COUNTY OF EL DORADO DEVELOPMENT SERVICES
STAFF REPORT

Agenda of: September 24, 2009

Item No.: 8

Staff: Michael C. Baron

REZONE/TENTATIVE MAP/SPECIAL USE PERMIT

FILE NUMBER: Z06-0027/TM06-1421/S08-0028/Diamante Estates

APPLICANT: Diamante Development, LLC

PROPERTY OWNER: Chris Labarbera

ENGINEER: G.C. Wallace of California, Inc.

REQUEST:

1. Rezone from Exclusive Agriculture (AE) to Estate Residential 5-Acre (RE-5);

2. Tentative Map (Exhibit F) to create 19 single-family lots ranging in size from 5.0 acres to 9.9 acres, and one 2.2 acre open space lot, totaling 113.1 acres; and,

3. Special Use Permit request to allow gated access from two encroachments ~~on the northern boundary of the subdivision as well as the proposed access~~ onto Malcolm Dixon Road.

LOCATION: Approximately 0.3 miles northeast of the intersection of Malcolm Dixon Road and Salmon Falls Road, in the El Dorado Hills area, Supervisorial District IV (Exhibit B).

APN: 126-100-24 (Exhibit B)

ACREAGE: 113.1 acres

GENERAL PLAN: Low Density Residential (LDR) (Exhibit C)

EXISTING ZONING: Exclusive Agriculture (AE) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration (MND)

RECOMMENDATION:

Staff recommends the Planning Commission make the following recommendations to the Board of Supervisors:

1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;

2. Adopt the Mitigation Monitoring Program in accordance with Section 15074(d) of the CEQA Guidelines, incorporated as Conditions of Approval in Attachment 1; and

3. Approve Rezone Z06-0027 based on the Findings in Attachment 2.

4. Approve Tentative Subdivision Map TM06-1421 subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2; and

5. Approve Special Use Permit S08-0028 based on the Findings in Attachment 2.

BACKGROUND: An application for a Zone Change and Tentative Subdivision Map was submitted on July 18, 2006 and deemed incomplete for processing on March 29, 2006. A Special Use Permit was also added to the project December 12, 2008 at the request of the applicant to allow installation of security gates. A Technical Advisory Committee (TAC) meeting was held on October 9, 2006. As a result of agency comments and General Plan issues discussed at the TAC meeting, additional map clarifications were required and received by staff at various points through September 2007. Further information was submitted by the applicant and the application was deemed complete on March 21, 2007. Upon re-assignment of the project, it was identified that the project site would require a Special Status Plant Survey to be completed during the appropriate blooming period for certain plant species that could be present within the project site. The survey was received by Planning Services June 13, 2008 and the application was subsequently processed by Planning Staff.

STAFF ANALYSIS

Project Description: The project includes a request for a Zone Change from Exclusive Agriculture (AE) to Estate Residential 5-acre and a Tentative Subdivision Map to create 19 single-family lots ranging in size from 5.0 acres to 9.9 acres and one 2.2 acre open space lot (Lot 8), totaling 113.1 acres. Access to the proposed subdivision would be from two gated entryways off Malcolm Dixon Road to the south. A Special Use Permit request is included to allow gated access ~~on the northern boundary of~~ to the subdivision ~~as well as the proposed access~~ from two encroachments onto Malcolm Dixon Road. A connection to Salmon Falls Road to the north would serve the development in the future. The project proposes to use public water and individual septic systems. In order for the project to be eligible for public water and fire services the property would be required to be annexed by LAFCO into both the El Dorado Irrigation District and the el Dorado Hills Fire District. Design Waivers have not been requested with this application.

Site Description: The project site lies at an elevation of between 620 and 880 feet above mean sea level. The topography is moderately sloped to the southwest. The land is heavily vegetated with oak trees and annual grasses. Surrounding development includes single family residential development to the east and west, and single-family residences with dense oak woodland to the north. The southern portion of the site borders Malcolm Dixon Road. A preliminary jurisdictional delineation report indicates that the total acreage of potential jurisdictional wetlands and other waters of the United States within the project study area are 1.43 acres. Small tributaries flow through the western portion of the parcel to New York Creek and Dutch Ravine Creek originating in the southeastern corner of the parcel.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	AE	LDR	Historic Schoolhouse/Undeveloped Residential
North	AE	LDR	Developed Rural Residential/Undeveloped
South	R1A	MDR/HDR	Developed Residential/Undeveloped
East	RE-5/AE	LDR	Developed Rural Residential
West	RE-5	LDR	Developed Rural Residential

General Plan: The following discussion describes, in detail, the General Plan Policies that apply to this project:

The General Plan designates the subject site as Low-Density Residential (LDR), which permits a maximum density of one dwelling unit per five acres, with parcel sizes ranging from 5 to 10 acres, as required by **Policy 2.2.1.5**. The proposed project consists of 19 residential lots ranging from 5.0 acres to 9.9 acres. Therefore, the proposed RE-5 Zone District would be consistent with the LDR land use designation.

As required by **Policy 2.2.5.3**: The County shall evaluate future rezoning: (1) To be based on the General Plan's general direction as to minimum parcel size or maximum allowable density; and (2) To assess whether changes in conditions would support a higher density or intense zoning district. The specific criteria to be considered include; but are not limited to, the following:

1. *Availability of an adequate public water source or an approved Capital Improvement Project to increase service for existing land use demands;*

   Discussion: An El Dorado Irrigation District (EID) Facility Improvement Letter, dated February 26, 2009, indicates that, The District has secured additional water rights and is in the process of obtaining approvals for diverting these additional supplies at Folsom Lake. The District is also underway with a phased expansion of the El Dorado Hills Water Treatment Plant that would increase water supply availability for the District. The District cannot estimate when this new water supply would be available to project's that don't

already have a contractual commitment with the District for service. The FIL also indicates that water facilities adjacent to the project site would need to be upgraded by the applicant. The upgrades include a new booster pump that would provide minimum fire flow in order for EID to serve the project. The project has been conditioned to require annexation by LAFCO into the El Dorado Irrigation District Service Area.

2. *Availability and capacity of public treated water system;*

Discussion: As discussed above, the El Dorado Irrigation District (EID) would require the applicant to construct water facility improvements to adequately serve the project.

3. *Availability and capacity of public waste water treatment system;*

Discussion: The applicant proposes individual septic systems for each lot.

4. *Distance to and capacity of the serving elementary and high school;*

Discussion: The project site is located within the Rescue Union School District and the El Dorado Union High School District. The affected school districts were contacted as part of the initial consultation process, and no specific comments or mitigation measures were received.

5. *Response time from the nearest fire station handling structure fires;*

Discussion: The El Dorado Hills Fire Department would be responsible for providing fire protection to the subject site upon annexation into the District. The closest fire station is Station 84, located just 2.1 miles from the project site. The project site is located within the Departments Response Zone 84b. The District was contacted as part of the initial consultation process. As such, the District has reviewed the proposal and indicated that adherence to the applicable building and fire codes, as well as Conditions of Approval regarding the installation of fire hydrants, provision of established fire flow, submittal of a fire safe plan, and construction of road improvements would satisfactorily address all fire related safety issues.

6. *Distance to nearest Community Region or Rural Center;*

Discussion: The project site is located 0.5 miles north of the Clarksville Community Region. As proposed, the project is residential in nature and adjacent to compatible existing and planned residential land uses.

7. *Erosion hazard;*

Discussion: The site is gently sloping where site development could occur on grades of up to 30%. The project could alter drainage patterns, which could cause erosion or the loss of topsoil. The El Dorado County Resource Conservation District has conditioned the project

to require review and submittal of an erosion control plan, to limit erosion impacts resulting from grading activities. Revegetation of disturbed soils would be required as part of project approval. The California Regional Water Quality Control Board has commented on the project, requiring the use of Best Management Practices during construction, including the use of swales and filters to reduce soil runoff and preserve topsoil on the site.

8. *Septic and leach field capability;*

Discussion: The proposed lots would be served by individual septic systems for each lot. A Percolation Rate Test dated May 11, 2006 conducted by Ron Duncan REHS #3336 concluded that onsite wastewater disposal would be feasible. The Environmental Management Department evaluated the results and found the study to be acceptable.

9. *Groundwater capability to support wells;*

Discussion: The project would be served by EID public water facilities. No wells are proposed.

10. *Critical flora and fauna habitat areas:*

Discussion: The County's General Plan defines Rare Plant Mitigation Areas within the County, which designate lands potentially affecting rare plants that are subject to mitigation. The project site is not within a Rare Plant Mitigation Area. Based on a Special Status Species Survey conducted June 12, 2008 by ECORP Consulting Inc, there are no special status flora species that occur within the project site and no further review would be necessary. Mitigation Measures have been implemented into the project requiring a pre-construction survey to avoid taking any raptor nests.

11. *Important timber production areas:*

Discussion: The project is not located in or near an important timber production area.

12. *Important agricultural areas;*

Discussion: The project was heard by the El Dorado County Agriculture Commission on October 11, 2006. The Agriculture Commission determined that although the site is presently zoned Exclusive Agriculture (AE), it does not have choice soils nor is it important grazing land. Therefore, the Commission recommended approval for the request in a unanimous vote. The General Plan designation for the site is Low Density Residential, which allows single family dwellings and accessory structures. The site had been under Williamson Act Contract in the past but was "rolled out" and is presently zoned Exclusive Agriculture (AE). The site has not been used for agriculture pursuits for many years and thus, no longer considered an important agricultural area.

13. *Important mineral resource areas;*

Discussion: The project is not located within an important Mineral Resource Zone. The project would not impact an important mineral resource area.

14. *Capacity of the transportation system serving the area;*

Discussion: The El Dorado County Department of Transportation reviewed the submitted traffic study and concluded that the recommended conditions of approval, including improvements to existing roadways, would sufficiently address project traffic issues and ensure that the transportation system would adequately serve the area. El Dorado Transit has reviewed the project and has no specific conditions of approval regarding the project.

15. *Existing land use patterns;*

Discussion: The project area is surrounded by existing and planned residential land uses. The project is surrounded by the RE-5 Zone District along the eastern and western boundaries. A Rezone application to RE-5 has been submitted for the two parcels immediately north of the project site. Staff has determined that the proposed project would be consistent with existing land use patterns within the project area.

16. *Proximity to perennial water course;*

Discussion: According to the preliminary jurisdictional delineation report submitted, the total acreage of potential jurisdictional wetlands and other waters of the U.S. at the subject site are 1.439 acres. Small tributaries flow through the western part of the parcel to New York Creek and Dutch Ravine Creek originating in the southeastern corner of the parcel. General Plan Policy 7.3.3.4 requires a minimum setback of 50 feet from the wetlands delineated on the Tentative Subdivision Map. All wetlands on the site are protected through the incorporation of 50 foot setbacks, as shown on the Tentative Map.

17. *Important historical/archeological sites;*

Discussion: A records search revealed three cultural resources within the project site that were previously recorded, consisting of a cellar depression, a few fruit trees, and a series of stacked rock features. Additionally, the record search concluded that there is a moderate-to-high potential for additional historic cultural resources in the project area. A school house (Live Oak School) and accessory buildings exist on the site and have been previously recorded. The survey also concluded that the cultural resources found at the site do not meet the eligibility criteria for the California Register of Historical Resources (CRHR) as defined by CEQA. However, due to the possibility of finding additional cultural resources at the site, an on site archeological assessment was provided by ECORP Consulting Inc., dated May 6, 2009. The survey recommended a mitigation measure be added to the Mitigated Negative Declaration to ensure that newly discovered cultural resources be appropriately documented

and preserved during construction. This would ensure that all cultural resources are appropriately mitigated.

