above description.

**Mitigation Measure BIO-1c: Conduct periodic site visits during construction**

See the above description.

**Mitigation Measure BIO-1d: Avoid and minimize potential disturbance of oak woodland habitat**

See the above description.

**Mitigation Measure BIO-2: Compensate for permanent loss of riparian woodland**

See the above description.

**Mitigation Measure BIO-3a: Avoid and minimize disturbance of waters of the United States, including wetlands**

See the above description.

**Mitigation Measure BIO-3b: Compensate for loss of jurisdictional wetlands**

See the above description.

**Mitigation Measure BIO-6a: Assume presence of California red-legged frog or conduct protocol-level surveys and implement avoidance and minimization measures, as applicable**

See the above description.

**Mitigation Measure BIO-6b: Avoid and minimize impacts on California red-legged frog**

See the above description.

**Mitigation Measure BIO-7: Conduct preconstruction surveys for Pacific pond turtle and exclude turtles from the work area**

See the above description.

**Mitigation Measure BIO-9a: Conduct vegetation removal activities outside the breeding season for birds and raptors**

See the above description.

**Mitigation Measure BIO-9b: Conduct nesting surveys for special-status and non-special-status birds and implement protective measures during construction**

See the above description.

**Mitigation Measure BIO-10: Identify suitable roosting sites for bats and implement avoidance and minimization measures**

See the above description.

**Mitigation Measure BIO-14: Compensate for loss of oak woodland in offsite infrastructure improvement areas**

See the above description.

**Mitigation Measure BIO-16a: Conduct floristic surveys in the offsite infrastructure improvement areas for special-status plants during appropriate identification periods**

See the above description.

**Mitigation Measure BIO-16b: Avoid or compensate for substantial effects on special-status plants**

See the above description.

**Mitigation Measure BIO-17a: Conduct a habitat assessment in the offsite infrastructure improvement areas for federally listed branchiopods**

See the above description.

**Mitigation Measure BIO-17b: Avoid or compensate for effects on vernal pool fairy shrimp and vernal pool tadpole shrimp and their habitat**

See the above description.

**Mitigation Measure CUL-1b: Perform archaeological construction monitoring during ground-disturbing activities within 100 feet of known cultural resource sites**

See the above description.

**Mitigation Measure CUL-1d: Stop work in the event of discovery of previously unknown cultural resources**

See the above description.

**Mitigation Measure CUL-3: Perform archaeological construction monitoring during ground-disturbing activities within 100 feet of known prehistoric archaeological sites and stop work if human remains are encountered**

See the above description.

**Mitigation Measure CUL-4: Perform cultural resources surveys of the offsite areas and mitigate eligible resources in accordance with State CEQA Guidelines Section 15126.4**

See the above description.

**Mitigation Measure GEO-4: Incorporate mitigation measures identified in geotechnical report and use standard engineering practices to mitigate for increased fracturing and/or erosion**

See the above description.

**Mitigation Measure GEO-9a: Educate construction personnel in recognizing fossil material**

See the above description.

**Mitigation Measure GEO-9b: Stop work if fossil remains are encountered during construction**

See the above description.

**Mitigation Measure NOI-1a: Employ noise-reducing construction practices**

See the above description.

**Mitigation Measure TRA-5: Obtain an encroachment permit or implement a site-specific traffic management plan**

The applicant will obtain an encroachment permit from the County or ensure development of a site-specific construction traffic management plan (TMP) that addresses the specific steps to be taken before, during, and after construction to minimize traffic impacts to existing County roadways, including the mitigation measures identified in this EIR. This will include all potentially significantly affected roadway segments.

The applicant will be responsible for developing the TMP in consultation with the applicable transportation entities, including El Dorado County, Caltrans (for state and federal roadway facilities), and the El Dorado County Transit Authority.

The applicant will also ensure that the TMP is implemented prior to beginning construction at a site. If necessary, to minimize unexpected operational impacts or delays experienced during

real-time construction, the applicant will also be responsible for modifying the TMP to reduce these effects.

The TMP will address the following, as needed. Implementation of this measure will ensure operational traffic impacts and delays experienced during construction will be minimized to the greatest extent feasible.

- Signage warning of roadway surface conditions such as loose gravel, steel plates or similar conditions that could be hazardous to road cycling activity on roadways open to bicycle traffic.
- Signage and barricades to be used around the work sites.
- Use of flag people or temporary traffic signals/signage as necessary to slow or detour traffic.
- Notifications for the public, emergency providers, cycling organizations, bike shops, and schools, where applicable, describing construction activities that could affect transportation.
- Outreach (via public meetings and/or flyers and other advertisements).
- Procedures for construction area evacuation in the case of an emergency declared by County or other local authorities.
- Alternate access routes via detours to maintain continual circulation for local travelers in and around construction zones, including bicyclists and pedestrians where applicable.
- Description of construction staging areas, material delivery routes, and specification of construction vehicle travel hour limits.
- Designation of areas where nighttime construction will occur.
- Plans to relocate school bus drop-off and pick-up locations if they will be affected during construction.
- Scheduling for oversized material deliveries to the work site and haul routes.
- Provisions that direct haulers are to pull over in the event of an emergency. If an emergency vehicle is approaching on a narrow two-way roadway, specify measures to ensure that appropriate maneuvers will be conducted by the construction vehicles to allow continual access for the emergency vehicles at the time of an emergency.
- Control for any temporary road closure, detour, or other disruption to traffic circulation.
- Designated offsite vehicle staging and parking areas.
- Posted information for contact in case of emergency or complaint.
- Coordination with El Dorado County Transit Authority to develop, where feasible, daily construction time windows during which transit operations would not be either detoured or significantly slowed.
- Other actions to be identified and developed as may be needed by the construction manager/resident engineer to ensure that temporary impacts on transportation facilities are minimized.

**Findings for Impact PSU-3:** The County finds that implementation of mitigation measures proposed for impacts related to offsite improvements described in Section 3.2, *Air Quality* (Impact AQ-6), Section 3.3, *Biological Resources* (Impacts BIO-14 through BIO-23), Section 3.4, *Cultural Resources* (Impact CUL-4), Section 3.5, *Geology, Soils, Minerals, and Paleontological Resources* (Impact

GEO-10), Section 3.8, *Hydrology, Water Quality, and Water Resources* (Impact WQ-11), Section 3.10, *Noise and Vibration* (Impact NOI-7), and Section 3.14, *Traffic and Circulation* (Impact TRA-5) will reduce impacts of offsite improvements to less-than-significant levels. These Mitigation Measures will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan.

The County further finds that implementation of mitigation measures proposed for impacts related to construction of the onsite wastewater conveyance/distribution infrastructure described in Section 3.2, *Air Quality*, Section 3.3, *Biological Resources*, Section 3.4, *Cultural Resources*, Section 3.5, *Geology, Soils, Minerals, and Paleontological Resources*, Section 3.6, *Greenhouse Gas Emissions*, Section 3.8 *Hydrology, Water Quality, and Water Resources*, Section 3.10, *Noise and Vibration*, and Section 3.14, *Traffic and Circulation* will reduce impacts to a less-than-significant level. These Mitigation Measures will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact PSU-3:** Although the proposed project would not require expansion of the El Dorado Hills WWTP, it would require additional wastewater collection system infrastructure. A system of new pipelines would be installed within road rights-of-way or public utilities easements within the project area and would carry wastewater south from the project area to the El Dorado Hills WWTP. Construction impacts are a component of the site development footprint impacts evaluated in the DEIR in Section 3.2, *Air Quality*, Section 3.3, *Biological Resources*, Section 3.4, *Cultural Resources*, Section 3.5, *Geology, Soils, Minerals, and Paleontological Resources*, Section 3.6, *Greenhouse Gas Emissions*, Section 3.8 *Hydrology, Water Quality, and Water Resources*, Section 3.10, *Noise and Vibration*, and Section 3.14, *Traffic and Circulation*. Implementation of the mitigation measures identified in those impacts would reduce impacts to a less-than-significant level.

Impacts related to offsite improvements are described in Section 3.2, *Air Quality* (Impact AQ-6), Section 3.3, *Biological Resources* (Impacts BIO-14 through BIO-23), Section 3.4, *Cultural Resources* (Impact CUL-4), Section 3.5, *Geology, Soils, Minerals, and Paleontological Resources* (Impact GEO-10), Section 3.8, *Hydrology, Water Quality, and Water Resources* (Impact WQ-11), Section 3.10, *Noise and Vibration* (Impact NOI-7), and Section 3.14, *Traffic and Circulation* (Impact TRA-8). As identified in those impacts, construction of some of the offsite improvements could result in significant impacts. Implementation of the mitigation measures listed below would reduce impacts of offsite improvements to less-than-significant levels.

**Impact PSU-4: Require or result in the construction of new water treatment or conveyance facilities or the expansion of existing facilities, the construction of which could cause significant environmental effects**

**Mitigation Measure AQ-2b: Utilize clean diesel-powered equipment during construction to control construction-related NO<sub>x</sub> and DPM emissions**

See the above description.

**Mitigation Measure AQ-2c: Implement EDCAQMD fugitive dust control measures and submit a Fugitive Dust Control Plan**

See the above description.

**Mitigation Measure AQ-4: Submit and implement an Asbestos Dust Mitigation Plan and perform naturally occurring asbestos evaluations during site grading**

See the above description.

**Mitigation Measure BIO-1a: Install construction barriers around the construction area to protect sensitive biological resources to be avoided**

See the above description.

**Mitigation Measure BIO-1b: Conduct environmental awareness training for construction employees**

See the above description.

**Mitigation Measure BIO-1c: Conduct periodic site visits during construction**

See the above description.

**Mitigation Measure BIO-1d: Avoid and minimize potential disturbance of oak woodland habitat**

See the above description.

**Mitigation Measure BIO-2: Compensate for permanent loss of riparian woodland**

See the above description.

**Mitigation Measure BIO-3a: Avoid and minimize disturbance of waters of the United States, including wetlands**

See the above description.

**Mitigation Measure BIO-3b: Compensate for loss of jurisdictional wetlands**

See the above description.

**Mitigation Measure BIO-6a: Assume presence of California red-legged frog or conduct protocol-level surveys and implement avoidance and minimization measures, as applicable**

See the above description.

**Mitigation Measure BIO-6b: Avoid and minimize impacts on California red-legged frog**

See the above description.

**Mitigation Measure BIO-7: Conduct preconstruction surveys for Pacific pond turtle and exclude turtles from the work area**

See the above description.

**Mitigation Measure BIO-9a: Conduct vegetation removal activities outside the breeding season for birds and raptors**

See the above description.

**Mitigation Measure BIO-9b: Conduct nesting surveys for special-status and non-special-status birds and implement protective measures during construction**

See the above description.

**Mitigation Measure BIO-10: Identify suitable roosting sites for bats and implement avoidance and minimization measures**

See the above description.

**Mitigation Measure BIO-14: Compensate for loss of oak woodland in offsite infrastructure improvement areas**

See the above description.

**Mitigation Measure BIO-16a: Conduct floristic surveys in the offsite infrastructure improvement areas for special-status plants during appropriate identification periods**

See the above description.

**Mitigation Measure BIO-16b: Avoid or compensate for substantial effects on special-status plants**

See the above description.

**Mitigation Measure BIO-17a: Conduct a habitat assessment in the offsite infrastructure improvement areas for federally listed branchiopods**

See the above description.

**Mitigation Measure BIO-17b: Avoid or compensate for effects on vernal pool fairy shrimp and vernal pool tadpole shrimp and their habitat**

See the above description.

**Mitigation Measure CUL-1b: Perform archaeological construction monitoring during ground-disturbing activities within 100 feet of known cultural resource sites**

See the above description.

**Mitigation Measure CUL-3: Perform construction monitoring during ground-disturbing activities within 100 feet of known prehistoric or archaeological sites and stop work if human remains are encountered**

See the above description.

**Mitigation Measure CUL-4: Perform cultural resources surveys of the offsite areas and mitigate eligible resources in accordance with State CEQA Guidelines Section 15126.4**

See the above description.

**Mitigation Measure GEO-4: Incorporate mitigation measures identified in geotechnical report and use standard engineering practices to mitigate for increased fracturing and/or erosion**

See the above description.

**Mitigation Measure GEO-9a: Educate construction personnel in recognizing fossil material**

See the above description.

**Mitigation Measure GEO-9b: Stop work if fossil remains are encountered during construction**

See the above description.

