

**Conditions of Approval**

**(The following are the original Conditions of Approval for the Promontory Village 6, Phase 3 Tentative Subdivision Map approved on November 9, 2006.)**

**CONDITIONS**

1. This project is subject to the Traffic Impact Mitigation measures identified in the Promontory Environmental Impact Report and the Traffic Impact Study prepared for the Promontory, Village 6, Phase 3, by Fehr and Peers, dated April 6, 2006, involving the El Dorado Hills Boulevard/Francisco Drive Intersection. This mitigation measure is funded in the 5 Year CIP (CIP Project 72332), which requires payment of fees for the 2004 General Plan Transportation Impact Mitigation Fee Program at time of building permit.

*Staff Rationale: Condition Satisfied and on-going. DOT has confirmed that Traffic Impact Fees would be required to be paid at the time of each residential building permit, as applicable.*

2. This project is subject to the 2004 General Plan Transportation Impact Mitigation Fee Program. Applicant shall pay traffic impact fees in effect at the time a building permit is issued for any parcel created by the subdivision.

*Staff Rationale: Condition Satisfied and on-going. DOT has confirmed that Traffic Impact Fees would be required to be paid at the time of each residential building permit, as applicable.*

3. A vehicular access restriction shall be designated along Beatty Drive (specifically Lots 1, 24 through 34) and along the downhill side of all lots that have double frontage.

*Staff Rationale: Condition Satisfied. Vehicular access restrictions have been shown on the Final Map. Note that a vehicular access restriction is only conditioned for Lots 1 and 26 through 34. In the interest of developing a consistent frontage, the developer has opted to also include Lots 24 and 25 within this restriction. Therefore, the project is consistent with this condition.*

4. All roads shall be constructed in conformance with the Promontory Specific Plan and the Design and Improvements Standard Manual with the following widths:

<b>ROAD NAME</b>	<b>PROMONTORY REFERENCE</b>	<b>ROAD WIDTH</b>	<b>EXCEPTIONS/NOTES</b>
Karavi Drive	Upland One Way	28 ft (36 ft R/W)* per County Standard 101B with a turnaround adjacent to Lot 35 per Standard Plan 114, plus parking, utility	Hillside Development Area; Type 1 rolled curb & gutter – lot side; Type 2 vertical curb and gutter non-vehicular access side; parking bays not required ADT<350. No Sidewalks; parking shall be allowed on the vehicular access side of the

		and slope easements	road; the uncompleted portion of Karavi Drive shall be widened to minimum width of 28 feet for the entire on-site portion of the road.
Kymata Court	Upland Two Way	36 ft (38 ft R/W)*, plus parking, utility and slope easements	Hillside Development Area; Type 1 rolled curb & gutter – lot side; Type 2 vertical curb and gutter non-vehicular access side; parking bays not required ADT<350. No Sidewalks

Notes for Condition 4 table:

Road widths in the preceding table are measured from curb face to curb face. Curb face for rolled curb and gutter is 6" from the back of curb.

\*With approved waiver but consistent with the Specific Plan and prior approvals.

Beatty Drive and Alexandra Way from the intersection of Beatty Drive to the intersection of Sophia Parkway shall be constructed in conformance with the requirements of the Promontory Specific Plan and the Design and Improvements Standard Manual.

*Staff Rationale: Condition Satisfied. All roadways have been designed in conformance with the Promontory Specific Plan and the DISM. The above table has been incorporated into the Improvement Plans. DOT approval of the Improvements Plans indicates compliance. Subdivision Improvement Agreement (SIA) and adequate surety have been provided for the project's subdivision improvements, including any remaining work related to the roadways. Beatty Drive and Alexandria Way are now existing roadways and have been previously accepted by the County.*

5. A notice of restriction shall be recorded on all lots where off street parking is required in lieu of the additional on street parking spaces or bays. As an alternative, the Promontory (or Village) CC&Rs shall include a provision for off street parking to compensate for lack of parking normally required on street.

*Staff Rationale: Condition Satisfied. Off-street parking will be provided in accordance with the Promontory Specific Plan. On-street parking has been provided on Karavi Drive and Latos Way. DOT approval of the Improvements Plans indicates compliance with this condition. A Notice of Restriction is not required as the CC&Rs include a provision for off street parking compensating for the lack of typical on street parking. Therefore, the project is consistent with this condition.*

6. A final drainage plan shall be prepared in accordance with the County of El Dorado Drainage Manual, the Promontory Master Drainage Study (July 1997, CTA) and the Willow-Humbug Creek Watershed Memorandum of Understanding between the County of El Dorado and the City of Folsom, subject to review and approval by the Department of Transportation. Drainage facilities shall be designed and shown on the project improvement plans consistent with above referenced documents.

*Staff Rationale: Condition Satisfied. Drainage facilities have been shown on the Improvement Plans and have been designed in accordance with this condition. The*

*Improvement Plans and the Drainage Report have been reviewed and approved by DOT. Therefore, the project is consistent with this condition.*

7. An irrevocable offer of dedication for rights of way (R/W) shall be made, in fee, of the widths shown in the preceding table for the proposed roads, with slope, pedestrian, and parking easements where necessary. Said offer may be rejected at the time of the final map, in which case a County Service Area Zone of Benefit or Homeowner's Association shall be established in order to provide for the long-term maintenance of the roads.

*Staff Rationale: Condition Satisfied. Irrevocable offers of dedications, including necessary easements, have been made on the Final Map for the project's roadways consistent with the widths shown in the preceding table. Pedestrian and parking easements are not required. A Homeowners Association (HOA) has been established to provide long term maintenance as shown on Page 24 of the "Master Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements for the Promontory: A Mater Planned Community." Therefore, the project is consistent with this condition.*

8. An irrevocable offer of dedication, in fee, shall be made of 50 feet in radius for the cul-de-sac, with slope, pedestrian and parking easements where necessary. Said offer may be rejected at the time of the final map, in which case a County Service Area Zone of Benefit or Homeowner's Association shall be established in order to provide for the long-term maintenance of the roads.