18. *Seismic hazards and present active faults; and*

Discussion: As shown in the Division of Mines and Geology's publication Fault Rupture Hazard Zones in California, there are no Alquist-Priolo Special Studies Zones mapped in El Dorado County. The impacts from fault ruptures, seismically induced ground shaking, or seismic ground failure, or liquefaction would be considered to be less than significant. Any potential impact caused by locating buildings in the project area would be offset by the compliance with the Uniform Building Code earthquake standards.

19. *Consistency with existing Conditions, Covenants, and Restrictions.*

Discussion: No Conditions, Covenants, and Restrictions are effective within the project area. Master CC & R's would be reviewed and recorded prior to Final Map approval.

General Plan Continued

The project site is surrounded by existing residential property which would be compatible to the proposed development. The proposed subdivision would be compatible within the context of existing and undeveloped residential properties, as required by General Plan **Policy 2.2.5.21**.

General Plan **Policy 5.2.1.2** requires the applicant provide adequate quantity and quality of water for all uses, including fire protection. The applicant has provided a Facilities Improvement Letter (FIL) dated February 26, 2009 stating that upon annexation into the Water District and system upgrades the District would have the capacity to serve the project with adequate public water services.

Under **Policy 5.7.1.1** the applicant would be required to demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection would be provided concurrent with development. The El Dorado Hills Fire Department would provide fire service to the site upon annexation. A Fire Safe Plan, minimum roadway widths, and fire hydrant placement have been required by the Fire Department to ensure adequate fire protection infrastructure.

Policy 6.2.3.2 states "As a requirement of new development, the applicant must demonstrate that adequate access exists, or can be provided to ensure that emergency vehicles can access the site and private vehicles can evacuate the area." The El Dorado Hills Fire Department has conditioned the project to ensure viable ingress and egress for both emergency and private vehicles through the proposed gate.

Pursuant to General Plan **Policy7.3.3.4**, a 100-foot and 50-foot setback is required from the 0.6 acres of ponds, wetlands and 0.83 acres of intermittent streams located at the site. These water features are shown on the Tentative Subdivision Map (Exhibit E). After applying the required wetland setbacks,

30-foot building setbacks, and tree canopy retention standards, development area for each lot was verified.

In order to ensure consistency with General Plan **Policy 7.4.4.4** the applicant submitted a tree canopy analysis, which determined that existing oak tree canopy at the site is approximately 18.5 percent, requiring 90 percent retention of existing oak canopy cover under "Option A" of General Plan Policy 7.4.4.4. The site contains a total of 21.1 acres of oak canopy. The proposed project estimates tree removal for lot development and roadways to be 2.1 acres. The estimated tree canopy retention after road improvements and lot development would be 90 percent, in compliance with "Option A" requiring 90 percent retention. Thus, a total oak canopy loss of 2.1 acres would be required to be either replaced or the applicant would be required to pay into the conservation fund under "Option B" of Policy 7.4.4.4. Post Development Oak Tree Canopy shown on Exhibit H prepared by G.C. Wallace of CA Inc. and confirmed by Sierra Nevada Arborists, dated May 23, 2006 & June 11, 2008, confirms that the project would be consistent with the General Plan tree canopy retention and replacement policies.

Table 3: Oak Tree Canopy Summary

Project Site (acreage)	Oak Canopy Coverage (acreage)	Percentage Oak Coverage Required	Percentage of Required Retention	Proposed Oak Removal (Acreage)	Percentage Retention Proposed
113.1	21.1	90%	90%	2.1	90%

As shown on the Tree Exhibit (Exhibit I), the project would require the removal of 2.1 acres of the oak canopy. Exhibit I shows both the impacts as a result of infrastructure improvements as well as potential impacts as a result of individual lot development. The project would be required to participate in on-site replacement or a combination of offsite replacement or payment of the mitigation fee established by "Option B."

Chapter 17.72 of the Zoning Ordinance establishes requirements for the implementation of General Plan Policy 7.4.4.4. Zoning Ordinance Section 17.72.100 allows payment of the mitigation in-lieu fee or replacement of oak woodland, prior to issuance of a grading permit for road and infrastructure improvements and prior to issuance of any building permits for future lot development. This has been included in the Conditions of Approval

Zoning: The site is currently zoned Exclusive Agriculture (AE). The project includes a request for a Zone Change to Estate Residential Five-acre (RE-5). As currently proposed the Zone Change to RE-5 would be consistent with the existing Low Density Residential (LDR) General Plan Land Use Designation.

Development Standards: Section 17.28.210 A-H of the Zoning Ordinance establishes the requirements for development within the RE-5 Zone District:

A. Minimum lot area, five acres

The project would create 19 residential lots ranging in size from 5 acres to 9.9 acres. The project also includes one 2.2 acre open space lot, which contains an old school site to be maintained by the future home owners association.

B. No maximum building coverage.

Future development of the residential lots would include single family residences and accessory structures. The project would not conflict with this requirement.

C. Minimum Lot Width, one hundred feet.

The proposed lots would be consistent with the minimum lot width requirements of the RE-5 Zone District.

D. Minimum yard setbacks: front and rear, thirty feet; sides, thirty feet except the side yard shall be increased one foot for each additional foot of building height in excess of twenty-five feet (25'); (Ord. 4236, 1992)

As shown on the Tentative Map, the eventual development of single family residential lots would provide front, sides and rear setbacks that comply with the RE-5 setback requirements.

E. Minimum agriculture structural setbacks of fifty feet on all yards;

Barns and Agriculture structures would be required to comply with the 50-foot setback requirement if they are proposed.

F. Maximum building height, forty- five feet (45') (Ord 4236, 1992)

Development on each lot would be required to comply with the maximum height requirements of the RE-5 Zone District.

G. Minimum dwelling unit area, six hundred square feet of living area and two rooms:

Development of each lot would be required to comply with the minimum dwelling unit size of the RE-5 Zone District.

H. Location of the Parcel in Relation to Surrounding Land Use. The success and stability of agricultural enterprises can be profoundly influenced by the zoning and use of immediately adjacent lands. A buffer area of fifty feet will be required on the inside of a boundary where land zoned estate residential five acres abuts planned agricultural zone lands which are currently not in horticultural and timber production. Variances to the above will be considered upon recommendation of the agricultural commission. The development of a dwelling or noncompatible use shall be one hundred feet from any existing horticultural or timber enterprises. Noncompatible uses are defined as, but not limited to:

1. **Residential structures,**
2. **Nursing homes,**
3. **Public and private schools,**
4. **Playgrounds,**
5. **Swimming pools,**
6. **Fish ponds. (Ord. 3606 §15, 1986: Ord. 3366 §§10, 11, 1983; prior code §9412.2(e))**

Conclusion: The proposed lots would be required to comply with the Development Standards of the RE-5 Zone District. The project would minimize impacts to the oak woodland habitat, riparian features, and intermittent streams within the project site. The project meets the requirements of the RE-5 Zone District and therefore meets the Zoning Ordinance. Findings for approval have been included in Attachment 2.

Tentative Map: The Tentative Subdivision Map would create 19 residential parcels ranging in size from 5.0 acres to 9.9 acres, and one 2.2 acre open space lot.

Table 2 : Gross Acreage	
Lot Number	**Acreage**
1	8.5
2	5.0
3	6.8
4	5.3
5	5.2
6	5.3
7	5.0
8 (Open Space)	2.2
9	5.0
10	5.1
11	5.1
12	5.0
13	9.9
14	8.8
15	5.7

16	5.0
17	5.0
18	5.1
19	5.0
20	5.1

Special Use Permit: The Special Use Permit would allow gated access into the subdivision from ~~the northern boundary and from~~ two access points onto Malcolm Dixon Road (Exhibit H). The El Dorado Hills Fire Department has conditioned the project to ensure viable ingress through the proposed gate.

Design Waivers Discussion: As proposed, Design Waivers are not requested for the Tentative Subdivision Map. The map as proposed meets all minimum standards of the Design and improvement Standards updated Manual

Other Issues:

Access/Circulation: The project would have access via encroachment onto Malcolm Dixon Road that would be connected to Green Valley Road to the south and Salmon Falls Road through an adjacent subdivision to the north.

Entry Gate: The El Dorado Hills Fire Department has conditioned the project to ensure viable ingress and egress exists for vehicles through the proposed gate.

Air Quality: The El Dorado County Air Quality Management District reviewed the submitted air quality analysis and has included standard conditions to reduce the impacts on the air quality. The standard conditions have been included in Attachment 1, as a part of the Conditions of Approval.

Cultural Resources: A Cultural Resources Study was conducted by ECORP Consulting Inc., dated May 6, 2009 and concluded that the existing cultural resources do not fit the eligibility criteria of significance for the California Register of Historic Resources, as defined by CEQA.

EID Annexation: The Local Agency Formation Commission (LAFCO) reviewed the proposed subdivision and identified the need for the subject site to annex into the EID service area to receive both water and fire protection services. LAFCO requests that annexation into EID be added to the Conditions of Approval for the Tentative Map. LAFCO recommended the applicant contact LAFCO "near the end of the Tentative Subdivision Map process to inquire about annexation into" EID. LAFCO also identified potential issues to be addressed within the Initial Study.

Fire: Upon annexation, the El Dorado Hills Fire Department (EDHFD) would provide fire protection services to the site.

Noise: The project, during construction and earthwork, may generate temporary and intermittent noise. There are residential units on parcels adjacent to the project site and under the County's noise

ordinance, construction activities and earthwork would be limited to certain hours of the day to minimize affects on nearby residences.

Public Transit: The El Dorado Transit District has reviewed the proposed project and had no concerns or specific Conditions of Approval.

Surveyor's Office: The Surveyor's Office reviewed the proposed project and noted that survey monuments must be set and roads named through the Surveyor's Office prior to Final Map filing.

Utilities: The project was initially distributed to Pacific Gas and Electric Company, AT&T, and Comcast. None of the utility companies had any comments on the project.

Ponds/Wetlands/Intermittent Streams: A Wetlands Delineation was prepared for the proposed project by ECORP Consulting Inc., dated January 19, 2006. The applicant has designed the project so that individual residential developments would avoid impacts to ponds, wetlands and intermittent streams. Construction activities must provide a minimum 100-foot setback from lakes and rivers and a 50-foot setback from the riparian features.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Environmental Checklist with Discussion attached as Exhibit J to determine if the project has a significant effect on the environment. Based on the Initial Study, conditions have been added to the project to avoid or mitigate to a point of insignificance the potentially significant effects of the project. Staff has determined that there is no substantial evidence that the proposed project, as conditioned, would have a significant effect on the environment, and a Mitigated Negative Declaration has been prepared.