**Mitigation Measure NOI-1a: Employ noise-reducing construction practices**

See the above description.

**Mitigation Measure TRA-5: Obtain an encroachment permit or implement a site-specific traffic management plan**

See the above description.

**Findings for Impact PSU-4:** The County finds that Implementation of the mitigation measures listed above will reduce impacts of offsite improvements to less-than-significant levels. These mitigation measures will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact PSU-4:** An overall potable water system is already in place for El Dorado Hills. However, the proposed project would require construction and extension of distribution mains and laterals. EID operates a recycled water delivery system in the project area, with lines in Serrano Parkway and east of the Raley's and La Borgata development to US 50. Development of the Serrano Westside planning area requires constructing a reclaimed water line onsite, which would run north-south through the Serrano Westside planning area and connect to the existing system. The recycled water line would be used to route recycled water to parks, landscape corridors, yards, and other areas. Installation of the onsite recycled and potable water distribution infrastructure for the proposed project would include site grading and infrastructure installation, which would require dust suppression and other incidental water uses. Those water uses are expected to be nominal and are included in the overall construction water demand assumed in the WSA.

Construction of potable and recycled water infrastructure would result in impacts similar to those described for the onsite improvements. Impacts related to offsite improvements are described in



Section 3.2, *Air Quality* (Impact AQ-6), Section 3.3, *Biological Resources* (Impacts BIO-14 through BIO-23), Section 3.4, *Cultural Resources* (Impact CUL-4), Section 3.5, *Geology, Soils, Minerals, and Paleontological Resources* (Impact GEO-10), Section 3.8, *Hydrology, Water Quality, and Water Resources* (Impact WQ-11), Section 3.10, *Noise and Vibration* (Impact NOI-7), and Section 3.14, *Traffic and Circulation* (Impact TRA-8). As identified in the discussions of those impacts, construction of some of the offsite improvements could result in significant impacts. Implementation of the mitigation measures listed below would reduce impacts of offsite improvements to less-than-significant levels.

**Impact PSU-5: Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects**

**Mitigation Measure AQ-2b: Utilize clean diesel-powered equipment during construction to control construction-related NO<sub>x</sub> and DPM emissions**

See the above description.

**Mitigation Measure AQ-2c: Implement EDCAQMD fugitive dust control measures and submit a Fugitive Dust Control Plan**

See the above description.

**Mitigation Measure AQ-4: Submit and implement an Asbestos Dust Mitigation Plan and perform naturally occurring asbestos evaluations during site grading**

See the above description.

**Mitigation Measure BIO-1a: Install construction barriers around the construction area to protect sensitive biological resources to be avoided**

See the above description.

**Mitigation Measure BIO-1b: Conduct environmental awareness training for construction employees**

See the above description.

**Mitigation Measure BIO-1c: Conduct periodic site visits during construction**

See the above description.

**Mitigation Measure BIO-1d: Avoid and minimize potential disturbance of oak woodland habitat**

See the above description.

**Mitigation Measure BIO-2: Compensate for permanent loss of riparian woodland**

See the above description.

**Mitigation Measure BIO-3a: Avoid and minimize disturbance of waters of the United States, including wetlands**

See the above description.

**Mitigation Measure BIO-3b: Compensate for loss of jurisdictional wetlands**

See the above description.

**Mitigation Measure BIO-6a: Assume presence of California red-legged frog or conduct protocol-level surveys and implement avoidance and minimization measures, as applicable**

See the above description.

**Mitigation Measure BIO-6b: Avoid and minimize impacts on California red-legged frog**

See the above description.

**Mitigation Measure BIO-7: Conduct preconstruction surveys for Pacific pond turtle and exclude turtles from the work area**

See the above description.

**Mitigation Measure BIO-9a: Conduct vegetation removal activities outside the breeding season for birds and raptors**

See the above description.

**Mitigation Measure BIO-9b: Conduct nesting surveys for special-status and non-special-status birds and implement protective measures during construction**

See the above description.

**Mitigation Measure BIO-10: Identify suitable roosting sites for bats and implement avoidance and minimization measures**

See the above description.

**Mitigation Measure BIO-14: Compensate for loss of oak woodland in offsite infrastructure improvement areas**

See the above description.

**Mitigation Measure BIO-16a: Conduct floristic surveys in the offsite infrastructure improvement areas for special-status plants during appropriate identification periods**

See the above description.

**Mitigation Measure BIO-16b: Avoid or compensate for substantial effects on special-status plants**

See the above description.

**Mitigation Measure BIO-17a: Conduct a habitat assessment in the offsite infrastructure improvement areas for federally listed branchiopods**

See the above description.

**Mitigation Measure BIO-17b: Avoid or compensate for effects on vernal pool fairy shrimp and vernal pool tadpole shrimp and their habitat**

See the above description.

**Mitigation Measure CUL-1b: Perform archaeological construction monitoring during ground-disturbing activities within 100 feet of known cultural resource sites**

**Mitigation Measure CUL-3: Perform construction monitoring during ground-disturbing activities within 100 feet of known prehistoric or archaeological sites and stop work if human remains are encountered**

**Mitigation Measure CUL-4: Perform cultural resources surveys of the offsite areas and mitigate eligible resources in accordance with State CEQA Guidelines Section 15126.4**

**Mitigation Measure GEO-4: Incorporate mitigation measures identified in geotechnical report and use standard engineering practices to mitigate for increased fracturing and/or erosion**

**Mitigation Measure GEO-9a: Educate construction personnel in recognizing fossil material**

See the above description.

**Mitigation Measure GEO-9b: Stop work if fossil remains are encountered during construction**

See the above description.

**Mitigation Measure NOI-1a: Employ noise-reducing construction practices**

See the above description.

**Mitigation Measure TRA-5: Obtain an encroachment permit or implement a site-specific traffic management plan**

See the above description.

**Findings for Impact PSU-5:** Installation of the storm drainage system will involve onsite trenching and grading, which will require dust suppression and other incidental water uses. Those water uses are expected to be nominal and are included in the overall construction water demand assumed in the Water Supply Assessment (WSA). Installation of the storm drain lines will require construction equipment and will cause soil disturbance, which could result in air pollutant and GHG emissions and noise generation. Installation of the storm drain lines also could require special construction methods such as blasting, require use of small amounts of hazardous materials such as diesel and oil, generate stormwater runoff or erosion, result in the potential to encounter previously

unidentified cultural resources, disturb habitat, and result in temporary roadway lane narrowing or detours, among other potentially significant environmental impacts. These types of construction impacts are a component of the site development footprint impacts evaluated in the Draft EIR in Section 3.2, *Air Quality*, Section 3.3, *Biological Resources*, Section 3.4, *Cultural Resources*, Section 3.5, *Geology, Soils, Minerals, and Paleontological Resources*, Section 3.6, *Greenhouse Gas Emissions*, Section 3.8 *Hydrology, Water Quality, and Water Resources*, Section 3.10, *Noise and Vibration*, and Section 3.14, *Traffic and Circulation*. The County finds that implementation of the mitigation measures listed above will reduce impacts of construction of the storm drainage system to less-than-significant levels. These mitigation measures will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact PSU-5:** The proposed project would generate stormwater runoff. The design standards for the proposed project require that projects within the CEDHSP area incorporate new stormwater drainage facilities to accommodate the potential increase in stormwater runoff as a result of the impervious surfaces (e.g., roads, home roofs, sidewalks). The new stormwater drainage facilities would be constructed under sidewalks and roads and would collect and divert stormwater from the proposed development to the existing stormwater system along El Dorado Hills Boulevard and east of the Raley's/La Borgata shopping area that discharges to the pond system in the Town Center East development south of US 50.

Construction impacts are a component of the site development footprint impacts evaluated in Section 3.2, *Air Quality*, Section 3.3, *Biological Resources*, Section 3.4, *Cultural Resources*, Section 3.5, *Geology, Soils, Minerals, and Paleontological Resources*, Section 3.6, *Greenhouse Gas Emissions*, Section 3.8 *Hydrology, Water Quality, and Water Resources*, Section 3.10, *Noise and Vibration*, and Section 3.14, *Traffic and Circulation*. Implementation of the mitigation measures identified in those sections would reduce impacts to a less-than-significant level. Based on available information, the proposed project is not anticipated to require offsite storm drain improvements other than connections to the existing lines.

## 3.10 Traffic

**Impact TRA-1: Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit**

### **Mitigation Measure TRA-1a: Improve the Latrobe Road/Town Center Boulevard Intersection**

The following improvements will be made to the Latrobe Road/Town Center Boulevard intersection.

- Modify the northbound approach to provide two left-turn lanes, three through lanes, and a shared through/right turn lane.
- Modify the westbound approach to provide a shared through/left-turn lane, and two right-turn lanes.

- Provide right-turn overlap phasing for westbound approach
- Provide split phasing east and westbound
- Optimize signal timings to accommodate the revised intersection lane configurations.

If the improvement is constructed by others prior to residential development levels in the project site that require this mitigation, payment of TIM fees will satisfy the project's fair share obligation towards this improvement. If this improvement is not constructed by others, the applicant will be responsible for implementing this improvement consistent with County General Plan Goal TC-X and supporting Policy TC-Xa and TC-Xf to ensure that transportation improvements are implemented concurrent with approved residential development. If the improvement is constructed by the applicant, the applicant will be subject to fee credit or reimbursement through the County's TIM fee program.

#### **Mitigation Measure TRA-1b: Improve the Silva Valley Parkway/Appian Road Intersection**

The following improvements will be constructed by the applicant prior to 2027 at the Silva Valley Parkway/Appian Road Intersection.

- Install a traffic signal with protected left-turn phasing northbound and southbound and split phasing eastbound and westbound.
- Provide one left-turn lane and a shared through/right-turn lane on the northbound and southbound approaches.

#### **Mitigation Measure TRA-1e: Improve the El Dorado Hills Boulevard/Park Drive/Saratoga Way Intersection**

The following improvements will be constructed by the applicant prior to 2027 at the El Dorado Hills Boulevard/Park Drive/Saratoga Way Intersection.

- Provide one left-turn lane, two through lanes, and one right-turn lane on the southbound approach.

The applicant may be eligible for reimbursement through the County's TIM fee program.

**Findings for Impact TRA-1:** The County finds that Mitigation Measures TRA-1a, TRA-1b, TRA-1c, TRA-1d, and TRA-1e will reduce to a less-than-significant level the impacts related to the exceedance of acceptable LOS thresholds, the addition of traffic on facilities already operating at an unacceptable LOS, the conflict with a County General Plan goal pertaining to pedestrian facilities, and the exceedance of capacity of park-and-ride facilities. Mitigation Measures TRA-1a, TRA-1b, and TRA-1e will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. Mitigation Measures TRA-1c will be incorporated into the Specific Plan as an addition to Policy 4.1 and TRA-1d will be incorporated into the Specific Plan as an addition to Policy 4.7. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact TRA-1:** The Latrobe Road/Town Center Boulevard intersection (Intersection 17) operates acceptably at LOS E without the project. Implementation of the project results in unacceptable LOS F conditions during the P.M. peak hour. The Latrobe Road/White Rock Road intersection (Intersection 18) currently operates acceptably at LOS C without the project. Implementation of the project results in unacceptable LOS F conditions

during the P.M. peak hour. Modifications in the Latrobe Road/Town Center Boulevard intersection indicated in Mitigation Measure TRA-1a would result in acceptable LOS E conditions at that intersection and also acceptable LOS C conditions at the Latrobe Road/White Rock Road intersection, since queueing along the northbound approach of Latrobe Road/Town Center Boulevard would be reduced and not spill back onto White Rock Road.

The intersection of Silva Valley Parkway and Appian Way would operate at LOS F under near term conditions (2027) with and without the proposed project. However, the proposed project would slightly worsen conditions at that intersection. Mitigation Measure TRA-1b would result in LOS C during the A.M. peak hour. It would also improve already acceptable conditions in the P.M. peak hour. The intersection of El Dorado Hills Boulevard, Park Drive and Saratoga Way would operate at LOS F under near-term conditions (2027) in the A.M. peak hour, with and without the project. The project would slightly worsen conditions at that intersection. Mitigation Measure TRA-1e would result in LOS E in the A.M. peak hour.