*Staff Rationale: Condition Satisfied. Irrevocable offers of dedications, including necessary easements, have been made on the Final Map for the project's roadways, including the 50-foot radius for the cul-de-sac. Pedestrian and parking easements are not required. DOT approval of the Improvements Plans indicates compliance with this condition. Therefore, the project is consistent with this condition.*

9. Cross lot drainage shall be avoided. When cross lot drainage does occur, it shall be contained within dedicated drainage easements with gated access across fenced property lines. This drainage shall be by closed conduit wherever possible, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway.

*Staff Rationale: Condition Satisfied. Cross lot drainage, where it does occur, has been contained within drainage easements. Drainage facilities have been designed in accordance with this condition, as practicable. DOT approval of the Improvements Plans indicates compliance with this condition. Property line fencing is not applicable to this phase of the project. Additional review of this condition related to fencing would take place at the time of residential building and/or grading permit review. Therefore, the project is consistent with this condition.*

10. All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to Sacramento County Standard Drawing 11-10. All stamps shall be approved by the El Dorado County inspector prior to being used.

*Staff Rationale: Condition Satisfied and ongoing. This condition has been incorporated as notes on the Improvement Plans. DOT and County Stormwater approval of the Improvements Plans indicates compliance with this condition. Further inspection would be required prior to placement during construction. Therefore, the project is consistent with this condition.*

11. The subdivider shall be required to form a County Service Area Zone of Benefit or Homeowner's Association to fund drainage facilities maintenance and improvement services. The funding mechanism for these services must be established prior to approval of the final map and shall include a provision for future increased funding requirements. It is recommended that a special tax with an escalator clause be used as the funding mechanism.

*Staff Rationale: Condition Satisfied. The project site will be part of the Promontory Community Association and will be subject to HOA maintenance costs upon revision of the HOA documents prior to the California Department of Real Estate (DRE) White Report completion. Therefore, the project is consistent with this condition.*

12. The final map shall show all drainage easements consistent with the County of El Dorado Drainage Manual, the project final drainage plan, and the project improvement plans.

*Staff Rationale: Condition Satisfied. Drainage easements have been shown on the project's Improvement Plans and Final Map in accordance with this condition. DOT and County Stormwater approval of the Improvements Plans indicates compliance with this condition. Therefore, the project is consistent with this condition.*

13. The County reserves the right to impose additional reasonable conditions relating to the filing of multiple final maps and phasing on the tentative map. Reasonable conditions, at a minimum, will include a letter of approval from the El Dorado Hills Fire Department and a finding of substantial compliance with the approved tentative map from the Development Services Director or designee.

*Staff Rationale: Condition Satisfied. The project and its required improvements have been designed and are being constructed in accordance with the Conditions of Approval and fully approved Improvement Plans indicates compliance with the required Conditions of Approval. Therefore, the project is consistent with this condition.*

14. As specified in the Conditions of Approval, the subdivider is required to perform off-site improvements. If it is determined that the subdivider does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County may, at the subdivider's expense and within 120 days of filing the final map,

acquire by negotiation or commencement proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of any final map or parcel map, the subdivider shall submit the following to the Department of Transportation Right of Way Agent, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20 percent contingency:

- a. A legal description prepared by a civil engineer or land surveyor, of the land necessary to be acquired to complete the off-site improvements.
- b. Improvement plans prepared by a civil engineer of the required off-site improvements.
- c. An appraisal prepared by the professional appraiser of the cost of land necessary to complete the off-site improvements.
- d. A completed CEQA analysis.

*Staff Rationale: Condition Satisfied. The project and its required improvements have been designed and are being constructed in accordance with the Conditions of Approval and fully approved Improvement Plans indicates compliance with the required Conditions of Approval. Therefore, the project is consistent with this condition.*

15. The developer shall obtain approval of project grading and improvement plans, including erosion control plans, and cost estimate consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to commencement of any improvements on the project facilities. All improvements shall be consistent with the approved tentative map.

*Staff Rationale: Condition Satisfied and ongoing. The cost estimate and the project Improvement Plans, which include grading plans and erosion control plans, have been designed consistent with the approved Tentative Map and the Design Improvement Standards Manual (DISM), as applicable. DOT approval of Improvement Plans, including confirmation of erosion control plan approval, has been obtained. Applicable fees would be paid prior to commencement of any improvements on the project facilities. Therefore, the project is consistent with this condition at this time.*

16. The developer shall enter into an Improvement Agreement with the County and provide security to guarantee performance of the Improvement Agreement as set forth within the County of El Dorado Major Land Division Ordinance.

*Staff Rationale: Condition satisfied. A Subdivision Improvement Agreement (SIA) and adequate surety have been provided for the project's subdivision improvements.*

17. The final map shall show all utility, road, and drainage easements pursuant to the recommendation of the utility purveyors and the County Engineer. Final determination

of the location of said easements shall be made by the county Engineer. Said easements shall be irrevocably offered to the County.

*Staff Rationale: Condition Satisfied. Applicable easements have been shown and offered on the Final Map. Fully approved Improvement Plans and Final Map indicates compliance with this condition. Therefore, the project is consistent with this condition.*

18. Grading plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. No building permits shall be issued by the County until final grading plans and erosion control plans are approved by the Department of Transportation and the grading is completed.