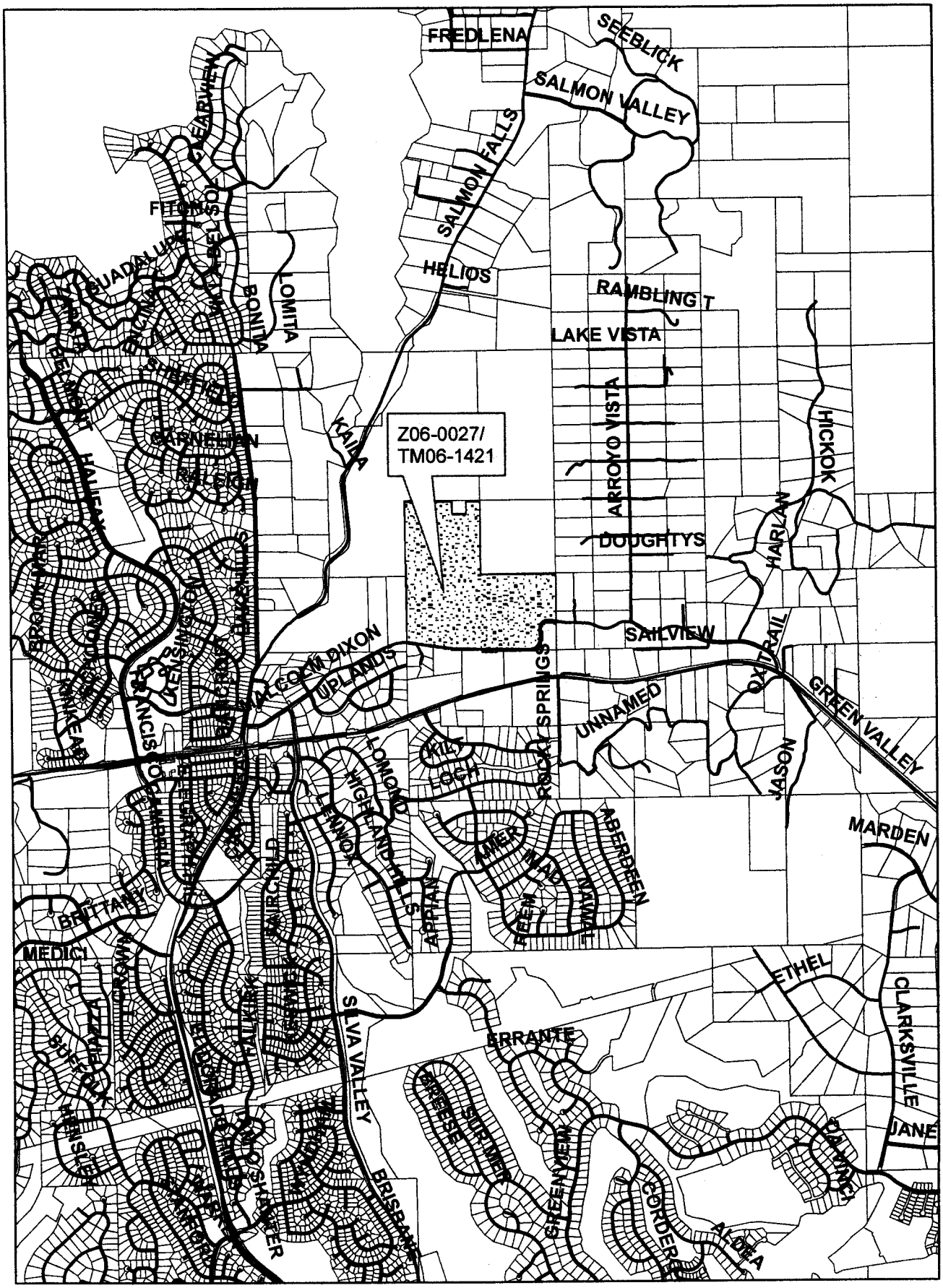
This project is located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.), and was referred to the California Department of Fish and Game. In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of $2,043.00 after approval, but prior to the County filing the Notice of Determination on the project. This fee includes a $50.00 recording fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The $1,993.00 is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the States fish and wildlife resources.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1 .....Conditions of Approval
Attachment 2 .....Findings
Exhibit A .....Vicinity Map
Exhibit B .....Assessor's Parcel Map
Exhibit C .....General Plan Land Use Map
Exhibit D .....Zoning Map
Exhibit E .....Tentative Subdivision Map
Exhibit F .....Preliminary Grading and Drainage Plan
Exhibit G .....Slope Map
Exhibit H .....Gate Elevation
Exhibit I .....Oak Canopy Map
Exhibit J .....Salmon Falls/Green Valley Road Circulation Plan
Exhibit K .....Agriculture Commission Recommendation
Exhibit L .....Environmental Checklist and Discussion of Impacts

EXHIBIT A: VICINITY MAP



Prepared By: Michael C. Baron
El Dorado County Planning Services

2,000 1,000 0 2,000 Feet

09-1259.D.14

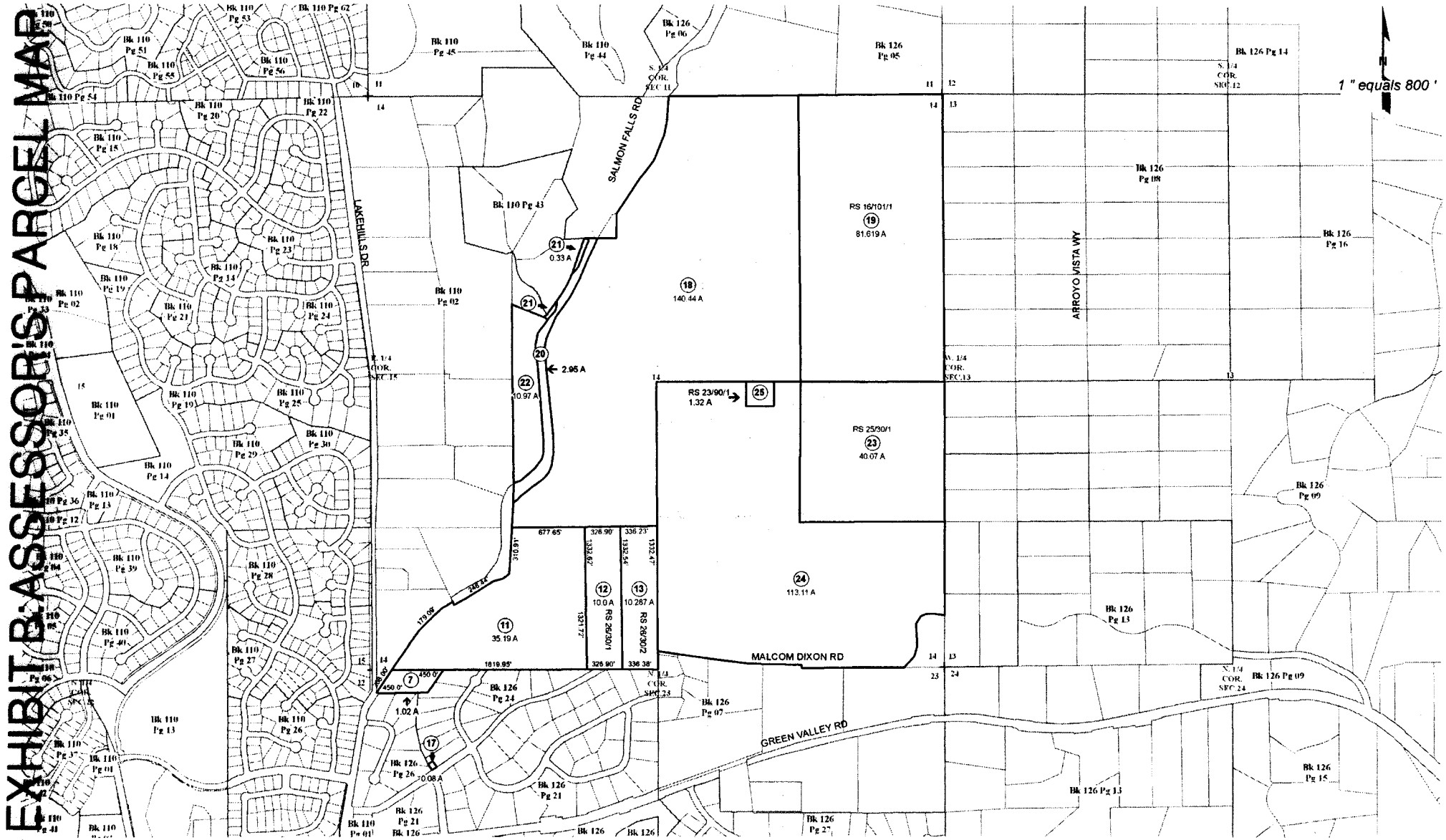
EXHIBIT B ASSESSOR'S PARCEL MAP

POR. SECS. 14, 22 & 23, T.10N., R.8E., M.D.M

126:10

1 " equals 800 '

09-1259.D.15



THIS MAP IS NOT A SURVEY. It is prepared by the El Dorado Co. Assessor's office for assessment purposes only. Area calculations and characteristics are not guaranteed. Users should verify items such as dimensions and acreage

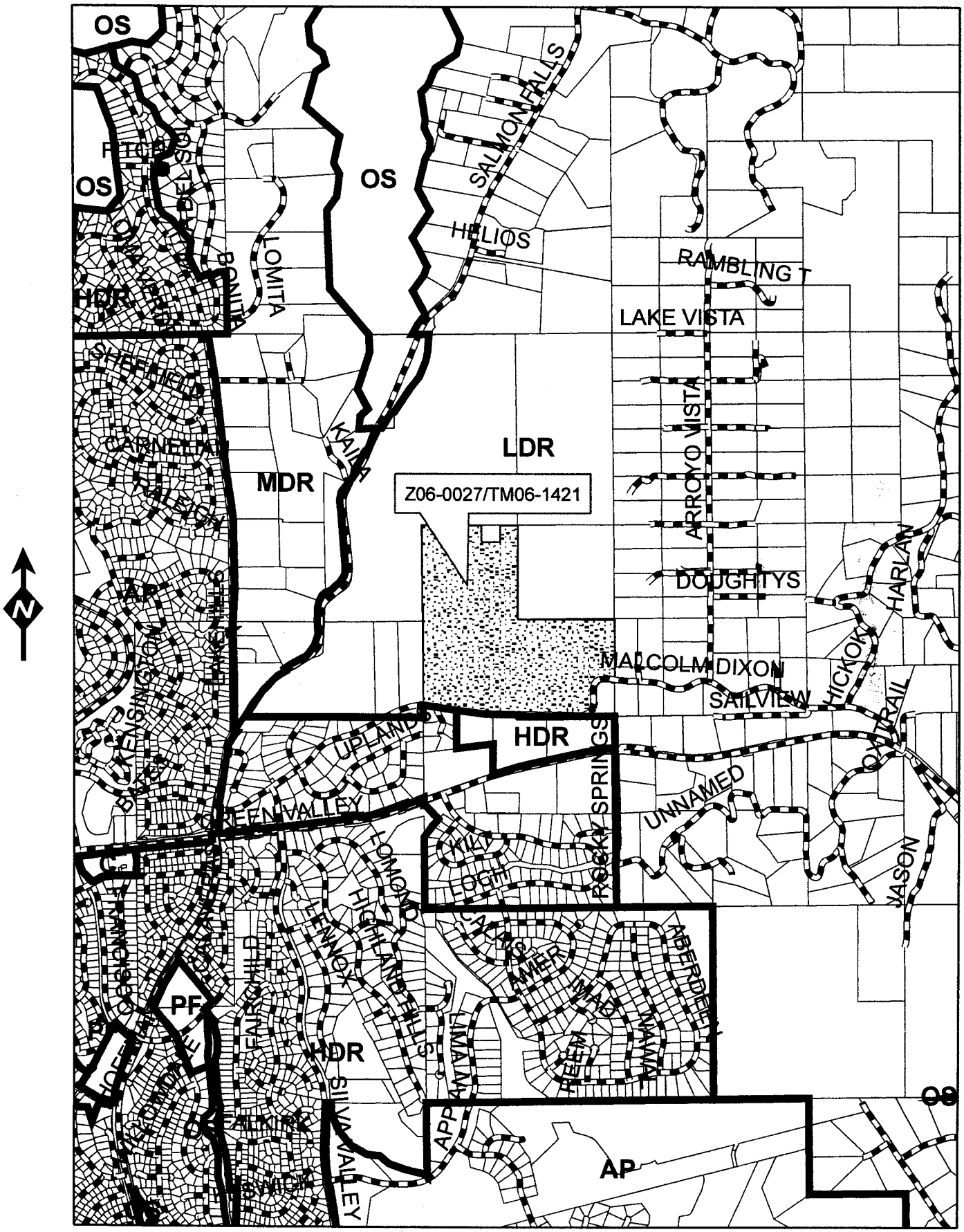
Acreages Are Estimates

Adjacent Map Pages Shown in Grey Text
Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