Development of the Pedregal planning area would create a gap in the pedestrian network in conflict with County General Plan Goal TC-4. Additional park-and-ride capacity may not be provided to allow for additional project-induced transit demand to be adequately met. Therefore, the exceedance of acceptable LOS thresholds, the addition of traffic on facilities already operating at an unacceptable LOS, the conflict with a County General Plan goal pertaining to pedestrian facilities, and the exceedance of capacity of park-and-ride facilities would be a significant impact. Implementation of Mitigation Measures TRA-1a, TRA-1b, TRA-1c, TRA-1d, and TRA-1e would reduce this impact to a less-than-significant level.

### **Impact TRA-5: Result in inadequate emergency access**

#### **Mitigation Measure TRA-5: Obtain an encroachment permit or implement a site-specific traffic management plan**

The applicant will obtain an encroachment permit from the County or ensure development of a site-specific construction traffic management plan (TMP) that includes the standards below and addresses the specific steps to be taken before, during, and after construction to minimize traffic impacts to existing County roadways, including the mitigation measures identified in this EIR. This will include all potentially significantly affected roadway segments.

The applicant will be responsible for developing the TMP in consultation with the applicable transportation entities, including El Dorado County, Caltrans (for state and federal roadway facilities), and the El Dorado County Transit Authority.

The applicant will also ensure that the TMP is implemented prior to beginning construction at a site. If necessary to minimize unexpected operational impacts or delays experienced during real-time construction, the applicant will also be responsible for modifying the TMP to reduce these effects.

The TMP will address the following measures. Implementation of this measure will ensure operational traffic impacts and delays experienced during construction will be minimized to the greatest extent feasible.

- Signage warning of roadway surface conditions such as loose gravel, steel plates or similar conditions that could be hazardous to road cycling activity on roadways open to bicycle traffic.

- Signage and barricades to be used around the work sites.
- Use of flag people or temporary traffic signals/signage as necessary to slow or detour traffic.
- Notifications for the public, emergency providers, cycling organizations, bike shops, and schools, where applicable, describing construction activities that could affect transportation.
- Outreach (via public meetings and/or flyers and other advertisements).
- Procedures for construction area evacuation in the case of an emergency declared by County or other local authorities.
- Alternate access routes via detours to maintain continual circulation for local travelers in and around construction zones, including bicyclists and pedestrians where applicable.
- Description of construction staging areas, material delivery routes, and specification of construction vehicle travel hour limits.
- Designation of areas where nighttime construction will occur.
- Plans to relocate school bus drop-off and pick-up locations if they will be affected during construction.
- Scheduling for oversized material deliveries to the work site and haul routes.
- Provisions that direct haulers are to pull over in the event of an emergency. If an emergency vehicle is approaching on a narrow two-way roadway, specify measures to ensure that appropriate maneuvers will be conducted by the construction vehicles to allow continual access for the emergency vehicles at the time of an emergency.
- Control for any temporary road closure, detour, or other disruption to traffic circulation.
- Designated offsite vehicle staging and parking areas.
- Posted information for contact in case of emergency or complaint.
- Coordination with El Dorado County Transit Authority to develop, where feasible, daily construction time windows during which transit operations would not be either detoured or significantly slowed.
- Other actions to be identified and developed as may be needed by the construction manager/resident engineer to ensure that temporary impacts on transportation facilities are minimized.

**Findings for Impact TRA-5:** The County finds that implementation of Mitigation Measure TRA-5 will reduce impacts related to inadequate emergency access during construction to a less-than-significant level. Mitigation Measure TRA-5 will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact TRA-5:** Emergency access to and through the project area would be maintained during construction activities associated with the project. However, during construction of infrastructure improvements and development associated with the CEDHSP, an increase in truck traffic on offsite roadways could restrict access for emergency vehicles in and around the project area. The portion of the EID wastewater collection system upgrade project within Serrano Parkway could require temporary lane closure or roadway narrowing. Because the project could result in inadequate emergency access, this would be a significant impact.

Implementation of Mitigation Measure TRA-5 would reduce this impact to a less-than-significant level.

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

**Mitigation Measure TRA-1c: Extend sidewalk from Wilson Boulevard to Pedregal planning area**

**Mitigation Measure TRA-1d: Provide alternative park-and-ride facilities**

**Findings for Impact TRA-6:** The County finds that Mitigation Measures TRA-1c, and TRA-1d will reduce impacts on pedestrian and transit modes of transportation to a less-than-significant level. Mitigation Measures TRA-1c and TRA-1d will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan as policies of the Specific Plan. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact TRA-6:** Implementation of the proposed project would increase demand for pedestrian and bicycle facilities. The project proposes pedestrian and bicycle facilities that would connect and integrate with existing and planned facilities adjacent to the project. In addition, elements of the proposed project would complete planned pedestrian and bicycle facilities identified in the El Dorado County Bicycle Transportation Plan. However, pedestrian traffic associated with the Pedregal planning area may experience a gap in accessing areas to the east and south, as the sidewalk along the north side of Wilson Boulevard ends approximately 500 feet west of El Dorado Hills Boulevard. Such a gap could create unsafe conditions for residents of the Pedregal area and would conflict with the County General Plan Goal TC-4. Therefore, this would be a significant impact. Implementation of Mitigation Measure TRA-1c would reduce this impact to a less-than-significant level.

Implementation of the proposed project would increase demand for transit. The project could result in demand of about 2,600 transit commute trips annually. This increase represents about a 6% increase in El Dorado Transit Commuter Service, which is generally in line with historic population growth rates in El Dorado County. Consequently, the growth in these trips would not likely exceed the ability to serve this ridership through existing funding sources for transit that are tied to population growth.

The proposed project would provide a park-and-ride location in the Serrano Westside planning area. This would be a joint-use facility between El Dorado Transit and the El Dorado Hills CSD. It is anticipated that the facility will dedicate at least five stalls to park-and-ride users, which would offset the additional demand created by the project. If this capacity were provided prior to the half-way point of development of the project, the impact related to transit would be less than significant. If, however, additional park-and-ride capacity of five or more reserved parking stalls were not provided prior to the project development half-way point, this impact would be significant. Implementation of Mitigation Measure TRA-1d would reduce this impact to a less-than-significant level.



### **Impact TRA-8: Result in inadequate emergency access as a result of offsite improvements**

#### **Mitigation Measure TRA-5: Obtain an encroachment permit or implement a site-specific traffic management plan**

**Findings for Impact TRA-8:** The County finds that implementation of Mitigation Measure TRA-5 will reduce impacts related to restrictions on emergency vehicle due to access lane closures or narrowings for short periods of time during the construction of offsite improvements to a less-than-significant level. Mitigation Measure TRA-5 will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan Appendix D. The County therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

**Explanation/Facts Supporting Finding for Impact TRA-8:** Installation of the two water lines in the Pedregal planning area, the EID wastewater collection system upgrade, the recycled water line (if it crosses public roadways), and the connection to Silva

Valley Parkway could involve work such as trenching, grading, and paving within public roadways. These construction activities could result in lane closures or narrowings for short periods of time, which could restrict emergency vehicle access. This is a significant impact. Implementation of Mitigation Measure TRA-5 would reduce this impact to a less-than-significant level.

## **3.10.1 Cumulative Traffic Impacts**

Cumulative traffic impacts will be reduced to a less-than-significant level by the following mitigation measures:

#### **Mitigation Measure CUM-A: Improve the Silva Valley Parkway/Appian Way intersection**

Implementation of the following improvements to the Silva Valley Parkway/Appian Way intersection would result in acceptable LOS D and C operations during the A.M. and P.M. peak hours, respectively (Appendix L: 2017 TIS, Table 12).

- Provide a shared through/left-turn lane and a separate right-turn lane on the westbound approach.

In order to determine the timing of implementing the mitigation measure, a supplemental traffic analysis will be prepared for each development application (at the tentative map application and at the final map application, if deemed necessary by CDS, Long Range Planning). The supplemental traffic analysis will determine LOS for existing traffic at the time of the application plus traffic generated by the proposed development. The scope of the supplemental traffic analysis will be determined by CDS, Long Range Planning. If the supplemental traffic analysis indicates that the County's LOS policies will be exceeded by the existing traffic plus traffic generated by that development application, the applicant shall construct the improvements identified above prior to issuance of any building permit for that development.

Improvements shall be constructed by the project in coordination with the CDs, Transportation Division. Projects within the TIM Fee Program will be eligible for reimbursement for costs that exceed the project's proportional fair share.

If the improvements at this intersection are constructed by the County or others, payment of TIM fees will satisfy the project's fair share obligation toward this improvement.

**Mitigation Measure TRA-1c: Extend sidewalk from Wilson Boulevard to Pedregal planning area**

**Mitigation Measure TRA-1d: Provide alternative park-and-ride facilities**

**Findings for Cumulative Traffic Impacts:** The County finds that Mitigation Measures CUM-A, TRA-1c, and TRA-1d will reduce the project's contribution to cumulative traffic impacts to a less-than-considerable level. Mitigation Measures CUM-A will be incorporated in the Section 9 (Implementation and Administration). Mitigation Measures MM TRA-1c and TRA-1d will be incorporated into the project by inclusion in the Central El Dorado Hills Specific Plan as policies of the Specific Plan.

## Section 4 Significant Effects that Cannot be Mitigated to a Less-than-Significant Level

The EIR identifies the following significant and unavoidable environmental impacts that will result from implementation of the project:

- Operational, combined construction and operational, and cumulative air quality impacts. The identified air quality mitigation measures will reduce the potential air quality impacts, but not to a less-than-significant level.
- Cumulative cultural resources impacts. Mitigation measures identified for the project will reduce the project's contribution, but not to a less-than-significant level.
- Greenhouse gas emission impacts from construction and operation of the project and emissions that will conflict with a plan adopted for the purpose of reducing GHG emissions. Mitigation measures are identified, but these impacts will still be significant and unavoidable.
- Construction noise impact. Mitigation measures are identified, but the impact will still be significant and unavoidable.
- Noise impact associated with noise from cargo aircraft arrivals into Mather Airport. There is no feasible mitigation to reduce the impact to a less-than-significant level.

Findings follow for each of these significant and unavoidable impacts.

### 4.1 Air Quality

**Impact AQ-1 and AQ-1 CUM: Conflict with or obstruct implementation of the applicable air quality plan.**

**Finding for Impact AQ-1 and AQ-1 CUM:** Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

**Explanation/Facts Supporting Finding for Impact AQ-1 and AQ-1 CUM:** The applicable air quality plan is the 2013 Ozone Plan. EDCAQMD considers projects to be consistent with the plan if they satisfy four criteria. The project is consistent with all but one criterion. Operational reactive organic gas (ROG) emissions are estimated to exceed EDCAQMD's project-alone significance criteria even with implementation of applicable CEDHSP policies. As a result, the project would conflict with the 2013 Ozone Plan for the Sacramento Federal Nonattainment Area. Estimated ROG emissions will primarily result from the use of personal consumer products and application of architectural coatings on private residences. There is no feasible mitigation to reduce ROG emissions below the EDCAQMD's threshold of 82 pounds per day that would, in turn, demonstrate consistency with the project-alone criterion. This operational impact will be significant and unavoidable (Draft EIR Chapter 3, Section 3.2.2, p. 3.2-22). In addition, the project's contribution to regional ROG emissions will be cumulatively considerable because there is no feasible mitigation to reduce the project's contribution to levels that would not exceed thresholds. The cumulative impact will be significant and unavoidable (Draft EIR Chapter 5, Section 5.2.2, p. 5-9).

**Impact AQ-2b and AQ-2b CUM: Violate any air quality standard or contribute substantially to an existing or projected air quality violation during operation.**

**Finding for Impact AQ-2b and AQ-2b CUM:** Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report to fully mitigate this impact to less than significant.

**Explanation/Facts Supporting Finding for Impact AQ-2b and AQ-2b CUM:** The CEDHSP Sustainability Element includes several policies that will reduce operational criteria pollutant emissions. Emissions benefits achieved by CEDHSP policies have been incorporated into the emissions modeling. Based on CalEEMod modeling, these policies will reduce criteria pollutant emissions by 48% to 96%, depending on the pollutant, relative to emissions levels without implementation of the policies. Additional reductions may be achieved by implementation of CEDHSP policies that reduce natural gas usage and vehicle trips. Potential mobile source reductions achieved by implementation of CEDHSP policies could range from 7% to 52%, depending on the pollutant. These policies result in substantial reductions in the level of emissions that would be generated if they were not part of the project and represent the limit of feasible actions that would reduce these emissions impacts.