*Staff Rationale: Condition Satisfied and Ongoing. The project Improvement Plans, which include grading plans and erosion control plans, have been reviewed and approved by DOT. Additional review of this condition would occur prior to building permits. Therefore, the project is consistent with this condition.*

19. The timing of construction and method of re-vegetation shall be coordinated with the El Dorado Resource Conservation District (RCD). An erosion and sediment control plan shall be part of the project grading and improvement plans, incorporating the El Dorado County Minimum Construction Site Storm Water Management Practices (March 31, 2004) and submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation shall approve such plans and the developer shall implement said plan on or before October 15.

*Staff Rationale: Condition Satisfied. The project Improvement Plans, which include grading plans and erosion control plans, have been reviewed and approved by DOT. Per a letter dated September 19, 2022, the RCD has reviewed the project plans and has determined that the project will meet the RCD's minimum requirements. Therefore, the project is consistent with this condition.*

20. The contractor shall deploy measures sufficient to achieve compliance with the County's Grading Ordinance and, for projects which involve one acre or more of disturbed soil or are part of a larger common plan of development that encompasses one acre or more of disturbed soil, shall comply with the State Water Resources Control Board's NPDES General Permit for Storm Water Discharges Associated with Construction Activity.

*Staff Rationale: Condition Satisfied. A Stormwater Pollution Prevention Plan (SWPPP) has been prepared for the project and a WDID number (5S09C396870) has been issued. Therefore, the project is consistent with this condition.*

21. Erosion control and drainage design from residential areas into the open space areas shall employ natural appearing methods. The use of native plant materials is required where revegetation is proposed.

*Staff Rationale: Condition Satisfied. The project Improvement Plans which include grading, drainage, and erosion control plans, have been designed to employ natural appearing methods, including use of native plant materials, to the maximum extent practicable. Fully approved Improvement Plans indicates compliance with this condition. Therefore, the project is consistent with this condition.*

22. Subdivision improvements shall include driveways for all lots with street cuts or fills, along their frontages, of six feet or more difference in elevation, or as found necessary for reasonable access by the County Transportation Director.

Driveways shall be installed in a manner and location acceptable to the County Department of Transportation and shall meet standard County driveway requirements.

As an alternative, downhill lots with fill in excess of six feet may have a Notice of Restriction filed on the lot which allows structural driveway access only. The CC&Rs shall include provisions for the following: construction of driveways shall be at the time of building permit for each individual lot. The Promontory Architectural Design Review Committee (PARC) shall review the placement of individual homes and driveways within the project. Site improvement plans for each lot shall be prepared by a Civil Engineer registered to practice in the State of California, based on the PARC approved site plans and shall include slope stabilization and erosion control methods acceptable to the El Dorado County resource Conservation District. Provisions for the disposal of excess fill material shall be incorporated into the individual lot grading and/or building permit(s), filed with the Building Department.

Lots where the street at the access point is in excess of a six-foot cut or fill height shall be indicated on the final map. The developer shall demonstrate, in conjunction with the improvement plans, that each lot is accessible by County Standards, including the provision of this condition.

For driveways in cut slopes, the County Engineer may require test pits to be excavated at the point of deepest excavation for the proposed driveway, utilizing a 19-to-21-foot class loader/backhoe or equivalent, to demonstrate the constructability of the proposed driveway. Driveways shall be constructed with the street improvements where said equipment is unable to perform excavation of the test pit.

*Staff Rationale: Condition Satisfied. A Notice of Restriction is shown on the Final Map for the applicable downhill lots. A draft Notice of Restriction document which addresses this condition has been provided, and shall be recorded concurrent with recordation of the Final Map. The remainder of the lots comply with this condition and have been reviewed and approved by DOT. Therefore, the project is consistent with this condition.*

23. The location of fire hydrants and systems for fire flows are to meet the requirements of the El Dorado Hills Fire Protection District. The spacing of the hydrants shall not exceed 500 feet and shall be shown on the improvement plans, subject to the approval of the fire protection district.

*Staff Rationale: Condition Satisfied. Fire hydrant locations have been shown on the Improvement Plans. El Dorado Hills Fire Department approval of the Improvement Plans indicates compliance with this condition. Therefore, the project is consistent with this condition.*

24. All driveways serving this project shall be designed to a maximum grade of 20 percent. Any driveway exceeding this requirement shall be submitted to the Fire Department and may require that the dwelling install a fire sprinkler system on accordance with NFPA 13D requirement.

*Staff Rationale: Condition Satisfied and Ongoing. Driveways have been shown on the Improvement Plans in accordance with COA 22 and El Dorado Hills Fire Department approval of the Improvement Plans indicates compliance with this condition. Additional review of the driveways would take place at the time of each residential building permit. Therefore, the project is consistent with this condition at this time.*

25. A fire safe management plan, acceptable to the El Dorado Hills Fire Protection District and the California Department of Forestry, shall be prepared and implemented. A letter of compliance with this condition shall be submitted by the fire district to Planning Services prior to filing the map.

*Staff Rationale: Condition Satisfied. A Wildfire Safe Plan has been reviewed and approved by the El Dorado Hills Fire Department and the California Department of Forestry and Fire Protection. Therefore, the project is consistent with this condition.*

26. A meter award letter or similar document shall be provided by the water purveyor prior to filing the final map.

*Staff Rationale: Condition Satisfied. A Meter Award Letter dated October 12, 2022 confirms that EID has granted a total of 35 Equivalent Dwelling Units (EDUs) of water; 0 EDUs of recycled water, which is not required; and 35 EDUs of wastewater. Therefore, the project is consistent with this condition.*

27. The subdivision is subject to parkland dedication in-lieu fees based on values supplied by the Assessor's Office and calculated in accordance with Section 16.12.090 of the County Code. The fees shall be paid at the time of filing the final map.