Rev. July 12, 2006

Assessor's Map Bk. 126, Pg. 10
County of El Dorado, CA

EXHIBIT C: GENERAL PLAN LAND USE MAP

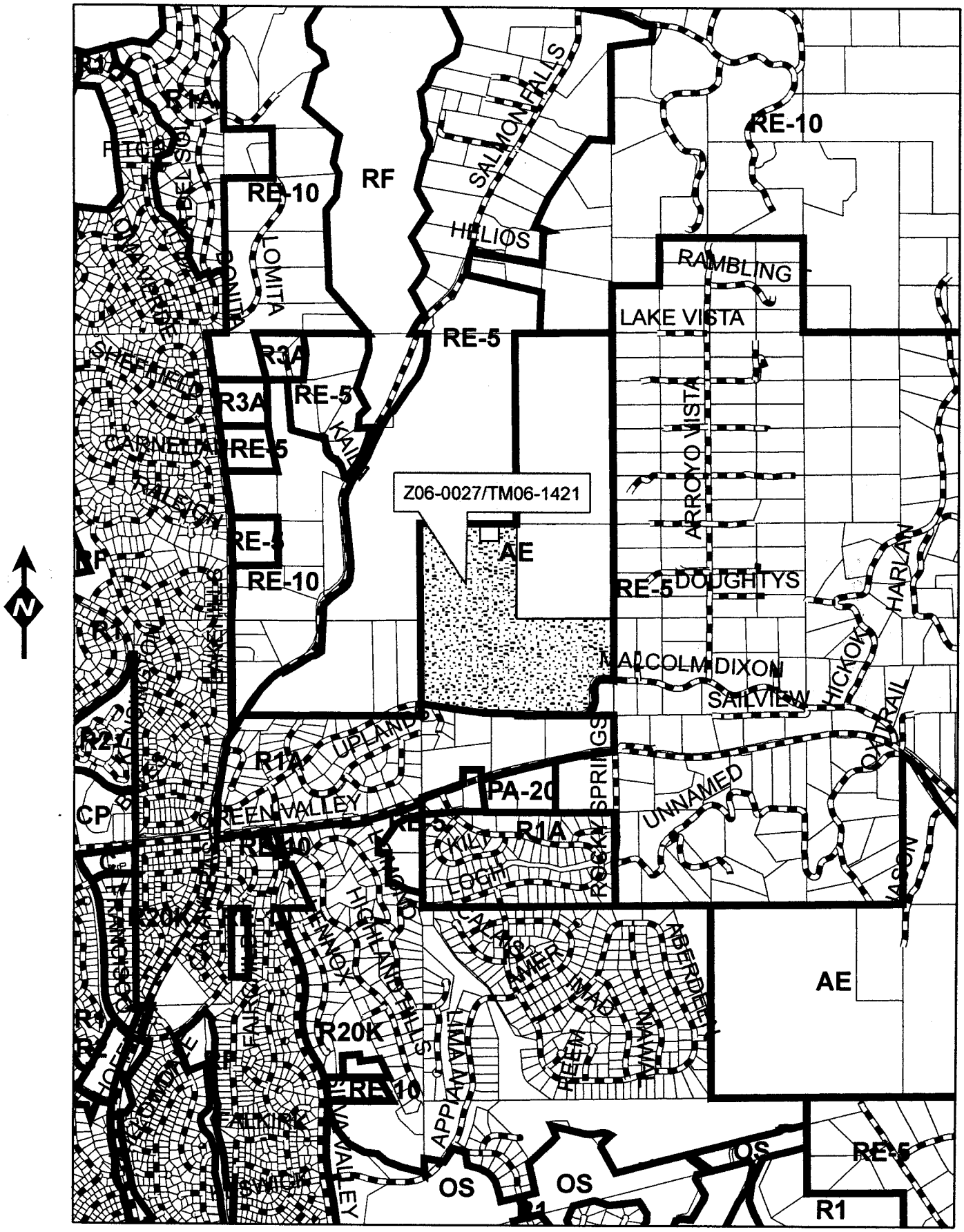


Prepared By: Michael C. Baron
El Dorado County Planning Services

1,500 750 0 1,500 Feet

09-1259.D.16

EXHIBIT D: ZONING MAP



Prepared By: Michael C. Baron
El Dorado County Planning Services

1,500 750 0 1,500 Feet

09-1259.D.17

EXHIBIT E: TENTATIVE SUBDIVISION MAP

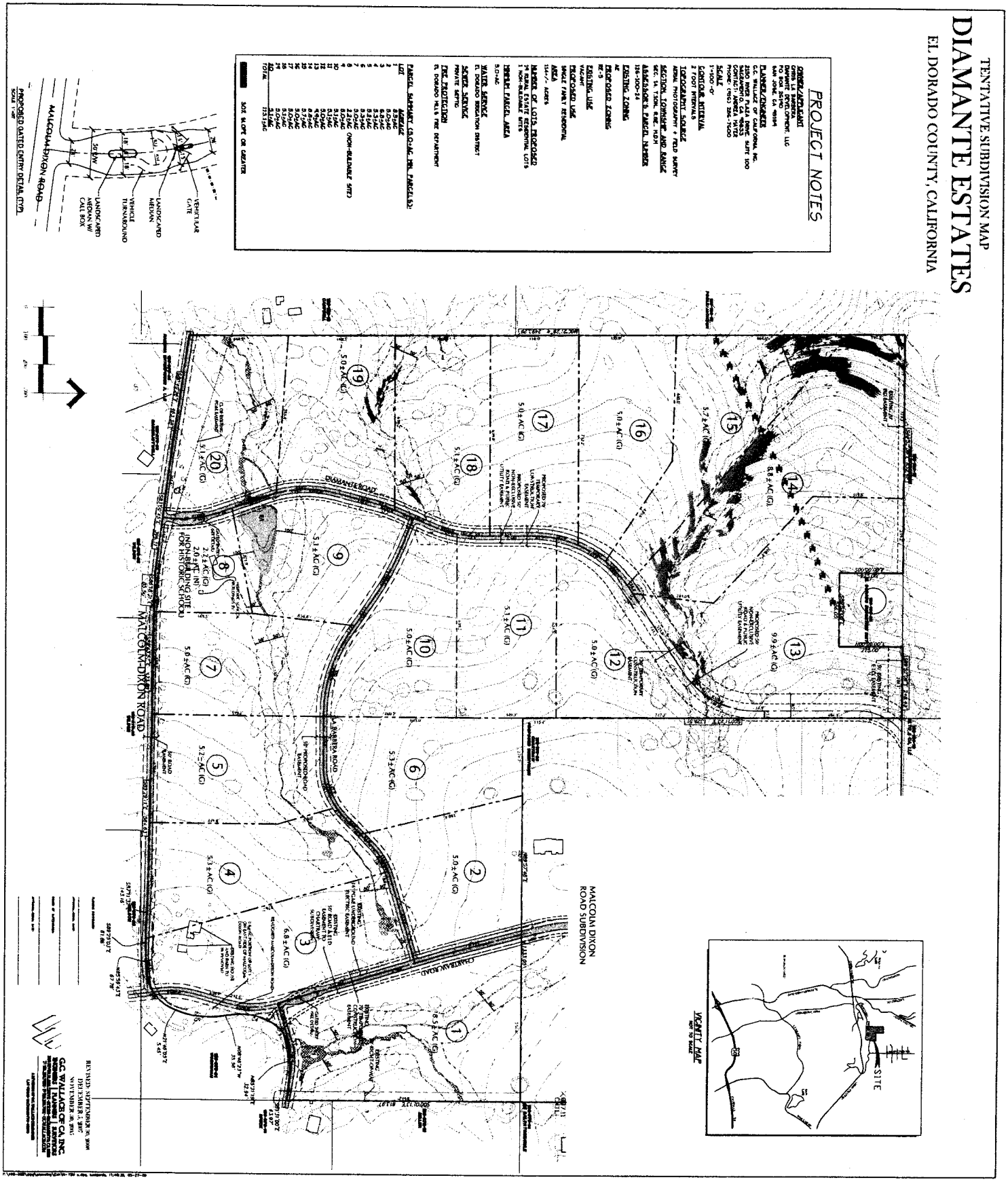
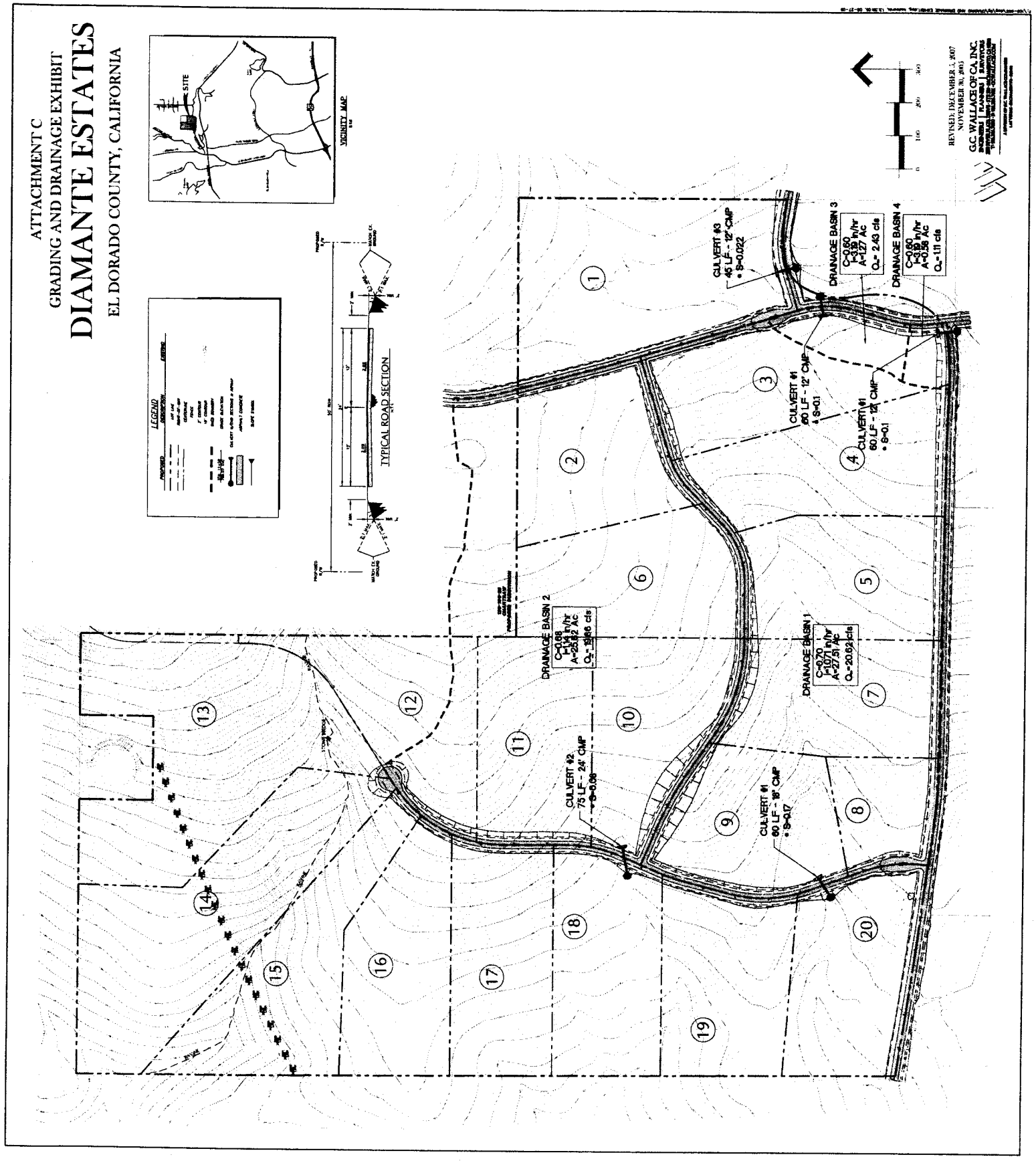