Although implementation of the CEDHSP policies will contribute to substantial criteria pollutant reductions, ROG emissions will still exceed EDCAQMD's pollutant threshold of 82 pounds per day. These emissions will primarily result from personal consumer products and architectural coatings on private residences. Particulate matter (PM) emissions may also exceed EDCAQMD's California ambient air quality standards (CAAQS) significance criterion. There is no feasible mitigation to reduce operational ROG and PM emissions below EDCAQMD's threshold. These operational impacts on air quality will be significant and unavoidable (Draft EIR Chapter 3, Section 3.2.2, p. 3.2-27).

In addition, the project's contribution will be cumulatively considerable because there is no feasible mitigation to reduce the project's contribution to regional emissions levels that would not exceed operational ROG and PM emissions thresholds. The cumulative impact will be significant and unavoidable (Draft EIR Chapter 5, Section 5.2.2, p. 5-9).

**Impact AQ-2c and Impact AQ-2c CUM: Violate any air quality standard or contribute substantially to an existing or projected air quality violation during combined construction and operation.**

**Findings for Impact AQ-2c and AQ-2c CUM:** Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report to fully mitigate this impact to less than significant.

**Explanation/Facts Supporting Finding for Impact AQ-2c and AQ-2c CUM:** Construction impacts were determined to be less than significant with implementation of Mitigation Measures AQ-2a, AQ-2b, and AQ-2c (Draft EIR Chapter 3, Section 3.2.2, p. 3.2-24). However, construction and operation are anticipated to occur concurrently from 2019 through 2030, resulting in higher maximum daily emissions than either component when analyzed separately (Draft EIR Chapter 3, Section 3.2.2, p.3.2-27). Combined emissions will exceed EDCAQMD thresholds for ROG and NO<sub>x</sub>, despite the implementation of the mitigation measures discussed below. Although the CEDHSP policies would contribute to substantial criteria pollutant reductions, ROG emissions during project operation will

still exceed EDCAQMD's pollutant threshold of 82 pounds per day. Although construction emissions can be reduced to levels that would not be significant when analyzed separately, there is no feasible mitigation to reduce operational ROG, NO<sub>x</sub>, and PM emissions below EDCAQMD's threshold. The combined construction and operational impacts on air quality will be significant and unavoidable (Draft EIR Chapter 3, Section 3.2.2, p. 3.2-27).

In addition, the project's contribution to these regional air quality emissions will be cumulatively considerable because there is no feasible mitigation to reduce the project's contribution to levels that do not exceed thresholds. The cumulative impact will be significant and unavoidable (Draft EIR Chapter 5, Section 5.2.2, p. 5-9).

The following mitigation measures lessen this impact, but cannot avoid it:

**Mitigation Measure AQ-2a: Use low-VOC coatings during construction**

This measure will reduce ROG emissions by limiting the release of volatile organic compounds (VOCs) from architectural coatings.

**Mitigation Measure AQ-2b: Utilize clean diesel-powered equipment during construction to control construction-related NO<sub>x</sub> and DPM emissions**

This measure will reduce NO<sub>x</sub> emissions in comparison to standard diesel-powered equipment.

**Mitigation Measure AQ-2c: Implement EDCAQMD fugitive dust control measures and submit a Fugitive Dust Control Plan**

These requirements of the EDCAQMD are specifically designed to reduce fugitive dust that results from construction activities.

**Impact AQ-3 and AQ-3 CUM: Result in a cumulatively considerable net increase of any criteria air pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)**

**Findings for Impact AQ-3 and AQ-3 CUM:** Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report to fully mitigate this impact to less than significant.

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

**Explanation/Facts Supporting Finding for Impact AQ-3 and AQ-3 CUM:** The project's emissions will exceed EDCAQMD's project-alone criterion for determining consistency with the applicable air quality plan (see Explanation/Facts Supporting Finding for Impact AQ-1, above). As a result, based on EDCAQMD's CEQA Guidelines, the project's contribution to regional criteria air pollutants will be cumulatively considerable. There is no feasible mitigation beyond Mitigation Measures AQ-2a, AQ-2b, and AQ-2c to reduce combined construction and operational and operational impacts to less-than-significant levels for ROG, NO<sub>x</sub>, and PM. The cumulative impact will be significant and unavoidable (Draft EIR Chapter 3, Section 3.2.2, p.3.2-29 and p.5-9).

The following mitigation measures, as previously described, lessen this impact but cannot avoid it:

**Mitigation Measure AQ-2a: Use low-VOC coatings during construction**

**Mitigation Measure AQ-2b: Utilize clean diesel-powered equipment during construction to control construction-related NO<sub>x</sub> and DPM emissions**

**Mitigation Measure AQ-2c: Implement EDCAQMD fugitive dust control measures and submit a Fugitive Dust Control Plan**

## 4.2 Cultural Resources

**Impact CUL-1 CUM: Cause a substantial adverse change in the significance of an archaeological resource that is a historical resource as defined in Section 15064.5**

**Findings for Impact CUL-1 CUM:** Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report to fully mitigate this impact to less than significant.

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

**Explanation/Facts Supporting Finding for Impact CUL-1 CUM:** Implementation of the project will potentially result in direct impacts on three known archaeological resources, including the Pedregal Archaeological District (PAD), a prehistoric period district. In addition, there is the potential for currently unknown cultural resources to be adversely affected by the project. Construction of other development projects in the vicinity of the project site could potentially result in significant impacts on archaeological resources that meet the criteria for historical resources and on human remains, should they be present within the project site or the vicinity of the project site. Based on the landscape of the cumulative project sites and their undeveloped nature, and the presence of a known similar archaeological district within the Village of Marble Valley project area, it is likely that additional resources similar to the PAD, or elements that make up the PAD, would be located within the boundaries of these projects. Although each project would seek to identify and evaluate cultural resources and implement mitigation measures designed to reduce project-level effects to a less-than-significant level, a cumulative impact would still result. Though direct impacts would be minimized by the mitigation measures, it is likely that similar indirect effects on the integrity of the resources would result through impacts on setting, feeling, and association. Therefore, a cumulative impact on prehistoric cultural resources exists in this area of the foothills.

These impacts, would be lessened through project design and the implementation of Mitigation Measures CUL-1a, CUL-1b, CUL-1c, and CUL-1d. Nonetheless, the project will make a considerable contribution to a cumulative impact on cultural resources. The cumulative cultural resources impact will be significant and unavoidable (Draft EIR Chapter 5, Section 5.2.2, p. 5-13).

**Mitigation Measure CUL-1a: Develop and implement a site-specific Historic Properties Treatment Plan for the Pedregal Archaeological District**

This will ensure that the resource will be treated pursuant to accepted levels of practice.

**Mitigation Measure CUL-1b: Perform archaeological construction monitoring during ground-disturbing activities within 100 feet of known cultural resource sites**

This will help identify any previously unknown resources that may be encountered and to reduce the effect on those resources.

**Mitigation Measure CUL-1c: Protection P-09-1667 from future impacts**

This will avoid additional impacts on this known cultural resource.

**Mitigation Measure CUL-1d: Stop work in the event of discovery of previously unknown cultural resources**

This will help reduce the effect on those resources by providing time to investigate the resources and design a response to minimize construction damage.

## 4.3 Greenhouse Gas Emissions

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

**Findings for Impact GHG-1b:** Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

**Explanation/Facts Supporting Findings for Impact GHG-1b:** Occupancy of the CEDHSP would generate direct and indirect GHG emissions from mobile vehicle trips, natural gas combustion, and landscaping activities. Indirect emissions would be generated by electricity generation and consumption, waste and wastewater generation, and water use. The CEDHSP includes mandatory policies that will improve energy efficiency, reduce water consumption and waste generation, and encourage alternative transportation. These will provide quantified reductions of GHG emissions in comparison to a project that does not have these policies. Voluntary policies would help further reduce emissions, but their reductions cannot be quantified.

Even with implementation of these policies and Mitigation Measure GHG-1, operational emissions from the CEDHSP would still exceed the bright-line threshold in 2020 and the regional efficiency indicator threshold in 2035. The project's contribution to GHG emissions would therefore be cumulatively considerable. The cumulative GHG impact will be significant and unavoidable (RDEIR Chapter 3, Section 3.6.2, pp. 3-20 and 3-22).

The following mitigation measure lessens this impact by increasing on-site renewable energy installations, reducing energy use, and encouraging the use of electric vehicles. However, the measure cannot avoid the significant impact:

**Mitigation Measure GHG-1: Revise CEDHSP policies to include additional measures to further reduce operational GHG emissions.**

The project applicant shall implement the operational GHG emissions reduction strategies described below. The strategies will be included as specific requirements of the CEDHSP's Development Plan Permit.

1. On-Site Solar Energy: CEDHSP Policy 8.22 will be revised as follows: Commercial, residential, and public buildings shall be designed to allow for the installation of renewable energy systems including active solar, wind, or other emerging technologies. Where applicable, rooftop photovoltaic (PVM) arrays or solar water heating systems (SWHS) shall be installed in accordance with the State Fire Marshal safety regulations and guidelines. All Village Residential-Low and Village Residential Medium-Low development will be required to install rooftop solar power to meet minimum baseload electricity needs (expected average system size is 4 kilowatts [kW]).
2. Water Use: CEDSHP Policy 8.37 will be revised as follows: Nonresidential indoor water use shall be required to be reduced by a minimum of 30% as demonstrated by the prescriptive fixture-based methodology or according to a water use baseline, in accordance with CALGreen Nonresidential for Voluntary Tier 1 Measures.
3. Compost: CEDHSP Policy 8.34 will be revised as follows: On-site reuse of compost and mulch shall be required in privately owned gardens and landscaping or within common landscaped areas in the Plan Area.
4. Electrical Vehicle Charging: CEDSHP Policy 8.4 will be revised as follows: Off-street parking in all Civic-Limited Commercial, Village Park, and High Density Residential designations shall provide some dedicated parking for plug-in electric vehicles (PEVs) and install minimum Level 2 PEV charging stations in each dedicated PEV parking space, in accordance with CALGreen Nonresidential Tier 1 Voluntary Measures. Installation of 220/240 volt garage circuits to support PEVs will be required in all Village Residential-Low and Village Residential Medium-Low designations.

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

**Findings for Impact GHG-2:** Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report to fully mitigate this impact to less than significant.

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

**Explanation/Facts Supporting Finding for Impact GHG-2:** Assembly Bill 32 (AB 32) codifies the state's GHG emissions reduction targets for 2020. The 2008 Scoping Plan and its 2014 Update are the framework for achieving the AB 32 2020 targets. The Draft EIR analysis concludes that the project's emissions in 2020 will exceed the regional bright-line threshold, even with implementation of CEDHSP policies and Mitigation Measure GHG-1. Therefore, the project conflicts with AB 32 (RDEIR Chapter 3, Section 3.6.2, p.3-24).



Two Executive Orders (EO-S-3-05 and EO-B-30-15) established interim GHG reduction targets for 2030 and 2050, respectively. Although these Executive Orders are not binding on local government action, they indicate the direction for statewide GHG emissions reductions. Achieving these long-term GHG reductions will require systemic changes in how energy is produced and used, and such changes will require significant policy, technical, and economic solutions at the state and federal level, which are outside the control of the County and outside the scope of the CEHDSP. Although the CEHDSP policies and Mitigation Measure GHG-1 are consistent with anticipated long-term strategies to reduce GHG emissions, they are not adequate on their own to reduce project-level emissions to a level below the 2035 efficiency indicator. It is possible that compliance with future state and federal regulations would reduce project emissions below a level consistent with the 2030 and 2050 reduction targets in the Executive Orders, but this cannot be known at this time and, thus, it is conservatively assumed the project's GHG emissions will be inconsistent with the goals in the Executive Orders. The GHG impact will be significant and unavoidable (RDEIR Chapter 3, Section 3.6.2, p. 3-26).

The following mitigation measure lessens this impact, as described above, but cannot avoid the significant impact:

**Mitigation Measure GHG-1: Revise CEDHSP policies to include additional measures to further reduce operational GHG emissions**

## 4.4 Noise and Vibration

**Impact NOI-1a: Expose persons to or generate noise levels in excess of standards established in the General Plan as a result of construction activities.**

**Findings for Impact NOI-1a:** Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report to fully mitigate this impact to less than significant.

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

**Explanation/Facts Supporting Finding for Impact NOI-1a:** Implementing noise-reducing construction practices identified in Mitigation Measure NOI-1a will reduce noise levels. Depending on the distance between construction and the receptor, noise levels could be below the County's noise standards at some, but not all, locations. Because noise levels may exceed county standards at some locations and because construction will last for several years in close proximity to existing and new residences, the County conservatively considers the impact to be significant.