*Staff Rationale: Condition Satisfied. Parkland dedication has been previously completed for this Tentative Map and the entire Promontory Specific Plan. There were two park*



*agreements with the CSD. One was for Village 6 Kalithea Park, and the other was for Village 1-3 where park impact obligations were fulfilled. Under Section 16.12.090 of the County Code, the overall park land requirements for the Promontory Specific Plan were 17.38 acre. (973 sf/dwelling unit (DU) X 3.3 persons/DU X 5 acre/1,000 persons = 16.05 acre + 127 multifamily DU X 2.1 persons/du X 5acre/1,000 persons = 1.33 for a total of 17.38 acres required). The Promontory has constructed and dedicated to the El Dorado Hills CSD a four-acre park within Village 6 Unit 1. The previous reconfiguration of the Village Center under TM02-1382 resulted in 13.7 acre of parkland for a total of 17.7 acre. The El Dorado Hills CSD determined that parkland dedication requirements in the Specific Plan were met, which includes this map. Therefore, the project is consistent with this condition.*

28. The subdivider shall be subject to a \$150.00 appraisal fee payable to the El Dorado County Assessor for the determination of parkland dedication in-lieu fees.

*Staff Rationale: Condition Satisfied. Satisfactory completion of Condition of Approval # 27 also confirms satisfaction of this condition. Therefore, the project is consistent with this condition.*

29. As specified in conditions of approval, the subdivider is required to perform off-site improvements. If it is determined that the subdivider does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County may, at the subdivider's expense and within 120 days of filing the final map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possessing of the property.

*Staff Rationale: Condition Satisfied as confirmed by County DOT. Necessary easements have been acquired, where applicable. Off-site improvements for Beatty Drive and Alexandra Way have been previously accepted by DOT. Therefore, the project is consistent with this condition.*

#### **OTHER DEPARTMENT OR AGENCY STANDARD CONDITIONS**

30. If blasting activities are to occur in conjunction with subdivision improvements, the subdivider shall ensure that such blasting activities are conducted in compliance with state and local regulations.

*Staff Rationale: Condition Satisfied. This condition has been incorporated as notes on the Improvement Plans and would be implemented as necessary during construction activities. Fully approved Improvement Plans indicates compliance with this condition. Therefore, the project is consistent with this condition.*

31. If burning activities are to occur during the construction of the subdivision improvements, the subdivider shall obtain the necessary burning permits from the

California Department of Forestry and air pollution permits from the County prior to said burning activities.

*Staff Rationale: Condition Satisfied and Ongoing. This condition has been incorporated as notes on the Improvement Plans and would be implemented as necessary during construction activities. Fully approved Improvement Plans indicates compliance with this condition. Therefore, the project is consistent with this condition.*

- 32. The applicant shall provide a letter from SBC shall verify that easements for SBC utilities are accurately shown on the final map.

*Staff Rationale: Condition Satisfied. SBC is no longer the telecommunication provider. Joint Trench Composite Drawings, including necessary easements, have been reviewed and approved by AT&T (internet) and MediaOne (cable television). Therefore, the project is consistent with this condition.*

- 33. Applicant shall provide verification that a joint trenching agreement has been established with the cable television provider.

*Staff Rationale: Condition Satisfied. Joint Trench Composite Drawings have been reviewed and approved by MediaOne, the current cable television provider. Therefore, the project is consistent with this condition.*

- 34. The applicant shall sign and stripe the eastern side of Karavi Drive for “No Parking” per the requirements of the Manual of Uniform Traffic Control Devices (MUTCD) prior to the issuance of any building permit. This requirement shall be noted of the improvement plans as verified by Planning Services and the Department of Transportation.

*Staff Rationale: Condition Satisfied. Karavi Drive signing and striping has been designed in accordance with this condition, as applicable. Fully approved Improvement Plans indicates compliance with this condition. Therefore, the project is consistent with this condition.*

**MITIGATION MEASURES**

The following are the applicable adopted mitigation measures from the Promontory Final EIR certified on November 4, 1997. The reference numbers are from the EIR.

Within or following the mitigation measure in italics are notes or abbreviations added to clarify implementation of the mitigation measure. The following legend defines the abbreviations used:

Stage in Process in Which Condition Must be Satisfied	Abbreviation
Tentative Map	<i>T.M.</i>
Shown on Improvement Plans	<i>I.P.</i>
Final Map	<i>F.M.</i>

Building Permit(fees paid with building permit issuance or design criteria in CC&Rs or Design Notebook)	B.P.
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- 4.2.1a. Prior to approval of any project site improvement plans and the commencement of construction activities, the project applicant shall locate construction staging areas as far as reasonably possible from existing residential areas. Construction staging areas shall be identified on project site improvement plans and approved by the El Dorado County Department of Transportation (I.P.)

*Staff Rationale: Condition Satisfied and Ongoing. A staging area has been identified on the project Improvement Plans. DOT approval of the Improvement Plans indicates compliance with this condition. Therefore, the project is consistent with this condition at this time.*

- 4.2.1b. During construction activities, the project applicant shall limit the amount of daily construction equipment traffic by staging construction equipment and vehicles on the project site at the end of each workday rather than removing them. (I.P.)

*Staff Rationale: Condition Satisfied and Ongoing. This mitigation measure is included on the project Improvement Plans. DOT approval of the Improvement Plans indicates compliance with this condition. Therefore, the project is consistent with this condition at this time.*

- 4.2.1c. Prior to any construction activities requiring complete or partial closure of existing roadways surrounding the project site, the project applicant shall perform the following tasks to the satisfaction of the El Dorado county Department of Transportation:

Provide written notice to property owners along affected roadways one week prior to roadway closures.

To ensure public safety, clearly mark and secure roadway construction areas.  
Steel plates shall be placed over open trenches at the end of each workday to restore vehicle access to all residents.

Roadway closure shall not occur during the a.m. or p.m. peak hour traffic periods. (I.P.)