EXHIBIT F: PRELIMINARY GRADING & DRAINAGE

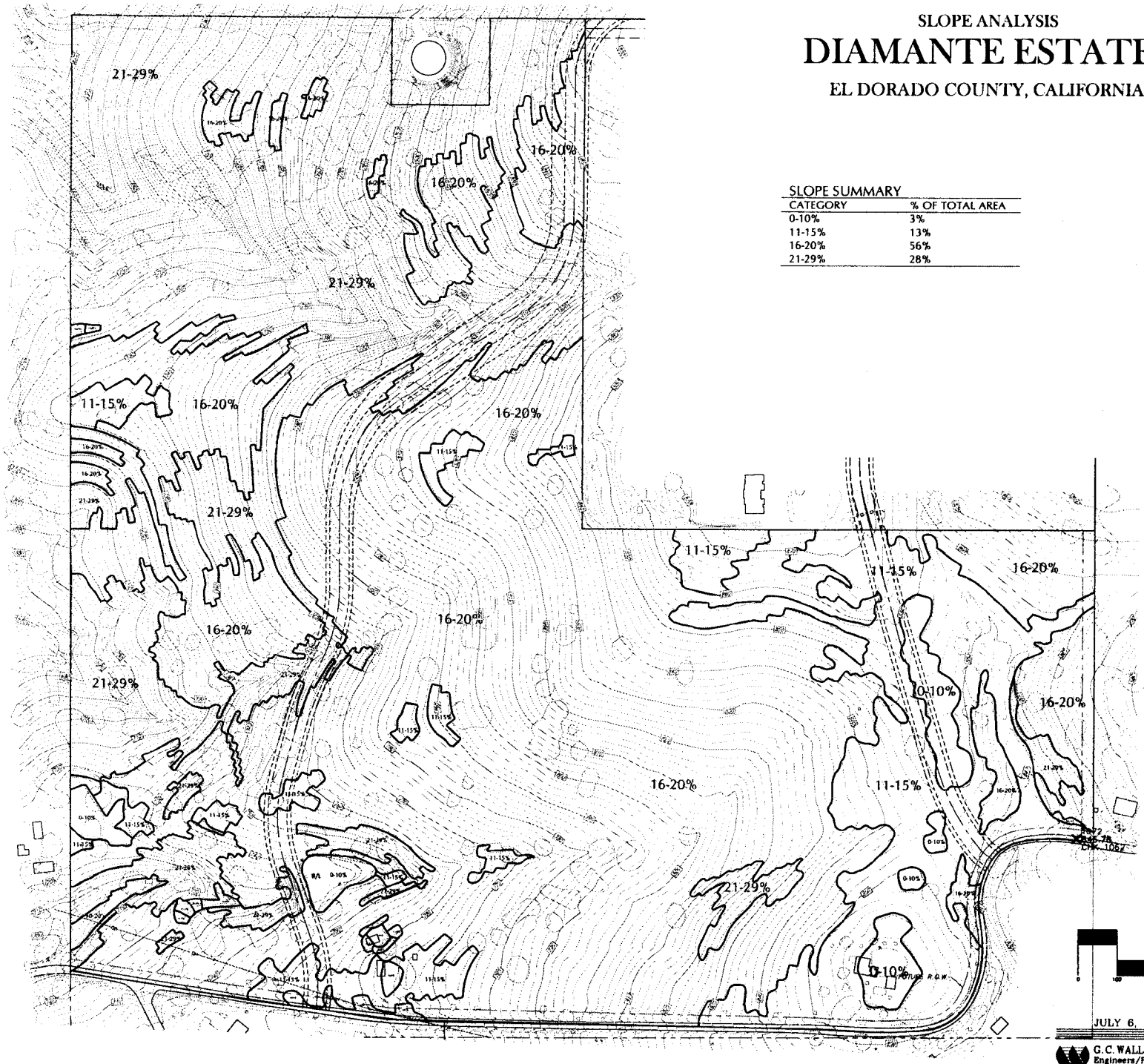


SLOPE ANALYSIS

DIAMANTE ESTATES

EL DORADO COUNTY, CALIFORNIA

SLOPE SUMMARY	
CATEGORY	% OF TOTAL AREA
0-10%	3%
11-15%	13%
16-20%	56%
21-29%	28%



JULY 6, 2006

G.C. WALLACE OF CALIFORNIA, INC.
Engineers/Planners/Surveyors

EXHIBIT G: SLOPE MAP

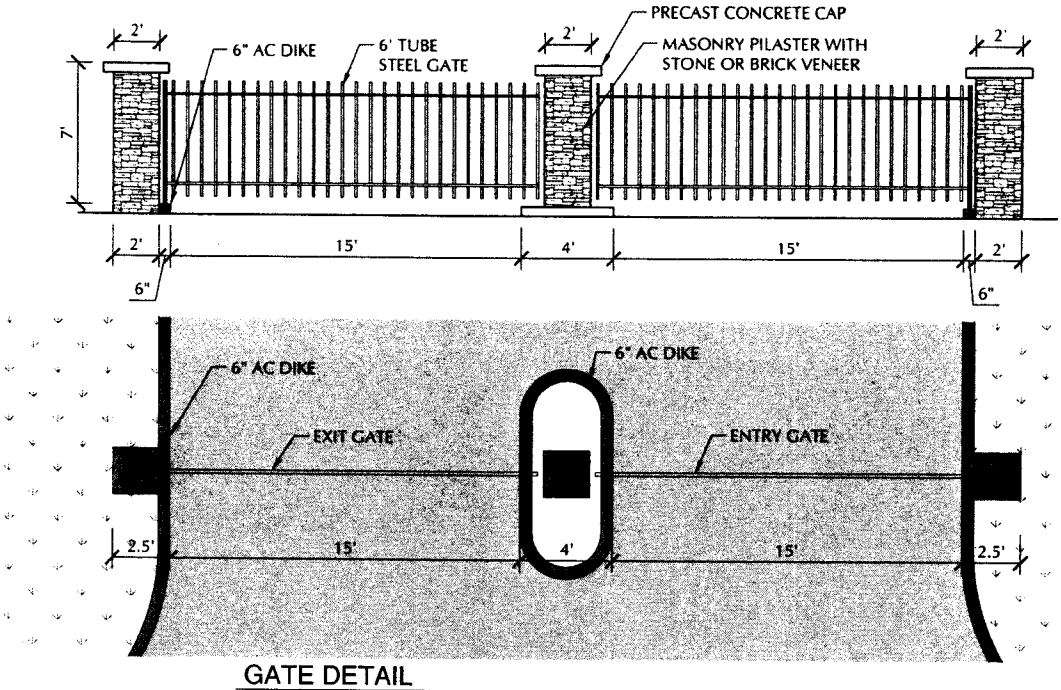
09-1259.D.20

EXHIBIT H: GATE ELEVATION

ENTRY GATE DETAIL

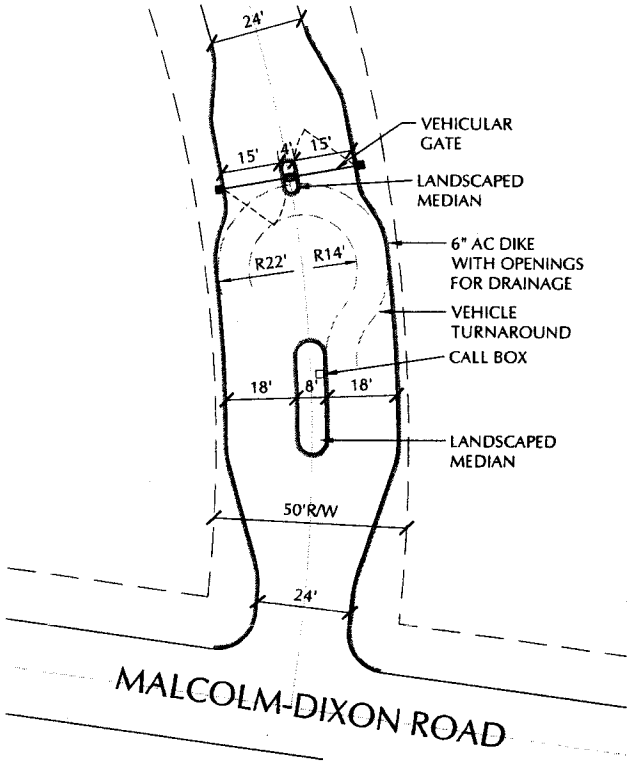
DIAMANTE ESTATES

EL DORADO COUNTY, CALIFORNIA



GATE DETAIL

SCALE: 1"=5'



PROPOSED GATED ENTRY DETAIL (TYP)

SCALE: 1"=30'

DECEMBER 4, 2008

G.C. WALLACE OF CA, INC.