The County finds that even with implementation of Mitigation Measure NOI-1a, there is no mitigation available with currently feasible technology to reduce the project's construction-period noise impacts to a less-than-significant level. Therefore, the County finds that although Mitigation Measure NOI-1a has been incorporated into the project via conditions of approval, the project's construction noise impact will be significant and unavoidable (Draft EIR Chapter 3, Section 3.10.3, p. 3.10-18).

The following mitigation measure lessens this impact, but cannot avoid the significant impact:

**Mitigation Measure NOI-1a: Employ noise-reducing construction practices**

This measure identifies specific methods by which construction noise can be reduced.

**Impact NOI-4: Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project during construction**

**Findings for Impact NOI-4:** Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report to fully mitigate this impact to less than significant.

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

**Explanation/Facts Supporting Finding for Impact NOI-4:** Implementing noise-reducing construction practices identified in Mitigation Measure NOI-1a would reduce noise levels. Depending on the distance between construction and the receptor, noise levels could be below the County's noise standards at some, but not all, locations. Because noise levels may exceed county standards at some locations and because construction would last for several years in close proximity to existing and new residences, the County conservatively considers the impact to be significant.

The County finds that even with implementation of Mitigation Measure NOI-1a, there is no mitigation available with currently feasible technology to reduce the project's construction-period noise impacts to a less-than-significant level. Therefore, the County finds that although Mitigation Measure NOI-1a has been incorporated into the project via conditions of approval, the project's construction noise impact will be significant and unavoidable (Draft EIR Chapter 3, Section 3.10.3, p. 3.10-27).

The following mitigation measure lessens this impact, as described above, but cannot avoid the significant impact:

**Mitigation Measure NOI-1a: Employ noise-reducing construction practices.**

**Impact NOI-5: Be located within an airport land use plan area, or where such a plan has not been adopted, within 2 miles of a public airport or public use airport and expose people residing or working in the project area to excessive noise levels**

**Findings for Impact NOI-5:** Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report to fully mitigate this impact to less than significant.

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

**Explanation/Facts Supporting Finding for Impact NOI-5:** The 2004 General Plan EIR states that El Dorado Hills is an area affected by noise from cargo aircraft landing at Mather Airport and concluded the impact for new development would be significant and unavoidable. Mitigation Measure NOI-1b requires noise-reducing treatments, which will help reduce interior noise levels.

Mitigation Measure NOI-5 requires noise disclosures but will not result in a physical reduction in noise levels.

The County finds that even with implementation of Mitigation Measures NOI-1b and NOI-5, there is no mitigation available with currently feasible technology to reduce the project's exposure to noise from cargo aircraft arrivals into Mather Airport to a less-than-significant level. Therefore, the County finds that although Mitigation Measures NOI-1b and NOI-5 have been incorporated into the project via conditions of approval, the project's aircraft noise impact will be significant and unavoidable (Draft EIR Chapter 3, Section 3.10.3, p.3.10-27).

The following mitigation measures lessen this impact, but cannot avoid the significant impact:

**Mitigation Measure NOI-1b: Prepare and implement an operational noise control plan to reduce noise at sensitive land uses**

The design features and treatments required under that plan will ensure that interior noise levels at new proposed uses are in compliance with the County's noise standards.

**Mitigation Measure NOI-5: Record Mather Airport noise disclosure for each residential lot**

As a condition of approval of the subdivision tentative map, the County will require that a notice be included in the deed for each residential lot notifying buyers of the potential for the lots to be affected by aircraft noise from Mather Airport operations. This will inform potential buyers of the noise; they can then make an informed decision as to whether or not to buy a home within the project.

## Section 5 Project Alternatives

### 5.1 Project Alternatives

Public Resources Code Section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” The same statute states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.”

The range of alternatives analyzed in an EIR is governed by the “rule of reason,” which provides that the EIR must “set forth only those alternatives necessary to permit a reasoned choice.” (CEQA Guidelines Section 15126.6(f)) CEQA Guidelines Section 15126.6(a) provides that “[a]n EIR need not consider every conceivable alternative to a project.” The alternatives evaluated in an EIR must (1) be feasible, (2) meet most or all of the project objectives, and (3) substantially reduce one or more of the project’s significant effects (CEQA Guidelines Section 15126.6). The project objectives are described in Section 2.2 of the Draft EIR. The primary objective for the proposed project is to create development patterns that make the most efficient and feasible use of existing infrastructure and public services while promoting a sense of community as envisioned by the County General Plan.

The Draft EIR evaluated three alternatives to the proposed project in Chapter 4, *Alternatives*: the No-Project Alternative (see Section 4.3.1 of the Draft EIR); the Reduced-Density Alternative (see Section 4.3.2 of the Draft EIR); and the Reduced-Wetland Alternative (see Section 4.3.3 of the Draft EIR). The Board of Supervisors finds that a good faith effort was made to evaluate all feasible alternatives in the EIR that are reasonable alternatives to the proposed project and could feasibly attain the basic objectives of the project, even when the alternatives might impede the attainment of the project objectives and might be more costly. As a result, the scope of alternatives analyzed in the EIR is not unduly limited or narrow. The Board finds that all reasonable alternatives were reviewed, analyzed, and discussed in the review process of the EIR so as to foster informed public participation and informed decision-making and the ultimate decision on the project.

CEQA requires that alternatives considered in an EIR be feasible. Section 15364 of the State CEQA Guidelines defines *feasible* as “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” CEQA does not require that an EIR determine the ultimate feasibility of a selected alternative, but rather that an alternative probably be feasible. Factors considered in determining an alternative’s feasibility included site suitability, infrastructure availability, general plan consistency, consistency with other plans and regulatory limitations, jurisdictional boundaries, economic viability, and whether an alternate site could reasonably be acquired.

These findings focus on whether the alternatives are, in fact, feasible, and attain the project objectives. These findings are therefore distinct from the information in the EIR, in which alternatives are considered if they are merely “potentially feasible” and attain “most” of the project objectives. In adopting these findings, the Board has considered the information in the EIR, as well as other information in the record, to determine whether each alternative is feasible, and/or meets project objectives. The Board of Supervisors finds that each of the stated grounds for rejection of

Alternatives 1 through 3, and the alternatives suggested by the public, described below operates as a separate and independent basis to reject the Alternative.

The County finds that the alternatives identified and described in the Draft EIR were considered and further finds them to be infeasible as described below pursuant to CEQA Section 21081.

### 5.1.1 Alternative 1—No Project

#### Description

The No-Project Alternative assumes that the land uses within the project area would remain as currently entitled (Serrano Village D1, Lots C and D) and as current General Plan land use designations allow (Pedregal and the former El Dorado Hills Executive Golf Course). A General Plan amendment, El Dorado Hills Specific Plan amendment, or rezoning would not be required. However, the No-Project Alternative would require a tentative subdivision map. In order to be feasible in the Pedregal planning area in consideration of slope and oak canopy restrictions, the No-Project Alternative development density and dwelling unit total of 312 dwelling units on the 341-acre project site (93 developed acres), which would consist of 168 single-family detached units in the Serrano Westside planning area and 144 multi-family residential units in the Pedregal planning area. No public or private parks would be dedicated, and it would not include the civic-limited commercial land use. The former golf course would remain in its existing state as vacant land. The off-site circulation improvements associated with the proposed would not be constructed. Some off-site utility improvements would be required, including new water lines to supply the Pedregal planning area.

The No-Project Alternative would avoid impacts related to changes in land use designations or zoning. It would result in development of fewer acres and nearly 70 percent fewer dwelling units and would therefore result in reduction of impacts related to population and traffic. Impacts on air quality, noise, population and housing, and public services would be reduced, although impacts related to GHGs could increase. Because fewer acres would be developed, it would result in fewer impacts on biological and cultural resources. Potential impacts related to the need for and construction of new recreational facilities which would not exist under the proposed project would be increased under the No-Project Alternative, although likely to a less-than-significant level.

#### Findings

The primary objective for the proposed project is to create development patterns that make the most efficient and feasible use of existing infrastructure and public services while promoting a sense of community as envisioned by the General Plan. The No-Project Alternative would make efficient and feasible use of existing infrastructure, but it would not meet the project objectives related to walkability, bicycle and pedestrian access, and transit opportunities. It would not meet the project objective of improving connectivity of the regional roadway network, thereby failing to conform to the road system identified in Figure TC-1, *Circulation Map for the El Dorado County General Plan*.

The No-Project Alternative would result in the development of the ridgeline in Village D-1 and therefore would not meet the project objectives to maintain the character of the natural landscape or minimize impacts on oaks. This would also conflict with General Plan Objective 2.3.2 *Maintain the Visual Integrity of Hillsides and Ridge Lines*, intended to keep development off of obvious ridges. This

conflicts with the County's legal responsibility under California Planning Law to maintain consistency with its general plan.

The No-Project Alternative would have two-thirds fewer residential units, and therefore would not meet project objectives related to meeting future RHNA shares nor housing diversity, and would not result in efficient use of land. Because it would not provide for multi-family housing, the No-Project Alternative is not likely to help the County meet its Regional Housing Needs Allocation (RHNA) for low- and moderate-income housing. The Housing and Community Development Department's *Annual Progress Report Permit Summary Table* (June 25, 2019) states that El Dorado County has achieved 33.2 percent of its low-income housing need and only 5.7 percent of its moderate-income housing need. This limits the County's ability to meet its legal obligation to facilitate the availability of housing to meet its RHNA. This legal constraint makes the alternative infeasible.

The Board rejects the No-Project Alternative because it does not meet most of the project objectives and would constrain the County's legal obligation under California Planning Law to maintain consistency between projects and the general plan, and to provide opportunities for low-income and moderate-income housing under its general plan housing element (and RHNA).

## 5.1.2 Alternative 2—Reduced Density

### Description

The Reduced-Density Alternative would reduce the total number of dwelling units from 1,000 to 672 but would increase the development footprint by over 50 acres to accommodate the reduced density (from 134 acres for the proposed project to 185 acres under this alternative). Residential units would consist of 337 low density (<1 du/ac), 135 medium-low density (5-8 du/ac), and 200 high density (14-24 du/ac). This alternative would have 300 more low-density (<1 du/ac) and 12 more medium-low density (5-8 du/ac) residential units than the proposed project, while eliminating all medium-density (8-14 du/ac) units and decreasing high-density (14-24 du/ac) units from 530 to 200 (Table 4-1). This alternative would not include the civic-limited commercial land use. It would provide the least open space—130 acres—of all the alternatives, and 39 fewer acres of open space than the proposed project. This alternative assumes development of Village D1, Lots C and D (135 units) and combines the current approved land uses and existing housing types within the Serrano Westside planning area with development of the Pedregal planning area as envisioned under the proposed project. There would be two private parks—a 2.2-acre entry park and a 2.5-acre neighborhood park totaling 4.7 acres. No public parks are proposed for the Reduced-Density Alternative, as many of the proposed housing units would be located within the Serrano Westside planning area, where amenities have already been completed, and residents would have access to those facilities. The public trail system, pedestrian crossing, and the Silva Valley Parkway connection, would not be built under the Reduced-Density Alternative. To facilitate traffic circulation, connections would be made to Penela Drive, Estero Way and Meadow Wood Drive.

General Plan Objective 2.3.2 *Maintain the Visual Integrity of Hillsides and Ridge Lines* is intended to keep development off of obvious ridges. The development of Village D-1 would conflict with the intent of this objective.

Although the Reduced-Density Alternative would not altogether avoid any impacts of the proposed project, it would result in development of approximately one-third fewer dwelling units and would therefore result in reduction of impacts related to population and traffic. Impacts on air quality,

noise, population and housing, and public services also would be reduced. Because more acres would be developed, it would not result in fewer impacts on biological and cultural resources. Because residential units would be located adjacent to US 50, a significant and unavoidable traffic noise impact would occur that would not occur under the proposed project. This alternative would introduce impacts (although likely less than significant) related to recreational facilities that would not occur under the proposed project, and would require the dedication or payment of in-lieu fees to accommodate new park users.