*Staff Rationale: Condition Satisfied and Ongoing. This mitigation measure has been incorporated into the Improvement Plans and would be implemented as necessary during construction activities. DOT approval of the Improvement Plans indicates compliance with this condition Therefore, the project is consistent with this condition at this time.*

- 4.3.1a. Prior to County approval of project site grading plans, the following item shall be included in the grading plans: Project site grading shall avoid disturbing and or removing rock outcroppings and oak trees to the maximum extent feasible. (I.P.)

*Staff Rationale: Condition Satisfied. Grading plans, as part of the Improvement Plans, have been designed to avoid oak trees and rock outcroppings to the maximum extent feasible. This mitigation measure has been incorporated into the Improvement Plans. DOT and Planning approval of Improvement Plans would serve as confirmation of consistency to this condition. Therefore, the project is consistent with this condition at this time.*

- 4.5.2a. Widen Green Valley Road from two lanes to four lanes from El Dorado Hills Boulevard to the El Dorado County line. This mitigation measure is accomplished by inclusion in the CIP, paid for by the collection of fees for the 2004 General Plan Transportation Impact Mitigation Fee Program at time of building permit. (B.P.)

*Staff Rationale: Condition Satisfied and Ongoing. This mitigation measure has been incorporated into the Improvement Plans. Traffic Impact Fees would be required to be paid at the time of each residential building permit, as applicable. Therefore, the project is consistent with this condition at this time.*

- 4.5.3. The project applicant shall be responsible for their fair share cost of the following improvements:

Widen the northbound Francisco Drive approach to include dual left turn lanes, one exclusive through lane, and one exclusive right turn lane;

Widen the westbound Green Valley Road approach to include one exclusive left turn lane, two exclusive through lanes, and one exclusive right turn lane;

Widen the eastbound Green Valley Road approach to include dual left turn lanes, two exclusive through lanes, and one exclusive right turn lane; and

Modify the existing traffic signal equipment as necessary to accommodate the intersection widening. *This mitigation measure is accomplished by inclusion in the CIP, paid for by the collection of fees for the 2004 General Plan Transportation Impact Mitigation Fee Program at time of building permit. (B.P.)*

*Staff Rationale: Condition Satisfied. This mitigation measure has been incorporated into the Improvement Plans. Traffic Impact Fees would be required to be paid at the time of each residential building permit, as applicable. Therefore, the project is consistent with this condition at this time.*

- 4.5.6. Install a traffic signal at the Latrobe Road/U.S. Highway 50 Eastbound Ramps intersection. This mitigation measure is accomplished by inclusion in the CIP, paid for by the collection of fees for the 2004 General Plan Transportation Impact Mitigation Fee Program at time of building permit. (B.P.)

*Staff Rationale: Condition Satisfied and Ongoing. Traffic Impact Fees would be required*

*to be paid at the time of each residential building permit, as applicable. Therefore, the project is consistent with this condition at this time.*

- 4.5.8. The project applicant shall be responsible for contributing their fair share of the cost to reconstruct the El Dorado Hills Boulevard/Latrobe Road interchange with U.S. Highway 50. This mitigation measure is accomplished by inclusion in the CIP, paid for by the collection of fees for the 2004 General Plan Transportation Impact Mitigation Fee Program at time of building permit. (B.P.)

*Staff Rationale: Condition Satisfied. Traffic Impact Fees would be required to be paid at the time of each residential building permit, as applicable. Therefore, the project is consistent with this condition at this time.*

- 4.6.1. Prior to approval of improvement plans for subsequent development, the project applicant shall demonstrate to the County and District their compliance with Rule 223 of the El Dorado Air Pollution Control Districts Rules and Regulations handbook in written report form. This fugitive dust prevention and control plan shall briefly list all Best Management Practices (BMP) to be implemented for the control of fugitive dust emissions throughout the construction phase. (I.P)

*Staff Rationale: Condition Satisfied. An Asbestos Dust Mitigation Plan has been reviewed and approved by the El Dorado County Air Quality Management District. Therefore, the project is consistent with this condition at this time.*

- 4.6.2a. The County shall encourage subsequent site development to incorporate the use of Best Available Control Technologies (BACT) for the control of construction exhaust emissions. The EDCAPCD shall be consulted to determine the appropriate BACT measures available (regular tune-ups, cleaner burning conventional fuels, alternative fueled vehicles and equipment). (I.P)

*Staff Rationale: Condition Satisfied and ongoing. This mitigation measure has been incorporated into the Improvement Plans and would be implemented as necessary during construction activities. Therefore, the project is consistent with this condition at this time.*

- 4.6.2b. Prior to future final map approvals, the project applicant shall demonstrate to the County and the EDCAPCD concerning feasible transportation alternatives in order to reduce construction worker vehicle trips and associated vehicle exhaust emissions. (F.M.)

*Staff Rationale: Condition Satisfied. This mitigation measure has been incorporated as notes on the Improvement Plans. Therefore, the project is consistent with this condition.*

- 4.6.3. Prior to future final map approvals, the project applicant shall demonstrate to the County and the EDCAPCD their compliance with Rules 215 and 225 of the EDCAPCD's Rules and Regulations handbook for the control of ROG emissions from architectural and asphalt coatings. (F.M.)

*Staff Rationale: Condition Satisfied. This mitigation measure has been incorporated into the Improvement Plans. Therefore, the project is consistent with this condition.*

- 4.6.4. Prior to future final map approvals, the project applicant shall demonstrate compliance with the El Dorado Air Pollution Control District's open burning rules contained in Regulation III. (F.M.)