ENGINEERS | PLANNERS | SURVEYORS

2150 RIVER PLAZA DRIVE · STE 100 · SACRAMENTO, CA 95833

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A DIVISION OF G.C. WALLACE COMPANIES

LAS VEGAS · SACRAMENTO · RENO

F:\100-068\dwg\planning\Exh\N-GATE.dwg, kedwards, 11:49:31, 05-27-09

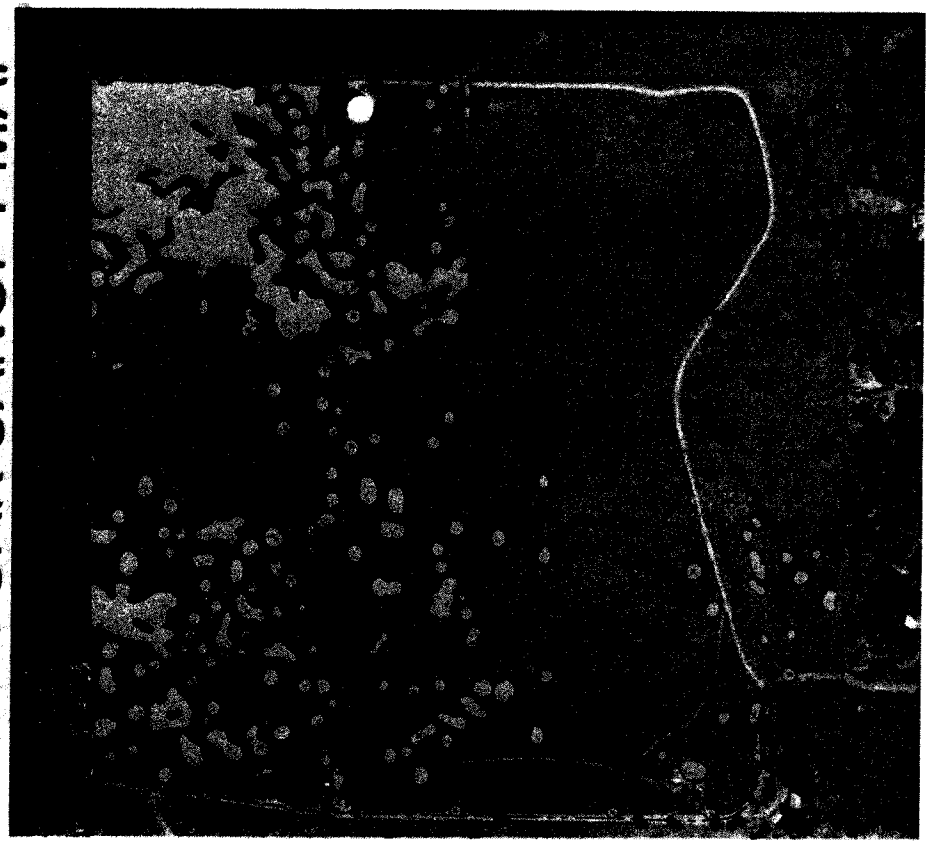
OAK TREE RETENTION EXHIBIT

DIAMANTE ESTATES

EL DORADO COUNTY, CALIFORNIA

09-1259.D.22

EXHIBIT I: OAK CANOPY MAP



EXISTING CANOPY COVERAGE
21.1 AC
114.0 AC TOTAL PROJECT AREA
18.5% CANOPY COVER

REMAINING CANOPY COVERAGE
AFTER TREE REMOVAL
19.0 AC
90% CANOPY RETAINED

0' 200' 400' 600'

LEGEND

TREE, TREE NUMBER & DRIPLINE SHOWN

TREE, REQUIRED MITIGATION REMOVAL

TREE, TO BE REMOVED DUE TO IMPROVEMENTS

SCHEMATIC DRIVEWAY LOCATION

DEVELOPABLE AREA

CANOPY COVER RETENTION:

EXISTING CANOPY COVER:	21.1 AC (18.5% OF PROJECT SITE)
CANOPY COVER TO BE REMOVED:	2.1 AC
RETAINED CANOPY COVER:	19.0 AC (90% CANOPY RETENTION)

NOTE: THE CANOPY REMOVAL DUE TO HOME IMPROVEMENTS SHALL BE SUBJECT TO MITIGATION OPTION 1 AS DESCRIBED IN THE EL DORADO COUNTY OAK WOODLAND MANAGEMENT PLAN.
ANY ADDITIONAL TREE REMOVAL DESIGNATED WITH SPECIFIC LOT DEVELOPMENT SHALL BE SUBJECT TO MITIGATION OPTION 2 AS DESCRIBED IN THE EL DORADO COUNTY OAK WOODLAND MANAGEMENT PLAN.

CANOPY REVIEWED BY:

SEPTEMBER 18, 2008

G.C. WALLACE OF CA, INC.
ENGINEERS | PLANNERS | SURVEYORS
A DIVISION OF G.C. WALLACE COMPANIES
LAS VEGAS - SACRAMENTO - RENO

EXHIBIT J: SALMON FALLS/GREEN VALLEY CIRCULATION PLAN (EXHIBIT X)

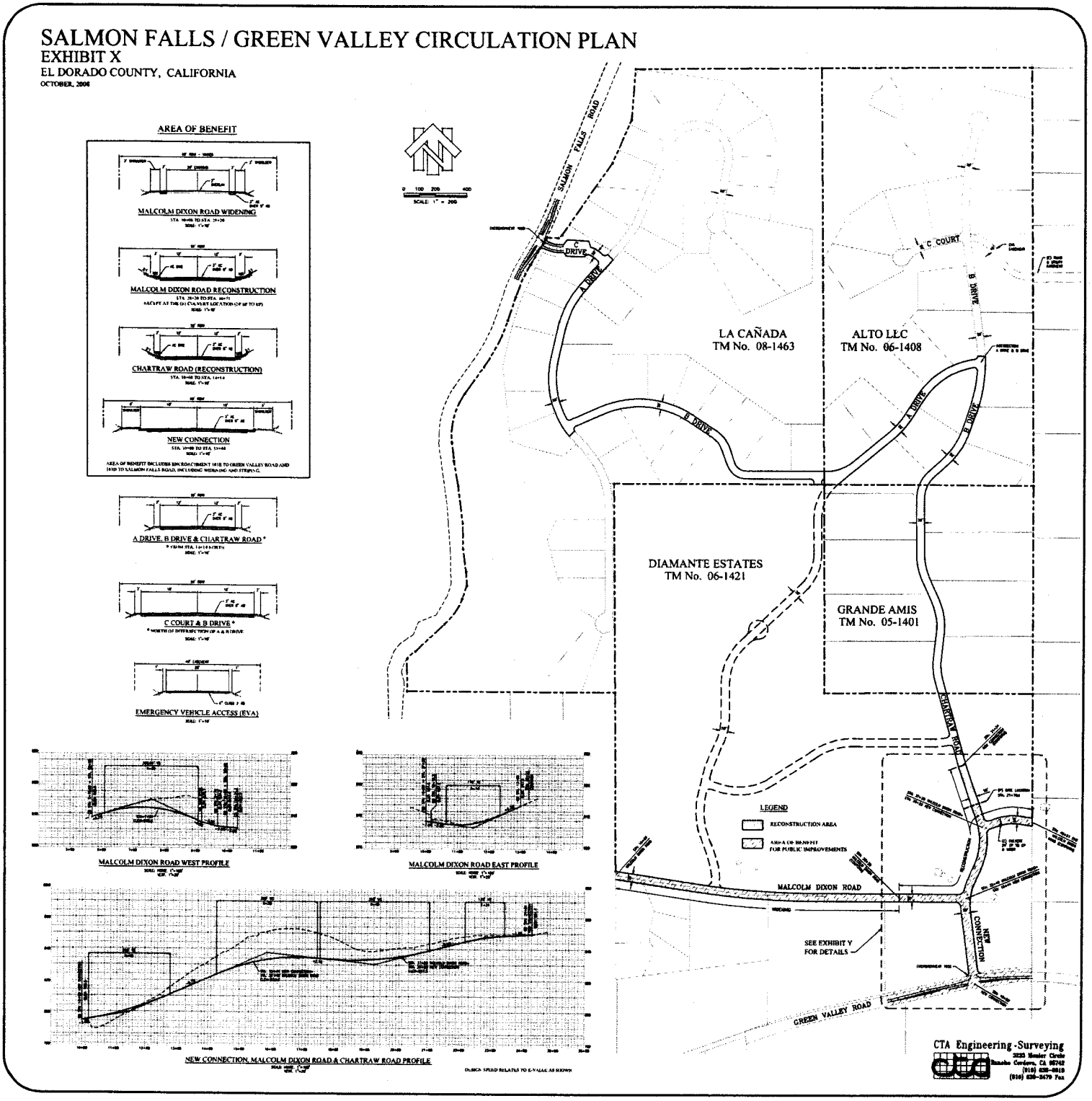


EXHIBIT K: AGRICULTURE COMMISSION RECOMMENDATION

COUNTY OF EL DORADO

AGRICULTURAL COMMISSION

311 Fair Lane
Placerville, CA 95667
(530) 621-5520
(530) 626-4756 FAX
eldcag@co.el-dorado.ca.us

MEMORANDUM

DATE: October 20, 2006

TO: Daniel Hamilton
Planning Services

FROM: Greg Boeger
Chair Pro Tem

SUBJECT: **Z 06-27 & TM 06-1421/DIAMANTE DEVELOPMENT, LLC**

During the Agricultural Commission's regularly scheduled meeting held on October 11, 2006, the following discussion and motion occurred regarding Diamante Development's request to rezone a 113.11 acre parcel from Exclusive Agriculture (AE) to Residential Estate Five-Acre (RE-5) with a tentative map to create 20 parcels ranging from 2.3 to 10.1 acres.

Steve Burton stated that the location of this project is in the same proximity of a similar project that the Agricultural Commission heard in the past. Mr. Burton stated that the conditions that were prevalent under the other project (i.e., no negative impact to agriculture) are still the same; there is no active commercial agriculture present in that area.

Peter Maurer stated that this is designated Low Density Residential (LDR) and the proposed development is consistent with that General Plan designation. The subject parcel had rolled out of the Williamson Act Contract some time ago, but it still carries the AE zoning. This is the second of three (3) sub-divisions that have been submitted to Planning Services that are located on the old ranch property.

It was announced that two (2) letters in opposition of this project had been submitted and distributed to the Agricultural Commission. The writers of these letters also spoke in person against this project.

The applicant's representative, Robert Holderness, was present and available for any questions.

It was moved by Mr. Winner and seconded by Mr. Ward that the Agricultural Commission recommend approval of Diamante Development, LLC's request to rezone APN #126-100-24 (113.11+- acres) from AE to RE-5 with a tentative map to create 20 parcels (Z 06-27 & TM 06-1421) as there is no impact to agriculture, the General Plan overlay has designated most of this area as an urbanized area, and that the public concerns raised verbally and in writing will be addressed at the appropriate levels at a later date. Motion passed.

AYES: Pratt, Walker, Ward, Winner, Boeger
NOES: None
ABSENT: Delfino, Neilsen

If you have any questions regarding the Agricultural Commission's actions, please contact the Agriculture Department at (530) 621-5520.

GB:cmt

cc: Diamante Development, LLC

EXHIBIT L: ENVIRONMENTAL CHECKLIST

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

ENVIRONMENTAL CHECKLIST FORM AND DISCUSSION OF IMPACTS

Project Title: Z06-0027/TM06-1421/S08-0028/Diamante Estates

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

Contact Person: Michael C. Baron | **Phone Number:** (530) 621-5355

Property Owner's Name and Address: Chris Labarbera, 18770 Cox Avenue Saratoga CA, 95070

Project Applicant's Name and Address: Diamante Development LLC, 18770 Cox Avenue Saratoga CA, 95070

Project Agent's Name and Address: Diamante Development LLC, 18770 Cox Avenue Saratoga CA, 95070

Project Engineer's / Architect's Name and Address: G.C. Wallace of California Inc. 2150 River Plaza Drive Suite 100, Sacramento CA, 95833

Project Location: Approximately 0.3 miles northeast of the intersection of Malcolm Dixon Road and Salmon Falls Road, in the El Dorado Hills area, Supervisorial District IV.