## Findings

The Reduced-Density Alternative would not achieve several of the project objectives. The Reduced-Density Alternative includes only single-family residences and therefore would not meet objectives related to meeting future RHNA demand or promoting housing diversity. Because it would not provide for multi-family housing, the No-Project Alternative is not likely to help the County meet its Regional Housing Needs Allocation (RHNA) for low- and moderate-income housing. The Housing and Community Development Department's *Annual Progress Report Permit Summary Table* (June 25, 2019) states that El Dorado County has achieved 33.2 percent of its low-income housing need and only 5.7 percent of its moderate-income housing need. This limits the County's ability to meet its legal obligation to facilitate the availability of housing to meet its RHNA. This legal constraint makes the alternative.

The Reduced-Density Alternative would result in the development of the ridgeline in Village D-1 and therefore would not meet objectives to maintain the character of the natural landscape and minimize impacts on oaks. Development of the ridgeline would also conflict with General Plan Objective 2.3.2, *Maintain the Visual Integrity of Hillsides and Ridge Lines*, intended to keep development off of obvious ridges. Because the density would be lower and public trail system and pedestrian facilities would not be included, this alternative would not meet objectives related to bicycle and pedestrian connectivity and safety. Through the larger overall disturbance footprint, it would result in greater potential to affect "on the ground" resources such biological resources and cultural resources compared to the proposed project.

The Board rejects the Reduced-Density Alternative because this alternative would not align with many of the project objectives and General Plan Objective 2.3.2 and would constrain the County's legal obligation under California Planning Law to maintain consistency with the general plan and to provide opportunities for low-income and moderate-income housing as set out in its RHNA.

### 5.1.3 Alternative 3—Reduced Wetland Impact

#### Description

The Reduced-Wetland-Impact Alternative is intended to reduce wetland impacts compared to the proposed project through changes to the location and density of development. A total of 0.24 acre of wetland would be affected under this alternative, versus 2.9 acres of wetlands and other waters of the United States under the proposed project.

The Reduced-Wetland-Impact Alternative would reduce the quantity and density of potential dwelling units in the Serrano Westside planning area and would include the development of Serrano Village D1, Lots C and D (135 units), which would be designated as Open Space under the proposed project. Of the 341-acre total site area, 168 acres would comprise the development footprint and

approximately 173 acres would remain in open space use. Buildout of the Reduced-Wetland-Impact Alternative would result in the development of 68 low-density units, 294 medium-low density units, 200 medium-high density units, and 353 high-density units, for a total of 915 dwelling units on approximately 139 acres. The Reduced-Wetland-Impact Alternative assumes construction of duplexes and half-plexes within the Pedregal planning area as a means to increase density, while reducing and configuring the development footprint to avoid wetlands. The civic-limited commercial land use of the proposed project would be retained under this alternative but with slightly more acreage (12 acres under The Reduced-Wetland Impact Alternative versus 11 acres under the proposed project).

The pedestrian crossings, Park Drive extension, potential Silva Valley Road connection included in the proposed project would not be components of this alternative. However, this alternative would include the water line extensions to serve the Pedregal planning area, the recycled water line expansion, and the EID wastewater collection system upgrade. Vehicle circulation would require connections to Gillette Drive (from the Pedregal planning area) and to Meadow Wood Drive and Estero Way (from the Serrano Westside planning area).

The Reduced-Wetland-Impact Alternative would not altogether eliminate any impact. It would substantially reduce impacts on wetlands and on special-status species that occupy wetland habitat, but it would increase impacts on oak woodlands. This alternative would also result in development of slightly fewer acres and approximately 9 percent fewer dwelling units and would therefore result in very slight reductions of impacts related to air quality, population, public services, and vehicle traffic. This alternative would introduce a significant and unavoidable noise impact related to siting sensitive uses near US 50 and would result in a greater impact than the proposed project because occupied residential uses would be close to US 50. Impacts on geology and soils, paleontological resources, greenhouse gas emissions, and hydrology, water quality and water resources would be slightly reduced. Aesthetic impacts would increase slightly due to development on ridgelines. Potential impacts related to the need for and construction of new recreational facilities which would not exist under the proposed project, would be increased under the Reduced-Wetland-Impact Alternative, although likely to a less-than-significant level.

## Findings

The Reduced-Wetland-Impact Alternative would fail to meet several of the project objectives. The lack of public trail system and pedestrian crossings from the Serrano Westside Planning area and over US 50 would not result in a walkable community, and the project objectives related to pedestrian and bicycle safety and connectivity would not be met. This alternative would develop the ridgeline in Village D-1, and therefore would not meet project objectives to maintain the character of the natural landscape and minimize impacts on oaks.

The traffic circulation resulting from Alternative 3 would not conform with the road system identified in Figure TC-1, *Circulation Map for the El Dorado County General Plan*. It is therefore infeasible for legal reasons. Under this alternative, planned open space south of Serrano Parkway would require the pedestrian crossing of US 50 to be located outside of the project area and would not allow for the establishment of vehicle and pedestrian connections to existing retail and roadways in this part of the project area. The proposed project would accommodate the future extension of Park Drive eastward to Silva Valley Parkway, providing roadway capacity parallel to US 50 and allowing an alternative to US 50 for short-range traffic. This extension is identified as "Future Road – Conceptually Proposed Alignment" on Figure TC-1. The Reduced-Wetland-Impact Alternative



would make the extension of Park Drive infeasible because the area between Serrano Parkway on the north and US 50 on the south would be designated for open space uses. As a result, the Reduced-Wetland-Impact Alternative would eliminate the potential for a road improvement shown on Figure TC-1 that would help provide parallel capacity to US 50 in El Dorado Hills.

The Board rejects the Reduced-Wetland Alternative because it does not meet many of the project objectives. Further, it is legally infeasible because it would preclude the potential for a road connection that is shown on Figure TC-1 of the El Dorado County General Plan.

### **5.1.4 Alternatives Suggested by Public during Public Review of Draft EIR**

During the public review period for the Draft EIR, commenters suggested the Draft EIR should have evaluated an additional alternative (and a variant) in which the former Executive Golf Course would not be rezoned for residential uses. The first alternative, entitled the “Measure E Alternative,” would remove the old golf course site, the commercial area, and the portions of the project within the El Dorado Hills Specific Plan boundaries from the proposal. Existing entitlements on these lands, including the residential development potential of Lots C and D would remain. Therefore, this alternative would consist of development of the Pedregal Planning Area alone.

The suggested CSD Advisory Measure E Alternative would fail to meet several of the project objectives identified in Section 2.2 of the EIR, including:

- Create a new non-motorized transportation system. The CSD Advisory Measure E Alternative would not include the Class 1 bicycle paths and pedestrian facilities that are included in the project.
- Improve north-south pedestrian and bicycle connectivity. The CSD Advisory Measure E Alternative would not include the Class 1 bicycle path adjoining El Dorado Hills Boulevard and the bicycle and pedestrian overcrossing of US 50 that are included in the project.
- Provide opportunities for recreational facilities in El Dorado Hills. The CSD Advisory Measure E Alternative would eliminate the park land proposed under the project and would not include park land. The open space provided in the Pedregal Planning Area acts as a buffer between residences and would not be available for recreational use.
- Maintain characteristics of natural landscape. The CSD Advisory Measure E Alternative would allow future development of Lots C and D, resulting in the loss of natural landscape.
- Minimize impacts on oak woodlands. Existing oak woodlands on Lots C and D would be available for development under the CSD Advisory Measure E Alternative. While the County oak tree ordinance would preserve some of these trees, this alternative would result in the loss of trees that would otherwise be preserved in open space under the project.

The suggested CSD Advisory Measure E Alternative is rejected because it would not meet many of the project objectives.

The second alternative, entitled the “Measure E Reserve Alternative,” would establish the old golf course as a reserve area to be left undeveloped until the El Dorado Hills CSD has the opportunity to purchase the site at its fair market value. The suggested CSD Advisory Measure E Reserve Alternative would provide that the developer and county enter into a development agreement stipulating that if the CSD or some other community-based group did not purchase the property by

2035, then it “would revert to the development levels defined in the proposed CEDHSP.” All other parts of the proposed project would remain the same.

A development agreement is a voluntary contract entered into by a city or county and a developer for the purposes of establishing defined vested development rights. (Government Code Section 65864 et seq.) It may be entered into for any period of time and describes the development rights that are being vested. (Government Code Section 65865.2) The project proponent has proposed to develop portions of the old golf course and has not indicated that they would be willing to forgo those development plans for up to nearly 20 years. Further, precluding development of the old golf course would make infeasible the proposed Class 1 bicycle path and bicycle/pedestrian overcrossing of US 50 needed for north-south non-motorized connections. The project proponent is very unlikely to enter into a development agreement with this provision. The Board rejects this alternative because it is not feasible.

During the public review period for the RDEIR, commenters suggested an alternative which would result in net-zero GHG emissions should have been evaluated.

The Net Zero GHG Emission Alternative would involve the same level of development as the proposed project, but would result in a net zero GHG emissions impact. Identical to the project, land uses developed by the Net Zero GHG Emission Alternative would generate 10,096 metric tons of carbon dioxide equivalent (CO<sub>2</sub>e) per year, after implementation of quantifiable CEDHSP policies and Mitigation Measure GHG-1. Mobile sources (i.e., vehicle trips) would be the primary source (74%) of emissions, followed by energy use (13%), area sources (8%), waste generation (4%), and water consumption (1%). Under the Net Zero GHG Emission Alternative, GHG emissions generated by these sources would be reduced to net zero solely through the procurement of emission offsets (Option 1). A second approach would be to incorporate net zero energy (ZNE) construction to greatly reduce GHG emissions from structures and purchase emission offsets for the GHG emissions from transportation that cannot be reduced by construction standards (Option 2).

A GHG emission offset is a “carbon credit” that enables a development project to compensate for its GHG emissions and associated environmental impact by financing reductions in GHG emissions elsewhere. Purchased offsets deliver essential financing to renewable energy, forest protection, and other emission reducing projects that would not otherwise be financially viable. There are several existing offset protocols that have been validated by the California Air Resources Board (ARB) and others. These protocols satisfy the basic criterion of additionality (i.e., the reductions would not happen without the financial support of purchased offsets). ARB has also established a Cap and Trade registry that identifies qualified providers and Assembly Bill 32 (AB 32) projects. There are over 2 billion allowances within California, and the national and international carbon markets are likely greater. California allowances are preferred because they are subject to rigorous protocols for validation. Potential offset programs could include:

- AB 32 U.S. Forest and Urban Forest Project Resources
- AB 32 Livestock Projects
- AB 32 Ozone Depleting Substances Projects
- AB 32 Urban Forest Projects
- Other-California Based Offsets

**Option 1:** Under Option 1, it is assumed the 10,096 metric tons of CO<sub>2</sub>e generated each year by operation of the Net Zero GHG Emission Alternative would be offset through carbon credits purchased through one or more of the existing offset programs. The cost per offset varies depending on the program and market, but based on current fees of \$5 to \$60 per metric ton, the cost to offset 10,096 metric tons ranges from about \$50,000 to \$600,000 per year. Since emission would be generated annually, offsets would need to be purchased in perpetuity. Assuming a 40-year project lifespan, this equates to approximately \$2.0 to \$24.2 million, depending on the offset type and market. A mechanism would need to be put in place to purchase the necessary credits each year. This calculation does not account for any associated broker fees, planning and monitoring expenses, or market escalation, and as such, future costs are likely to be greater.

**Option 2:** This option would consist of two components: construction of residences and public buildings to ZNE standards and purchase of offsets to avoid the remainder of the project's GHG emissions. This would reduce the number of carbon credits needed in comparison to Option 1 by reducing the GHG emissions from the project's buildings. ZNE buildings rely on energy conservation and onsite renewable energy generation to meet their heating, cooling, and electricity needs. ZNE construction would effectively eliminate all building energy emissions (amounting to 1,275 metric tons of CO<sub>2</sub>e per year), and the remainder of annual emissions (8,821 metric tons of CO<sub>2</sub>e) would be offset, as described above, to achieve overall net zero GHG emissions.

Studies show that the components of a new ZNE home have an incremental cost, after incentives, of \$2 to \$8 per square foot<sup>1</sup>. Based on the anticipated land use types and CalEEMod defaults for building square footages, 1.2 million square feet of residential and commercial building space would be constructed, which equates to a total one-time cost of about \$2.4 to \$9.4 million. Annual costs to offset the remaining 8,821 metric tons of CO<sub>2</sub>e would be approximately \$44,000 to \$530,000, based on the offset range described above, and the lifetime cost would be about \$1.7 to \$21.2 million, assuming a 40 year project lifespan. When added to the one-time construction cost for ZNE buildings, total lifetime costs for achieving ZNE buildings and net zero emissions equates to approximately \$4.1 to \$30.6 million. This calculation does not account for any additional construction charges, broker fees, planning and monitoring expenses, or market escalation, and as such, future costs are likely to be greater.