*Staff Rationale: Condition Satisfied. This mitigation measure has been incorporated as notes on the Improvement Plans. Therefore, the project is consistent with this condition.*

- 4.6.5. Implementation of the following measures would reduce, but not eliminate, the significant air quality impacts:

- Prior to future final map approvals, the project applicant shall demonstrate that only EPA certified stoves and fireplaces inserts are installed in homes. Standard masonry fireplaces, uncertifiable by the EPA, shall not be constructed. EPA certified stoves and fireplace inserts have a 70 to 90 percent lower particulate emission rate than conventional stoves and fireplaces. (F.M.)

*Staff Rationale: Condition Satisfied. This mitigation measure has been incorporated into the Improvement Plans. Further compliance verification would occur during any future final map submittals for subdivision units. Therefore, the project is consistent with this condition.*

- 4.7.1a. Construction activities shall be limited to the hours of 7:00 a.m. to 6 p.m. on weekdays and the hours of 8:00 a.m. to 5 p.m. on Saturday and Sunday. (I.P.)

*Staff Rationale: Condition Satisfied. The project and its required improvements have been designed and are being constructed in accordance with the Conditions of Approval and department/agency fully approved Improvement Plans. Therefore, the project is consistent with this condition.*

- 4.8.1. Mitigation for project impacts to trees shall include measures for tree protection, revegetation and compensation and monitoring. All aspects of the following measures must be implemented to ensure mitigation/compensation for the impact.

- The project applicant shall develop and implement a Tree Protection Plan to minimize direct and indirect impacts to oak woodland on the project site during construction and operation phases of the proposed project. The Plan shall require the use of buffers to prevent or reduce the effects of disruption in the hydrologic or edaphic (growing) environment of heritage trees. Canopy cover retention within oak woodlands shall meet the requirements of General Plan Policy 7.4.4.4. The elements of the Tree Protection Plan shall appear as standards in the tentative subdivision maps, improvement plans and subdivision

CC&Rs. The Plan shall be implemented prior to ground clearing, grading, or other construction activities that may impact oak trees. Unless stated otherwise, all measures shall be the sole responsibility of the project applicant.

- The County or project applicant (with County approval) shall engage a qualified project biologist or equivalent professional to oversee all aspects of construction monitoring that pertain to oak tree protection. The County would be responsible for reviewing the monitoring program. The project applicant shall be responsible for reimbursing the County for all costs related to the compliance monitoring of the project.
- The project biologist shall be responsible for contractor education and shall monitor all construction activities in areas supporting sensitive biological resources. The project biologist shall be responsible for scheduling and/or implementing pre-construction tree surveys and shall inform the County, the project engineer, and the project general contractor if there are construction activities that threaten protected oak trees for which no mitigation measures have been identified in this EIR.
- The project biologist shall clearly mark on project maps all oak trees and oak woodlands to be avoided and provide these maps to the contractor. These areas shall be designated as “no construction” or “limited construction” zones. These areas shall be flagged by the project biologist prior to construction activities. IN some cases, trees may need to be fenced or otherwise protected from direct or indirect impacts, as determined by the project biologist.
- The Tree Revegetation Plan shall consist of an implementation and a monitoring component. Because the exact extent of tree loss can only be determined after the final grading plans and building envelopes are defined, a detailed analysis of 1) the precise number and species of trees to be removed, and 2) the specific mitigation areas to be planted, shall be developed, and identified as part of the tentative and final map processes, in compliance with General Plan Policy 7.4.5.1. Lost tree canopy cover must be replaced at the percentage required under Policy 7.4.4.4 of the County General Plan.
- The Monitoring and Management Plan shall identify monitoring and management techniques for a recommended time period (as determined during the development of the Plan) following implementation. The plan shall establish success criteria (performance standards) and shall describe steps to be taken to replace vegetation not meeting the success criteria (contingency plans). Performance standards could relate to the number of trees, species and sizes of trees, area of canopy, or a combination. Appropriate data sampling and statistical treatment of data shall be developed and utilized.
- The preliminary mitigation plan (based on the elements presented in this EIR)

shall be submitted for review prior to approval of subsequent tentative subdivision maps. A draft mitigation plan (including draft versions of the Tree Protection Plan, Revegetation Plan and Monitoring and Management Plan) shall be submitted with the applications for tentative subdivision maps and other subsequent approval. The final mitigation plan shall be submitted as part of the final subdivision map process or prior to approval of a grading permit for improvement plans, whichever occur first. Prior to implementation, the final plan shall be approved by the County. The project applicant shall identify and secure sources of funding and personnel to carry out all identified measures outlined above before any tree removal or grading permits issued by the County. (T.M.)

*Staff Rationale: Condition Satisfied. An Oak Tree Protection, Revegetation, and Monitoring Plan dated July 12, 2005 was prepared for the whole Promontory Village Specific Plan area. The plan includes the required provisions as listed within this mitigation measure. Based upon projections within the prepared plan, it is estimated that the specific plan area as a whole will result in an excess of oak canopy per required canopy retention. Therefore, the project is consistent with this condition.*

- 4.8.3. The project applicant shall hire a biologist(s) approved by the County to conduct protocol surveys for the species listed in Table 4.8-2 as having a high potential to occur on the property or as being a “potential resident” of the property, which includes bald eagle (*haliaeetus leucocephalus*), long eared bat (*myotis evotis*), long eared myotis (*myotisvolans*), yuma myotis (*myotis yumanensis*), cooper’s hawk (*accipter cooperi*), sharp shinned hawk *accipter (striatus)*, long-eared owl (*aso otus*), short-eared owl (*asio flammeus*), ferruginous hawk (*buteo regalis*) northern harrier (*circus cyaneus*), white tailed kite (*elanus leucurus*) and burrowing owl (*speotyto cunicularia*). In addition, the biologist shall also conduct protocol surveys for any new special status species that may occur on the project site, which are listed by CDFG and/or USFWS subsequent to the certification of this EIR. Results of the protocol surveys shall be submitted to the CDFG and/or USFWS, as required, and to the County prior to approval of subsequent tentative subdivision maps. If no sensitive species are located on-site, no further mitigation is necessary. If listed species are located on the property, the applicant and the County shall enter into formal consultation with the appropriate resource agency and begin preparation of a Biological Assessment or Habitat Conservation Plan, as applicable. The precise mitigation/compensation for direct and indirect impacts to sensitive species will depend on agency consultation and agreements. The project applicant shall implement all measures identified by the CDFG and USFWS to protect and mitigate impacts to listed and other special status species. (T.M.)