Assessor's Parcel Number(s): 126-100-24 **Acreage:** 113.1 acres

Zoning: Exclusive Agriculture (AE)

Section: 14 **T:** 10 **R:** 8

General Plan Designation: Low Density Residential (LDR)

Description of Project: The project includes a request for a Zone Change (Z06-0027) from Exclusive Agriculture (AE) to Estate Residential 5-acre and a Tentative Subdivision Map (TM06-1421) to create 19 single-family lots ranging in size from 5.0 acres to 9.9 acres and one 2.2 acre open space lot (Lot 8), totaling 113.1 acres. Access to the proposed subdivision would be from two gated encroachments off Malcolm Dixon Road to the south. A connection to Salmon Falls Road to the north would serve the development in the future. A Special Use Permit (S08-0028) has been requested for the gated access. The project proposes to use public water and individual septic systems. In order for the project to be eligible for public water and fire services the property would be required to be annexed by LAFCO into the local water and fire districts. Design Waivers have not been requested.

Surrounding Land Uses and Setting:

	Zoning	General Plan	Land Use (e.g., Single Family Residences, Grazing, Park, School)
Site:	AE	LDR	Historic Schoolhouse/Undeveloped Rural Residential
North:	AE	LDR	Developed Rural Residential/Undeveloped
East:	RE-5/AE	LDR	Developed Rural Residential
South:	R1A	MDR/HDR	Developed Residential/Undeveloped
West:	RE-5	LDR	Developed Rural Residential

Briefly Describe the environmental setting: The project site is located on Malcolm Dixon Road between Salmon Falls Road and Arroyo Vista Way in the unincorporated area of El Dorado County, northeast of El Dorado Hills, north of Highway 50. The site is composed of oak savannah on sloping terrain and is situated at an elevation range of approximately 600 to 800 feet. Oak savannah is characterized by scattered oak trees above a variety of naturalized and native grasses and forbs. The site generally slopes from the northeast to the southwest. Two

abandoned buildings are situated on the southwest corner of the property. An existing rural residence is located adjacent to Malcolm Dixon Road in the southeast corner. There are several aquatic features on the site. These include several intermittent drainages in the north, southwest and eastern portions of the site, five seeps, seasonal wetland swales and historic stock pond. The site contains two soil types; Auburn silt loam 2 to 30% slopes and Auburn very rocky silt loam 2 to 30% slopes. Surrounding land uses include rural residences, pastureland, a new residential development to the northeast and oak savannah.

Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):

El Dorado County Environmental Management Department
California Department of Fish and Game
El Dorado Irrigation District
El Dorado County Department of Transportation
El Dorado County Surveyors Office
El Dorado Hills Fire Department
LAFCO
US Army Corps of Engineers
Central Valley RWQCB

PROJECT DESCRIPTION

Introduction

This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts resulting from the proposed residential project. The project would allow the creation of fifteen residential parcels.

Project Location and Surrounding Land Uses

The project site is located within the El Dorado Hills Area. The project site is surrounded by both developed and undeveloped residential parcels.

Project Characteristics

The project would create 19 residential parcels and one open space lot. Interior roads would be constructed within the project area for internal circulation with access onto Malcolm Dixon Road as well as future access to Salmon Falls Road through an adjacent subdivision to the north.

1. Transportation/Circulation/Parking

Access to the subdivision would be provided via an encroachment onto Malcolm Dixon Road, a County maintained road and a future connection to Salmon Falls Road to the north. Each lot would be required to provide two parking spaces per parcel. Parking for each parcel would be provided within private garages. No impacts to parking would occur as part of the project.

2. Utilities and Infrastructure

The project site is currently undeveloped. Extension of utilities services would be required as part of conditions of Approval. The project would be required to receive the discretionary approval of the El Dorado Local Agency Formation Commission (LAFCO) for annexation into the local water and fire districts in order to receive public utility and fire protection services.

3. Population

The project would add approximately 54 people to the population in the immediate vicinity, assuming 2.8 persons per household.[1] Although the project does not propose multiple units on each lot, the County allows for the construction of secondary units within all zone districts that permit single-family residences. Consequently, the proposed project could eventually generate more than 19 residential units. Although, it is unlikely that all of the lots would be constructed to the maximum intensity, the project site could have up to 38 units and generate a population of 107 people, assuming 2.8 persons per unit.

4. Construction Considerations

Construction of the project would consist of both on and off-site road improvements including grading for on-site roadways and driveways.

5. CEQA Section 15152. Tiering- El Dorado County 2004 General Plan EIR

This Mitigated Negative Declaration tiers off of the El Dorado County 2004 General Plan EIR (State Clearing House Number 2001082030) in accordance with Section 15152 of the CEQA Guidelines. The El Dorado County 2004 General Plan EIR is available for review at the County web site at http://www.co.el-dorado.ca.us/Planning/GeneralPlanEIR.htm or at the El Dorado County Development Services Department located at 2850 Fairlane Court, Placerville, CA 95667. All determinations and impacts identified that rely upon the General Plan EIR analysis and all General Plan Mitigation Measures are identified herein. The following impact areas are tiering off the General Plan EIR:

Air Quality
Biological Resources
Land Use/Planning
Noise
Population/Housing

The project applicant would be required to obtain permits for grading from Development Services and obtain an approved Fugitive Dust Plan from the Air Quality Management District.

Project Schedule and Approvals

This Initial Study is being circulated for public and agency review for a 30-day period. Written comments on the Initial Study should be submitted to the project planner indicated in the Summary section, above. Following the close of the written comment period, the Initial Study would be considered by the Lead Agency in a public meeting and would be certified if it is determined to be in compliance with CEQA. The Lead Agency would also determine whether to approve the project.

[1] El Dorado County General Plan, July 2004, Chapter 2 Land Use, Table 2-2, Page 19.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

☐ I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

☐ I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and 2) has been addressed by mitigation measures based on the earlier analysis as described in attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects: a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION, pursuant to applicable standards; and b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: Pierre Rivas Date: 8-13-09

Printed Name: Pierre Rivas For: El Dorado County

Signature: Michael C. Baron Date: 8/13/09

Printed Name: Michael C. Baron For: El Dorado County

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is a fair argument that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a. Earlier Analysis Used. Identify and state where they are available for review.

   b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

   a. the significance criteria or threshold, if any, used to evaluate each question; and
   b. the mitigation measure identified, if any, to reduce the impact to less than significant.

ENVIRONMENTAL IMPACTS

I. AESTHETICS. *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?				X
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c. Substantially degrade the existing visual character quality of the site and its surroundings?			X	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Discussion:

A substantial adverse effect to Visual Resources would result in the introduction of physical features that are not characteristic of the surrounding development, substantially change the natural landscape, or obstruct an identified public scenic vista.

a. A review of the Important Public Scenic Views identified in the El Dorado County General Plan revealed that the only scenic vista near the project site would be from southbound Salmon Falls Road between Highway 49 and the Folsom Reservoir toward the south and west. The project site is located east of Salmon Falls Road and would not affect views at this scenic vista. The project site would not be visible from any other identified public scenic vista; therefore, the proposed project would have no impact on scenic vistas.

b. The nearest state scenic highway to the project site would be Highway 50 from Placerville to South Lake Tahoe. The project site would be located several miles west of this portion of Highway 50 and would not be visible from the highway. The proposed project would have no impact on scenic resources within a state scenic highway.

c. The project would create 19 new low density residential lots, ranging from 5.0 to 9.9 acres in size, and 1 non-building site which would be 2.2 acres in size, which is the site of a historic school. Development of these homes and supporting infrastructure, including the removal of existing vegetation, would result in a change to the existing visual character of the site. Adjacent land uses include development consisting of single family homes on similarly sized parcels. The project would be an extension of existing, similar development and would not result in substantial changes to the visual character of the site and its surroundings. This impact would be considered less than significant.

d. The project would consist of single-family residential development on lots 5 to 10 acres in size. The large lot size would allow for buffers between homes and adjacent uses. Additionally, the project would comply with Section 17.14.170 of the El Dorado County Zoning Ordinance, which contains outdoor lighting requirements, intended to control artificial light and glare to the extent that unnecessary illumination of adjacent property would be prohibited. These requirements include the shielding and downward direction of all outdoor lighting. These requirements would also reduce project impacts on night skies. This impact would be considered less than significant.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact

Findings: It has been determined that there would be no significant impacts to aesthetic or visual resources. Identified thresholds of significance for the aesthetics category have not been exceeded and no significant adverse environmental effects would result from the project.

II. AGRICULTURE RESOURCES. *Would the project:*				
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Locally Important Farmland (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?			X	
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?			X	

Discussion:

A substantial adverse effect to Agricultural Resources would occur if:

- There is a conversion of choice agricultural land to nonagricultural use, or impairment of the agricultural productivity of agricultural land;
- The amount of agricultural land in the County is substantially reduced; or
- Agricultural uses are subjected to impacts from adjacent incompatible land uses.

a. The project site is zoned Exclusive Agriculture, and has been historically used for grazing. There are two soil types within the project area; Auburn silt loam and Auburn very rocky silt loam. Neither of these soil types is listed as a Prime Farmland Soil or Farmland of Statewide Importance by the California Department of Conservation. The proposed project would not convert Prime Farmland, Unique Farmland of Statewide Importance, or Locally Important Farmland (Farmland). There would be no impact.

b. The proposed project would include the rezoning the site from Exclusive Agriculture (AE) to Estate Residential 5-Acre (RE-5). The rezone would be consistent with the El Dorado County General Plan and is discussed further in Section IX, Land Use and Planning. The project site is not under a Williamson Act Contract. This impact would be less than significant.

c. Conversion of the project site from undeveloped grazing land to single family residential use would result in utility and roadway extensions, which may aid in the future development of other historic agricultural sites nearby. However, all lands immediately surrounding the site have a Low Density Residential General Plan Land Use Designation (Policy 2.2.1.5) and could make requests to be rezoned and to subdivide in accordance with the land use. Therefore, development of these sites was anticipated in the General Plan EIR and would be consistent with the General Plan. This impact would be considered less than significant.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact

Findings: It has been determined that there would be no significant impacts to agriculture resources. Identified thresholds of significance for the agricultural category have not been exceeded and no significant adverse environmental effects would result from the project.

III. AIR QUALITY. *Would the project:*				
a. Conflict with or obstruct implementation of the applicable air quality plan?			X	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d. Expose sensitive receptors to substantial pollutant concentrations?			X	
e. Create objectionable odors affecting a substantial number of people?			X	

Discussion:

The project will result in the creation of lots allowing the construction of twenty new single-family homes. Additional construction will be done to provide supporting infrastructure, including extension of utility lines, expansion of roads, construction of driveways, and related improvements. The potential impacts of these activities are discussed below.