**Implementation of the Options.** Implementing the purchase of GHG emissions credits for operational offsets over a 40-year period under Options 1 and 2 would require establishment of a program that includes the following components:

- An entity with the authority and knowledge to administer the program for 40 years
- A mandatory minimum standard for the quality of emissions credits to be purchased (needed in order to ensure that credits will be effective in reducing emissions)
- Annual inventories of GHG emissions from the project by emissions sector (needed in order to know how many offsets must be purchased each year). For Option 1: mobile sources, energy use, area sources, waste generation, and water consumption. For Option 2: mobile sources, area sources, waste generation, and water consumption.

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<sup>1</sup> Energy Upgrade California. 2016. "Net Zero Energy Frequently Asked Questions." Available: <<http://www.californiaznehomes.com/#!faq/cirw>>. Accessed: September 1, 2016.

- Consultation with market brokers to identify available credits
- Documentation and verification of the inventories
- An equitable method of determining the annual fee imposed on property owners to finance purchase of the credits and the cost of administering the program
- A means of collecting the annual fee from property owners

Option 2 also includes constructing the project’s residential and office buildings to achieve ZNE. As noted above, ZNE buildings would not be sufficient to bring the project to zero net GHG emissions because 74% of the emissions are attributable to mobile sources. The County would require ZNE buildings as a condition of approval of the project, for example either through the development agreement, or as a specific plan policy to be enforced at the time that the future subdivision tentative and parcel maps are approved. The cost of this part of Option 2 would be passed directly to the future property owners through the cost of the home or condominium, or the rental rate of future apartments.

## Feasibility

**Option 1.** All of the components listed above are necessary to successfully implement Option 1. Examining the feasibility of each of the necessary components can offer insight into the feasibility of Option 1 as a whole.

- *Entity with the authority and knowledge to administer the program for 40 years.* The County does not have the authority to collect an annual fee from property owners and residents for purposes of purchasing emissions credits. It may only collect fees for services. Therefore, the responsibility would logically fall to the Homeowners’ Association (HOA) or Associations formed within the project. HOAs are enabled by the Davis-Stirling Act (Civil Code Section 4000, et seq.) to manage a planned development (Civil Code Sections 4080 and 4175). This includes the power to levy assessments to perform its obligations under its governing documents (Civil Code Section 5600-5625). Running a program for the annual purchase of emissions credit is not a typical task for an HOA, and it would likely require hiring or contracting with someone who has the technical knowledge to run the program. However, that can be done and this is feasible.

Whether an HOA can be depended upon to manage for 40 years a technically challenging program requiring continuous monitoring and the assessment of annual fees is unknown. That would be dependent upon the continued commitment of future HOA boards to the program and would be outside of the County’s authority to directly enforce. For example, failure to perform the annual budget accounting requirements of Civil Code Section 5300 could result in an HOA being unable to continue to levy or to increase the necessary fee under Civil Code Section 5605. Similarly, if an HOA board voted to end the program prematurely, there may be no method by which to force them to continue the program. As a result it is infeasible to be able to guarantee continuing and effective administration of the program.

- *A mandatory minimum standard for the quality of emissions credits to be purchased.* The California Air Resources Board has established protocols to quantify and report GHG emission reductions from numerous sources (e.g., urban forests, mine methane, livestock projects). Emissions credits purchased from a source that is compliant with those protocols can be depended upon as providing quality credits. This is feasible.

- *Annual inventories of GHG emissions from the project by emissions sector.* In order to know how many offsets must be purchased each year, the HOA will need to undertake annual inventories of the expected GHG emissions from the project. Annual inventories and cost adjustments are necessary if the HOA is to meet its annual budget reporting requirements under Civil Code Section 5300. This will entail inventorying miles driven and types of vehicle for mobile sources; examining PG&E records for energy use; inventorying emissions from area sources; quantifying waste generation; and examining EID records for water consumption. Experiences with ZNE developments such as U.C. Davis' West Village have shown that even ZNE buildings can produce GHG emissions if resident behavior results in unexpected levels of energy use. The annual survey is needed to ensure that this is taken into account so that the proper number of credits are purchased. The annual survey may be too intrusive into individual activities to be successfully accomplished. Absent the ability to guarantee full cooperation by all future homeowners, renters, and property owners, detailed annual inventories may be infeasible.
- *Consultation with market brokers to identify available credits.* The fee charged to property owners will need to include sufficient revenue to cover the administrative costs, including outside consultations. This is within the authority of the HOA and is feasible.
- *Documentation and verification of the inventories.* This will take technical expertise. That can be provided by consultants and included in the administrative costs being reimbursed by program fees. It is feasible.
- *An equitable method of determining the annual fee imposed on property owners to finance purchase of the credits and the cost of administering the program.* Not all properties are the same. Future GHG emissions generation levels can vary by property as a result of the activities undertaken by residents. Pursuant to Civil Code Section 5600(b), an HOA "shall not impose or collect an assessment or fee that exceeds the amount necessary to defray the costs for which it is levied." To be equitable and minimize the potential for challenges to the fees, the fee collected should be related to the GHG emissions of a given property. For example, a home with minimal landscaping using minimal irrigation water should not be assessed the same annual fee as a home with substantial irrigation use, all other things being equal. Determining the annual fee will be similar to the "nexus" studies done for purposes of determining public agency impact fees. It is feasible.
- *A means of collecting the annual fee from property owners.* There is no available means of publicly financing the cost of the annual credit purchases. The usual mechanisms of a Mello-Roos Community Services District or a benefit assessment cannot be used for this purpose. However, an HOA would probably have the authority to collect the annual fee under the Davis-Stirling Act where its governing documents make it a requirement. Provided that future apartment complexes and townhomes are incorporated into the planned development associated with the HOA, as well as the single-family homes, fee collection to cover all GHG emissions would be feasible. If apartment complexes and townhomes are not incorporated into the HOA, then fee collection (purchase of full credits) would be infeasible.

Option 1 appears to be infeasible when viewed in its entirety. There are reasonable doubts over whether an HOA could successfully manage this technically complex program over a long period, particularly with the need for detailed annual inventories to enable the fee to be assessed. There may also be an issue with ensuring that all parts of the development, including the apartment complexes and any condominiums, are governed by the HOA that presumably would administer the program. Finally, because it would not be a real party in interest as a property owner within the

planned development, the County may be unable to enforce this option should the HOA fail to fulfill its duties at some future point.

**Option 2.** The ZNE building component of Option 2 would directly add to the sales price of new homes and the construction costs of apartments and townhomes. For large custom homes, the increase in sales price may be relatively small because of the high value of such homes. For example, a 4,000 square-foot custom home would, at \$8/square foot, cost an additional \$32,000. A home of similar size in Serrano is currently listed for about \$1.2 million. In this example, the cost of ZNE construction would add about 3% to the cost of that home. Another Serrano home of approximately 8,000 square feet in area is currently listed for about \$3 million. There, the cost of ZNE construction would add about 2% to the cost of the home.<sup>2</sup>

Existing homes in Serrano on lots under 0.5 acres do not generally demand those sale prices. As a result, the incremental increase in sales price would be somewhat more marked. For example, for a 2,400 square foot home currently listed for \$530,000, the ZNE cost (assumed to be \$8/square foot) would add approximately 3.6% to the cost of the home. For a 3,180 square foot home currently listed for \$650,000, the ZNE cost would add approximately 3.9% to the cost of the home.<sup>3</sup>

The marginal cost of ZNE construction would be greatest when considering apartments and townhomes. If the complex contains 100 dwelling units averaging 800 square feet in floor area (assuming marginal ZNE cost to be \$6/square foot), the additional cost of construction would be \$480,000. There are no apartment complexes currently on the market in El Dorado Hills, so a value for this type of complex is difficult to determine. However, the cost of ZNE construction might add 5% or more to the cost of the complex (e.g., \$480,000 is 5% of \$9.6 million). This would be reflected in higher rents. Depending on the market for high-end apartments, this may make construction financing more difficult to obtain.

While absolute conclusions cannot be drawn from this data, Option 2 would result in only relatively small increases in home costs for larger homes. This may be feasible for the market to bear, particularly if marketed as saving the future homeowner substantial energy costs over the life of the home. However, it is clear that the additional cost of ZNE construction could result in a substantial increase in the cost of high-density development. That would affect 530 of the 1,000 total residential units proposed under the project. Because rents would need to be higher in order to recover those costs, Option 2 would undercut the project's objectives of assisting in meeting the County's future Regional Housing Needs Allocations and broadening the housing stock in El Dorado Hills. The inconsistency with key project objectives related to housing makes Option 2 infeasible.

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<sup>2</sup> Redfin. 2016. Available: <https://www.redfin.com/neighborhood/40594/CA/El-Dorado-Hills/Serrano-Village>. Accessed: September 1, 2016.

<sup>3</sup> Ibid.

## Section 6 Findings Regarding Recirculation of the EIR

CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of a Draft EIR, but before certification. Such new information includes: (i) significant changes to the project; (ii) significant changes in the environmental setting; or (iii) significant additional data or other information. Section 15088.5 further provides that “[n]ew information added to an EIR is not ‘significant’ unless the EIR is changed in a way that deprives the public of meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement.”

After the CEDHSP Draft EIR was released for public review on November 15, 2015, the California Supreme Court decided *Center for Biodiversity et al. v. California Department of Fish and Wildlife* (62 Cal. 4th 204 (hereafter *Newhall Ranch*) on November 30, 2015, addressing the issue of how the greenhouse gas (GHG) analysis is to be conducted in an EIR. The CEDHSP Draft EIR Chapter 3.6, Greenhouse Gas Emissions, was revised to reflect the direction of the California Supreme Court. As authorized under Section 15088.5(c) of the CEQA Guidelines, the revisions were limited to portions of the Draft EIR. The Partial Revised Draft EIR (“RDEIR”) was released for public review on DATE for a 45-day review period. As discussed in the RDEIR, GHG impacts under both near-term (2020) and long-term (full build) conditions were found to be significant and unavoidable. There were no changes to the proposed project as evaluated in the Draft EIR.

Several events occurred following the close of the review period for the RDEIR and while preparation of the Final EIR was underway, which resulted in additional revisions to the Draft EIR, including the previously revised RDEIR Chapter 3.6, Greenhouse Gas Emissions, as well Section 3.2, Air Quality, and Section 3.14, Traffic and Circulation.

The California legislature adopted several GHG regulations since publication of the RDEIR in 2016. The California Air Resources Board (CARB) published the 2017 Climate Change Scoping Plan, which outlines the framework for achieving the state’s 2030 GHG reduction target established under Senate Bill 32. The Governor also issued a new executive order that outlines a 2045 carbon neutrality goal for state agencies. Existing and future state regulations and GHG reduction programs establish the framework for meeting California’s climate change goals and will directly reduce community GHG emissions, including those generated by the proposed project.

In early 2017, the CEDHSP traffic impact study was updated to include improvements that had been completed since the circulation of the Draft EIR, to be consistent with the County’s 2016 Capital Improvement Program, and to recognize the opening of the new Silva Valley Parkway Interchange. Additionally, to address language in Voter Initiative Measure E (Initiative to Reinstate Measure Y’s Original Intent), a near-term analysis was conducted to assess traffic impacts at the 10-year mark, in 2027. The updated traffic study did not reveal any new or substantially more severe significance conclusions than those identified in the Draft EIR. Although the County subsequently adopted the 2017 CIP, no changes were included in the 2017 CIP that would affect the 2017 updated traffic study impact conclusions. The results of the revised traffic study were used to update the air quality analysis (Draft EIR Chapter 3.2, Air Quality), updating the existing conditions and air quality impacts based on updated 2017 traffic study. Analysis did not result in the identification of any new or worsened air quality impacts.

In September 2018, the 5th District Court of Appeals made a decision in *Golden Door Properties/Sierra Club vs. County of San Diego* (September 28, 2018, 27 Cal.App.5th 892) (hereafter *Golden Door*), which clarified that use of statewide emission reduction goals is a permissible criterion of significance only if substantial evidence and reasoned explanation is provided to close the analytical gap between the level of effort required at one scale (state level) to the level of effort required at another scale (e.g., proposed plan level). Section 3.6.2.2, Thresholds of Significance, and Section 3.6.2.3, Impacts and Mitigation Measures, of the RDEIR were revised in Final EIR, Section 3.2), which includes detailed explanation about the nature of the revisions. None of the information presented in the FEIR concerning GHGs changes the RDEIR impact determinations or required mitigation. GHG impacts remain significant and unavoidable.