*Staff Rationale: Condition Satisfied. This request is not for a new tentative map application. Therefore, this condition is not applicable at this time.*



- 4.9.1a. Prior to approval of the improvement plans for site development, the project applicants shall hire an engineering geologist or equivalent professional to prepare a site-specific geotechnical report that will include the following:

Identification of areas of potential slope hazards and measures to minimize the project's impact to slope stability.

Identification of areas susceptible to soil erosion and measures to minimize the project's impact on soil erosion.

Determination of the suitability of excavated material as engineering fill, topsoil, or other type of reuse on site. (I.P.)

*Staff Rationale: Condition Satisfied. Preparation of the Geotechnical Report has been completed and has been reviewed in conjunction with the Improvement Plans. DOT approval has been obtained. Therefore, the project is consistent with this condition at this time.*

- 4.9.1b. To the maximum extent practicable, project development shall avoid areas determined by the site-specific geotechnical report to have unstable ground conditions. (I.P.)

*Staff Rationale: Condition Satisfied. The Improvement Plans have been designed in accordance with the Geotechnical Report and have been reviewed by the geotechnical engineer. Therefore, the project is consistent with this condition.*

- 4.9.1c. Prior to approval of the improvement plans for site development, the project applicant will submit an erosion control plan to the County. Erosion control measures will include techniques such as physical and vegetative stabilization measures and runoff diversion measures. Additionally, the plan will specify measures for reuse or disposal of excavated material. If excavated material is suitable for use at the project site, the plan should minimize elapsed time between excavation and reuse and provide adequate stockpile coverage and protection from wind and water erosion during the entire storage period. If excavated material is unsuitable for reuse at the project site, the plan will include specific information regarding the eventual reuse or disposal site, transportation methods, disposal reuse management, and schedule. The plan will be consistent with the El Dorado County Grading, Erosion and Sediment Control Ordinance and the El Dorado County Resource Conservation District's Erosion sediment Control Guidelines. (I.P.)

*Staff Rationale: Condition Satisfied. The project Improvement Plans, which include erosion control plans, have been reviewed and approved by DOT. Additionally, a SWPPP dated July 2022 has been prepared for the project. Site export is not anticipated. Therefore, the project is consistent with this condition.*

- 4.9.1d. Stabilize grading areas left unprotected during the rainy season, as specified by the El Dorado County Grading, Erosion and Sediment Control Ordinance. Stabilization

measures may include National Pollutant Discharge Elimination System (NPDES) Construction Activity best management practices such as hydroseeding, geotextiles and mats, and straw bale or sandbag barriers. (I.P.)

*Staff Rationale: Condition Satisfied. The project Improvement Plans, which include erosion control plans, have been reviewed and approved by DOT. Additionally, a SWPPP dated July 2022 has been prepared for the project. Therefore, the project is consistent with this condition.*

- 4.9.1e. Implement water quality mitigation measures, including retention of vegetation and avoidance of grading activities near water channels to the maximum extent feasible. Water quality mitigation measures are described in detail in Section 4.10, Hydrology and Water Quality. (I.P.)

*Staff Rationale: Condition Satisfied. Water quality mitigation measures have been incorporated into the project Improvement Plans and noted within the Drainage Report in accordance with this mitigation measure. Both the Improvement Plans and the Drainage Report have been reviewed and approved by DOT. Therefore, the project is consistent with this condition.*

- 4.9.2a. Prior to approval of the improvement plans for site development, a seismicity report will be completed by an engineering geologist or equivalent professional regarding possible damage from seismic shaking and secondary hazards such as landsliding, liquefaction and lateral spreading. This report will include:

*-An analysis of seismic hazards anticipated at the project site from regional faults.  
-A discussion and recommendations for seismic mitigation at the project site.*

Recommendations may include use of reinforced concrete foundations and avoidance of potentially unstable foundation materials. (I.P.)

*Staff Rationale: Condition Satisfied. The Improvement Plans have been designed in accordance with the Geotechnical Report and have been reviewed by the geotechnical engineer. DOT approval has been obtained. Therefore, the project is consistent with this condition.*

- 4.9.2b. The project applicant will incorporate the recommendations of the seismicity report into the design for all structures proposed at the project site. All Structures will be designed for Seismic Zone 3 and will be designed to withstand the anticipated seismic hazards determined in the seismicity report. Plans for structures shall be reviewed by the County prior to approval of the improvement plans and building permits. (I.P., B.P.)

*Staff Rationale: Condition Satisfied and Ongoing. The Improvement Plans have been designed in accordance with the Geotechnical Report and have been reviewed by the geotechnical engineer. DOT approval has been obtained. Fully approved Improvement*

*Plans indicates compliance with this condition. Further verification of compliance would occur prior to building permit issuance. Therefore, the project is consistent with this condition at this time.*

- 4.10.1. Prior to approval of improvement plans for site development, the project applicant shall submit erosion control plans and hazardous materials control program to the County consistent with El Dorado County's Grading, Erosion, and Sediment Control ordinance and El Dorado Resource Conservation District's Erosion sediment Control Guidelines. The plan should include Best Management Practices to minimize and control pollutants in storm water runoff. Suggested water quality control practices should include the following:

Construction Measures

Native vegetation will be retained where possible. Grading and excavation activities will be limited to the immediate area required for construction.

Stockpiled topsoil shall be placed in disturbed areas outside of natural drainage ways. Stockpile areas shall be designated on project grading plans.

No construction equipment or vehicles will disturb natural drainage ways without temporary or permanent culverts in place. Construction equipment and vehicle staging areas will be placed on disturbed areas and will be identified on project grading plans.

If construction activities are conducted during the winter or spring months, storm runoff will be regulated by temporary onsite detention basins.

Temporary erosion control measures (such as silt fences, staked straw bales, and temporary revegetation) will be employed for disturbed slopes until permanent revegetation is established.

No disturbed surfaces will be left without erosion control measures during the winter and spring months.

Sediment will be retained onsite by a system of sediment basins, traps or other appropriate measures.

Immediately after the completion of grading activities, erosion protection will be provided for finished slopes. This may include revegetation with native plants (deep rooted species for steep slopes), mulching, hydroseeding, or other appropriate methods.

Energy dissipaters will be employed where drainage outlets discharge into areas of erodible soils or natural drainage ways. Temporary dissipaters may be used for temporary storm runoff outlets during the construction phase.

A spill prevention and countermeasure plan will be developed identifying proper storage, collection and disposal measures for pollutants used onsite. No-fueling zones shall be indicated on grading plans and shall be situated at least 100 feet from natural drainage ways.

### Operation Measures

All storm drain inlets will be equipped with silt and grease traps to remove oil, debris, and other pollutants, which will be routinely cleaned and maintained. Storm drain inlets will also be labeled “No Dumping – Drains to Streams and Lakes”.

Parking lots will be designed to allow as much runoff as feasible to be directed toward vegetative filter strips to help control sediment and improve water quality.

Storm runoff from service stations or other similar uses will be treated with an oil/water separator.

Permanent energy dissipaters will be included for permanent outlets.

The detention/retention basin system of the site will be designed to provide effective water quality control measures design and operation features of detention/retention basins will include:

1. Construct basins with a total storage volume that permits adequate detention time for settling of fine particles even during high flow conditions.
2. Maximize the distance between basin inlets and outlets to reduce velocities, perhaps by using an elongate basin shape.
3. Incorporate some below grade area within the main detention basin for sediment settling.
4. Allow vegetation to reduce velocities and naturally filter water by encouraging vegetation establishment and ensuring adequate water supply to maintain vegetation cover.
5. Establish basin maintenance responsibility and schedules to periodically remove basin sedimentation, excessive vegetation growth and debris that may clog basin inlets and outlets. (I.P.)

*Staff Rationale: Condition Satisfied. Water quality mitigation measures have been incorporated into the project Improvement Plans and noted within the Drainage Report in accordance with this Mitigation Measure. Both the Improvement Plans and the Drainage Report have been reviewed and approved by DOT. Fully approved*

*Improvement Plans and Final Map indicates compliance with this condition. Therefore, the project is consistent with this condition.*

- 4.10.5b. Prior to approval of improvement plans for site development, the project applicant shall prepare a hydrologic study in conformance with the El Dorado County Drainage Manual which would support the project drainage plans. The project applicant shall submit both the hydrologic study and drainage plans to the County for review and approval. The drainage plans shall clearly demonstrate that buildout peak storm runoff flows from the project site will remain at or below existing peak storm runoff flows. The drainage plan will provide details on ultimate location and design of retention/detention basins and other drainage facilities, as well as a maintenance program for all drainage facilities. The drainage plan shall also identify the 100-year floodplain on the project site, or verify that no 100-year flood zones will exist on the site. The drainage plan shall be in conformance with the El Dorado County Drainage Manual, as well as any additional requirements set forth in the City of Folsom/El Dorado County drainage agreement described in Mitigation Measure 4.10.5a. (I.P.)

*Staff Rationale: Condition Satisfied. The project's Drainage Report and Improvement Plans have been prepared in accordance with this mitigation measure and have been reviewed and approved by DOT. DOT approval of the Drainage Report and Improvement Plans indicates compliance with this condition. Regional detention facilities have been previously constructed to accommodate the buildout of the Promontory Specific Plan, including this project, as noted within the approved drainage study. Therefore, the project is consistent with this condition.*

- 4.11.2. The project applicant shall implement the following measure to minimize potential impacts to undiscovered cultural resources:

- a. Prior to approval of subsequent tentative subdivision maps for project development, the project shall retain a qualified archeologist to perform an archeological survey for the tentative subdivision map area. The archeological survey shall employ current field survey and record search methods and standards. Significant archeological resources discovered shall be recorded and avoided and/or mitigated, pursuant to state and federal standards. The findings of the archeological survey shall be summarized in a report and submitted to the County prior to tentative subdivision map approval. (T.M.)
- b. In the event that any prehistoric or historic subsurface cultural resources are discovered during construction related earthmoving activities, all work within 20 meters of the resources shall be halted and the project applicant shall consult with a qualified archaeologist to assess the significance of the find. If any find were determined to be significant by the qualified archaeologist, then representatives of the project applicant, El Dorado County, and the qualified archaeologist would meet to determine the appropriate course of action. If the discovery includes human remains, Section VIII of CEQA Guidelines Appendix K would be followed, requiring

coordination with the Native American Heritage Commission if human remains are of Native American origin. All significant cultural materials recovered would be subject to scientific analysis, profession museum curation, and a report prepared by the qualified archaeologist accord to current professional standards. (I.P.)(B.P.)

*Staff Rationale: Condition Satisfied and Ongoing. This mitigation measure has been incorporated into the Improvement Plans. Fully approved Improvement Plans indicates compliance with this condition. Further verification of compliance would occur upon building permit issuance. Therefore, the project is consistent with this condition at this time.*