In December 2018, the California Supreme Court issued its decision in *Sierra Club v. County of Fresno* (226 Cal.App.4th 704), which clarifies that environmental documents must attempt to connect a project's air quality impacts to specific health effects or explain why it is not technically feasible to perform such an analysis. Additional analysis and information were added throughout Draft EIR Chapter 3.2, Air Quality, in response to the Supreme Court's decision, and in response to comments I-3-4, I-11-19, and I-11-38. The text explains why a quantitative analysis correlating project-generated criteria pollutant emissions to specific health consequences (e.g., increased cases of asthma) is not technically feasible given existing models and tools. Where appropriate, information regarding potential health risks from exposure to project-generated emissions was added to the chapter in narrative form. No new significant impacts were identified.

Although there were several events and changes in regulations that occurred between 2015 and 2018 that resulted in the need to revise portions of the Draft EIR, new or substantial changes to the Draft EIR were not proposed as a result of the public comment process itself.

The FEIR responds to comments and makes only minor technical changes, clarifications, or additions to the DEIR and RDEIR. The minor changes, clarifications, or additions to the DEIR and RDEIR do not identify any new significant impacts or substantial increase in the severity of any environmental impacts, and do not include any new mitigation measures that would have a potentially significant impact. Therefore, a second recirculation of the EIR is not required, because none of the changes involve "significant new information," and were either environmentally benign or environmentally neutral, and thus represent the kinds of changes that commonly occur as the environmental review process works towards its conclusion.

Since the circulation of the DEIR and RDEIR, the project has evolved and it is anticipated that 737 residential units may be constructed, though the project may reach the 1,000 units analyzed if age-restricted housing is provided. This is a minor change in the project description and falls within the unit count analyzed. Analysis provided in the DEIR and RDEIR would be conservative if only 737 units are constructed. Therefore, a second recirculation of the EIR is not required because this change would not result in any new or worsened environmental impacts and represents project refinements that typically take place prior to project development.

The Board finds that second recirculation of the EIR is not required: (1) because recirculation is not required where the new information added to the EIR merely clarifies, amplifies, or makes insignificant modifications in an adequate EIR (CEQA Guidelines Section 15088.5, subd. (b)); and (2) because no "substantial adverse" impact would result from any of project refinements or the revisions to the portions of the EIR that were not recirculated (CEQA Guidelines Section 15088.5, subd. (e)).



## Section 7 Statement of Findings

In accordance with CEQA and the CEQA Guidelines, the Board of Supervisors of El Dorado County adopts these findings as part of the certification of the Final EIR for the project. Pursuant to Public Resources Code Section 21082.1(c)(3), the Board of Supervisors of El Dorado County also finds that the Final EIR reflects the County's independent judgment as the lead agency for the project and the Findings and determinations contained herein fully and completely supported by substantial evidence in the record as a whole., both verbal and written, contained in the entire record relating to the CEDHSP and the draft, partial recirculated draft, and final environmental impact report ("DEIR"; "RDEIR"; "FEIR"; collectively referred to as the "EIR").

As required by CEQA, the County Board of Supervisors, in adopting these CEQA Findings and Statement of Overriding Considerations, also adopts a Mitigation Monitoring and Reporting Program (MMRP) for the project, attached hereto as **Exhibit A**. The Board of Supervisors finds that the MMRP, which is incorporated by reference, meets the requirements of Public Resources Code Section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects of the project.

### 7.1.1 Public Resources Code Section 21081 and CEQA Guidelines Section 15091 Findings

The Findings made by the Board, pursuant to Section 21081 of CEQA, and Section 15091 of the CEQA Guidelines, on the consideration of the CEDHSP are presented below. All potentially significant impacts of the CEDHSP identified in the EIR are included herein, and are organized according to the resources affected.

The Findings in this document are supported by information and analysis from the DEIR, RDEIR, and FEIR and other evidence in the administrative record. For each significant impact, one or more Findings has been made in accordance with Public Resources Code Section 21081 and CEQA Guidelines Section 15091.

### 7.1.2 CEQA Guidelines Section 15084(D)(3) and 15084(D)(4) Findings

The County has relied on Sections 15084(d)(3) of the State CEQA guidelines, which allow acceptance of working drafts prepared by the Applicant, a consultant retained by the Applicant, DEIR to be prepared directly by, or under contract by the lead agency. The County has reviewed and edited as necessary the submitted drafts to reflect the County's own independent judgment, including reliance on County technical personnel from other departments.

### 7.1.3 Nature of Findings

Any finding made by this Board shall be deemed made, regardless of where it appears in this document. All of the language included in this document constitutes findings by this Board, whether or not any particular sentence or clause includes a statement to that effect. This Board intends that these Findings be considered as an integrated whole and, whether or not any part of these Findings fail to cross reference or incorporate by reference any other part of these Findings, that any finding

required or committed to be made by this Board with respect to any particular subject matter of the EIR, shall be deemed to be made if it appears in any portion of these Findings.

## Section 8 Statement of Overriding Considerations

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

The County has made a reasonable good faith effort to eliminate or substantially mitigate the environmental impacts resulting from the proposed project. The County recognizes, however, that even with implementation of all feasible mitigation measures, the project will have significant and unavoidable impacts. In particular, the proposed project will result in significant unavoidable impacts related to, air quality, cultural resources, greenhouse gas emissions, and noise even after incorporation of all feasible mitigation measures. These significant unavoidable impacts are identified and discussed in Section 5, *Significant Effects that Cannot be Mitigated to a Less-Than-Significant Level*. The County further specifically finds that these significant unavoidable impacts are outweighed by the proposed project's benefits, which constitutes an overriding consideration warranting approval of the proposed project.

The County finds that any one of the benefits set forth below is sufficient by itself to warrant approval of the proposed project and to justify the unavoidable adverse environmental impacts from the project. This determination is based on the findings herein and the evidence in the record. Having balanced the unavoidable adverse environmental impacts against each of the benefits, the County adopts this Statement of Overriding Considerations, for the following reasons:

### 8.1 Economic Considerations and Job Creation

The CEDHSP is projected to generate an increase in the County's economy over the construction period. Specifically, the construction of the project is expected to temporarily increase employment opportunities for construction workers. This would include workers preparing the site with heavy machinery, installing interior roads and below-ground infrastructure, and building homes and offices.

### 8.2 Social and Recreational Benefits

The CEDHSP responds to the El Dorado County General Plan, statewide legislation, and contemporary planning principles by offering a range of housing choices for multiple market segments in proximity to existing retail and public services.

The CEDHSP provides alternative transportation choices by incorporating a network of bikeways and pedestrian paths. The plan area's adjacency to the significant north-south arterial of El Dorado Hills Boulevard makes it a prime location to capitalize on future public transit routes, and the compact nature of the land uses minimizes intrusion onto neighboring properties, simultaneously preserving the ridgeline character of El Dorado Hills.

The proposed project provides diverse housing types, sizes, and designs to accommodate varying lifestyles and income levels to meet the needs of the changing demographics of the County, including families, empty nesters, and a younger generation. It provides opportunities for higher density housing as an alternative to single-family detached dwellings. The project also assists in meeting future RHNA needs by introducing new lands zoned multi-family. The SACOG 2016 MTP/SCS anticipates that the need for 5,691 new dwelling units within the County's existing established communities by the year 2036 as well as the need for more senior and dense housing product (MTP/SCS Appendix E-3), which CEDHSP would provide residential densities that would support these future residential demands.

It establishes a community setting with an identifiable character that is compatible with the surrounding area and is within walking distance of many neighborhood-serving retail and commercial services.

The CEDHSP provides recreational amenities that would benefit the community. It includes a distinct open space zoning category (OS1-PD) that provides for passive recreation uses such as trails and bikeways for walking, hiking, and cycling. Open Space would total approximately 169 acres (approximately 50%) of the project site. The CEDSHP includes 15 acres designated for Village Park and a 1-acre neighborhood park. The proposed open space and park acreage exceed the requirements of the County General Plan and the El Dorado Hills CSD.

A variety of pedestrian circulation amenities is included in the project design, and a series of pedestrian paths and trails is proposed, including a multi-use trail. The CEDHSP, specifically the Serrano Westside planning area, will provide a bicycle and pedestrian network that connects to, enhances, and extends existing trails (approximately 7,500 feet of public walking and bicycling paths). Additionally, the CEDHSP will provide a new location for a safe, dedicated bicycle/pedestrian overcrossing to areas south of US 50 and connecting to Town Center, potentially replacing the existing location envisioned as part of the El Dorado Hills/US 50 interchange.

### 8.3 Environmental Benefits

The project site is entirely within the urban limit line of the El Dorado Hills Community Region; the residential development proposed by the project furthers the County's vision of compact growth, which in turn, protects the County's important agricultural and natural resources located outside of the Community Regions and Rural Centers. The project site is not designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, and the project site is not identified as "choice agricultural land" in the County's General Plan.

The project has been designed to avoid and substantially minimize several environmental impacts. The CEDHSP site encompasses a prominent ridgeline of oak woodland canopy planned for the development of Serrano Village D1, Lots C and D, which will be preserved in connection with the approval of the CEDHSP under the open space land use designation. The open space designated areas will retain 85% of the CEDHSP's total oak woodland canopy, consistent with General Plan Policy 7.4.4.4 oak woodland retention requirements. Oak woodland impacts outside of the 85% retention are to be mitigated consistent with the project's Important Habitat Mitigation Plan, which will involve on-site mitigation.

The CEDHSP is consistent with SACOG's 2016 MTP/SCS. Environmental quality and sustainability is one of six MTP principles addressed in the MTP/SCS, which provides a long-range framework to minimize transportation impacts on the environment, improve regional air quality, protect natural

resources, and reduce GHG emissions. The CEDHSP will provide residential land uses to help meet forecasted growth within unincorporated El Dorado County. Consistent with SACOG goals, the CEDHSP will create a mixed used, pedestrian-friendly and walkable community. The land use design minimizes off-street parking to help reduce vehicle trips and support alternative transportation. CEDHSP policies also require short- and long-term bicycle parking, as well as dedicated parking for plug-in electric vehicles and pre-wiring for future plug-in electric vehicle charging stations. These policies support alternative transportation within the community, which could help reduce per capita GHG emissions from passenger vehicles consistent with SACOG's 2016 MTP/SCS.

## 8.4 Policy

The proposed project implements and furthers important plans and policies adopted and endorsed by the County. Development of the proposed residential, recreational, and open spaces uses is endorsed by the El Dorado County General Plan as a logical location for these proposed uses. By directing growth to the El Dorado Hills Community Region, the proposed project is compatible with existing and future uses and with General Plan policies related to growth, and will provide needed housing and public facilities.

General Plan policies 2.1.1.2 and 2.1.1.3 that identify Community Regions as areas that are appropriate for the highest intensity of self-sustaining compact urban-type development or suburban type development (including mixed use development such as the CEDHSP) based on availability of infrastructure, public services, major transportation corridors and travel patterns. CEDHSP's adjacency to the significant north-south arterial of El Dorado Hills Boulevard and US 50 makes it a prime location to capitalize on future public transit routes, and the compact nature of the land uses minimizes intrusion onto neighboring properties, while preserving ridgelines and oak woodlands consistent with General Plan policy provisions. There are currently no undeveloped land areas in the El Dorado Hills area designated for dense residential development (e.g., single-family attached and/or multifamily) that are located near major transportation corridors, retail uses, and public services similar to the CEDHSP.

CEDHSP's range of housing choices and densities would also assist in meeting the County's 2021 RHNA set forth in the Housing Element. It would also assist in implementing Housing Element policies HO 1.1 (ensure that the goals, policies, and implementation programs are developed with the consideration of achieving and maintaining the County's regional housing allocation in specific plans), HO 1.5 (direct higher density residential development to Community Regions) and HO 4.1 (encouragement of the development of affordable housing for seniors).

The CEDHSP will implement Figure TC-1, *Circulation Map for the El Dorado County General Plan*, by providing a connection to Silva Parkway that parallels US 50.

On balance, the County finds that there are specific considerations associated with the project that serve to override and outweigh the project's significant unavoidable effects. Therefore, pursuant to CEQA Guidelines Section 15093(b), these adverse effects are considered acceptable.