A substantial adverse effect on Air Quality would occur if:

- Emissions of ROG and No_x, will result in construction or operation emissions greater than 82lbs/day (See Table 5.2, of the El Dorado County Air Pollution Control District – CEQA Guide);

- Emissions of PM_{10}, CO, SO_2 and No_x, as a result of construction or operation emissions, will result in ambient pollutant concentrations in excess of the applicable National or State Ambient Air Quality Standard (AAQS). Special standards for ozone, CO, and visibility apply in the Lake Tahoe Air Basin portion of the County; or

- Emissions of toxic air contaminants cause cancer risk greater than 1 in 1 million (10 in 1 million if best available control technology for toxics is used) or a non-cancer Hazard Index greater than 1. In addition, the project must demonstrate compliance with all applicable District, State and U.S. EPA regulations governing toxic and hazardous emissions.

a. The project site would be regulated by the El Dorado County Air Pollution Control District and the applicable air quality plan is the 1994 Sacramento Regional Clean Air Plan (State Implementation Plan). The updated air quality plan would be based on the growth projections and land use designations contained in the General Plans of each jurisdiction within the Sacramento region. The project would be consistent with the El Dorado County General Plan and would therefore be included in the updated air quality plan. Because growth resulting from the proposed project was anticipated and included in the air quality plan, no conflict would occur. Mitigation in the form of General Plan polices have been developed to mitigate impacts to less than significant levels for impacts associated with air

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact

quality. Cumulative impacts were previously considered and analyzed. In this instance, adherence to General Plan Policy 6.7.7.1 shall mitigate impacts to air quality to less than significant levels.

b. The El Dorado County Air Quality Management District (AQMD) reviewed the project and determined that with the implementation of six standard Conditions of Approval, as required by Ordinance, the project would have a less than significant impact on the air quality. As part of the conditions, a fugitive dust plan application must be prepared and submitted to the AQMD prior to earth disturbance. The project could result in the generation of green house gasses, which could contribute to global climate change. However, the amount of greenhouse gases generated by the project would be negligible compared to global emissions or emissions in the county, so the project would not substantially contribute cumulatively to global climate change. These measures are included as conditions of project approval and would reduce any impacts in this category to a level of less than significant.

c. The Mountain Counties Air Basin is designated by the California Air Resources Board as "ozone impacted." El Dorado County is currently in federal and state severe non-attainment for ozone levels and state non-attainment for PM_{10}. Additionally, the project site would be within the boundaries of the El Dorado County portion of the area designated by the U.S. Environmental Protection Agency (EPA) as the Sacramento Federal Ozone Non-attainment Area. As discussed above, the project would not exceed quantitative thresholds for ozone precursors. The project would not result in an individual or cumulatively considerable net increase of any criteria pollutant. The potential impact would be considered less than significant.

d. Sensitive receptors are considered residences, schools, parks, hospitals, or other land uses where children or the elderly congregate, or where outdoor activity is the primary land use. Sensitive receptors within the vicinity of the project site may consist of residences on adjacent lands. As noted in Response (a) above, neither the construction nor operation of the proposed project would result in substantial increases in pollutant concentrations. Once developed, the project site would contain residences which are considered sensitive receptors. However, no sources of substantial pollutant concentrations are located in the vicinity of the project site. Thus potential impacts would be considered to be less than significant.

e. Future Construction activities would involve the use of a variety of gasoline or diesel powered engines that emit exhaust fumes. Asphalt paving as well as the application of architectural coatings are also sources of construction-related odors. However, construction-related emissions would occur intermittently throughout the workday, and the exhaust odors would dissipate rapidly within the immediate vicinity of the equipment. Operation of the proposed project would involve the use of products for home maintenance such as paints or fertilizers and other landscaping materials. Odors created by home maintenance activities would be minimal, would quickly dissipate and would not differ substantially from those created by surrounding land uses. This impact would be considered less than significant.

Findings: It was determined that a less than significant impact would result from the project in that no sensitive receptors would be adversely impacted, no objectionable odors would be created and the project would not obstruct the implementation of the El Dorado County California Clean Air Act Plan. Based on the inclusion of standard conditions of approval and implementation of General Plan policies, no significant adverse environmental effects would result from the project.

IV. BIOLOGICAL RESOURCES. *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	

Discussion:

A substantial adverse effect on Biological Resources would occur if the implementation of the project would:

- Substantially reduce or diminish habitat for native fish, wildlife or plants;
- Cause a fish or wildlife population to drop below self-sustaining levels;
- Threaten to eliminate a native plant or animal community;
- Reduce the number or restrict the range of a rare or endangered plant or animal;
- Substantially affect a rare or endangered species of animal or plant or the habitat of the species; or
- Interfere substantially with the movement of any resident or migratory fish or wildlife species.

a. The County's General Plan designates areas within the County that have the potential to affect rare plants. The County's General Plan defines Rare Plant Mitigation Areas within the County, which designate lands potentially affecting rare plants that are subject to mitigation. The project site is not within a Rare Plant Mitigation Area. Based on a Special Status Species Survey conducted by ECORP Consulting Inc., dated June 12, 2008, concluded that there are no special status flora species that occur within the project site and no further review would be necessary.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact

The site does have the potential to provide habitat value for sensitive bird species such as the following: silver-haired bat, Cooper's hawk, tricolored blackbird, great egret, blue heron, Swainson's hawk, white-tailed kite, and bald eagle.Proposed development activities associated with land clearing, tree removal, building pad development, utility placement, and road development have the potential to remove habitat and create disturbances due to human activities that would significantly disrupt roosting, breeding, and foraging activities in the short-term that may impact sensitive bird species that have the potential to exist in the area. However, with incorporation of recommended mitigation measure listed below, impacts to rare, threatened and endangered species would be mitigated to less than significant levels.

MITIGATION MEASURE BIO-1

To avoid take of active raptor nests, pre-construction surveys shall be conducted by a qualified biologist no more than 30 days prior to initiation of proposed development activities. Pre-construction surveys shall follow protocol guidelines issued by the California Department of Fish and Game (CDFG). If no active raptor nests are found to occur, necessary tree removal shall proceed. If active raptor nests are found on or immediately adjacent to the site, the following actions shall be taken in order to avoid impacts to nesting raptors:

1. Halt all construction within 150 feet of any trees containing active raptor nests; these areas shall be marked with fencing or tape in order to clearly delineate areas where construction is prohibited.
2. Construction shall not resume within 150 feet of any identified nest until the end of the typical nesting season; August 31. Construction may resume prior to the end of the nesting season, only if all raptor fledges have left the nest.
3. Construction shall not resume prior to consultation with the California Department of Fish and Game and determination that the proposed project would not result in a "take" of any rare, threatened, endangered or special status species.

Monitoring: The applicant shall provide Development Services with a letter from a qualified Biologist verifying compliance prior to issuance of a grading permit.

b. There are 1.439 acres of wetlands and other waters within the project site as identified in Wetland Delineation conducted by Ecorp Consulting, Inc. This area includes seasonal wetland swales, seeps, intermittent drainage areas, a drainage ditch and a pond. There may be riparian habitat associated with these wetlands and other waters. Implementation of the proposed project may result in impacts and/or the alteration of these areas due to the construction of roads, homes and other project elements.

MITIGATION MEASURE BIO-2

The applicant shall obtain a Streambed Alteration Agreement from the California Department of Fish and Game for each crossing or any activities affecting the onsite riparian vegetation. The agreement shall be submitted to Planning services for review prior to issuance of a grading permit.

Monitoring: Planning services shall verify the agreement has been obtained and necessary mitigation measures incorporated on the pans prior to issuance of a grading permit.

MITIGATION MEASURE BIO-3

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact

Prior to issuance of a grading permit, the applicant shall obtain a 404 Permit from the US Army Corps of Engineers and a Water Quality Certification from the Central Valley RWQCB. The project shall incorporate all conditions attached to the permit and certification into the project.

Monitoring: Planning Services shall verify the required permit and certification has been obtained prior to issuance of a grading permit.

In addition to the above mitigation measures, interim General Plan Policy 7.3.3.4 for the adopted 2004 El Dorado County General Plan, Conservation and Open Space Element, addresses buffers and setbacks for the protection of riparian areas and wetlands. Policies adopted in this element serve to guide the design of new development and shall be incorporated into the proposed project. Additional policies pertaining to dredge and fill and stream bed alteration are discussed in impact c. below. The above mitigation measures in addition to these regulations would reduce impacts to riparian areas to less than significant.

c. The wetlands, drainages and on-site pond are tributaries to New York Creek, which is to the west of the project site and is a tributary to the American River. These waters should be considered connected to or adjacent to waters of the United States; and are potentially jurisdictional waters of the United States and subject to interstate commerce. The project proposes the crossing of waterways within the site. Any dredging, filling, removal or other alterations to wetlands or waters of the United States on the project would require permitting pursuant to Sections 401 and 404 of the Federal Clean Water Act. Additionally, under CA Department of Fish and Game (DFG) Code Section 1602, a discretionary Stream Alteration Agreement permit may be required for any construction activities that will substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake designated by the DFG. The state and Federal regulations governing the protection of wetlands are sufficient to ensure impacts would be less than significant.

d. There are local populations of deer in and around the project area and there are Migratory Deer Herd Habitats within some areas of El Dorado County. However, this project site does not include, nor is it adjacent to any migratory deer herd habitats as shown in exhibit 5.12-7 of the El Dorado County General Plan EIR and is not considered a refuge as shown by the California Department of Fish and Game Deer Zone Map (Location D-5). This impact would be considered less than significant.

e. As determined by an Arborist Report, conducted by Sierra Nevada Arborists, dated June 11, 2008, the project site is covered by 21.1 acres of Oak Canopy. The on-site canopy comprises approximately 18.5 percent of the project site. Oak canopy would be impacted as part of road and infrastructure improvements and future residential development of the site. General Plan Policy 7.4.4.4 establishes retention and replacement provisions under "Option A" and payment of a conservation in-lieu fee in accordance with Option B. The applicant proposes to comply with Policy 7.4.4.4 by utilization of either a combination of Option A & B or only Option B, which would be consistent with the Oak Woodland Conservation Ordinance. Impacts to oak woodlands would be less than significant.

f. Protected and sensitive and natural resources/areas within El Dorado County includes: Recovery Plan Area for California Red-legged Frog, Pine Hill Preserve, Migratory Deer Herd Habitats and Sensitive Terrestrial Communities as listed in the California Natural Diversity Database and shown in exhibit 5.12-7 of the El Dorado County General Plan EIR. However, the project site does not include, nor is it adjacent to any of these Protected and Sensitive Natural Habitat areas. This impact would be less than significant.

Findings: Potential impacts could result to biological resources due to the proposed project. The project could impact threatened, sensitive or rare animal species. Implementation of mitigation measures identified above would reduce these potential impacts to biological resources to less than significant. Impacts to riparian habitat, wetlands, and migratory

wildlife habitats, as well as conflicts with community conservation plans and habitat conservation plans have been determined to be less than significant. It has been determined that the proposed project would result in less than significant impacts to biological resources with the incorporation of the above mentioned mitigation measures.

V. CULTURAL RESOURCES. *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?			X	
b. Cause a substantial adverse change in the significance of archaeological resource pursuant to Section 15064.5?			X	
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d. Disturb any human remains, including those interred outside of formal cemeteries?			X	

Discussion:

In general, significant impacts are those that diminish the integrity, research potential, or other characteristics that make a historical or cultural resource significant or important. A substantial adverse effect on Cultural Resources would occur if the implementation of the project would:

- Disrupt, alter, or adversely affect a prehistoric or historic archaeological site or a property or historic or cultural significant to a community or ethnic or social group; or a paleontological site except as a part of a scientific study;
- Affect a landmark of cultural/historical importance;
- Conflict with established recreational, educational, religious or scientific uses of the area; or
- Conflict with adopted environmental plans and goals of the community where it is located.

An investigation and literature search of cultural resources was conducted by the North Central Information Center for the project site. The North Central Information Center (NCIC) of the Historical Resources Information System is one of twelve information centers affiliated with the State of California Office of Historic Preservation (OHP) in Sacramento. These information centers are non-profit organizations located at various universities and museums throughout the state of California. The information centers manage historical resources records, reports and maps and supply historical resources information to the private and public sectors. The results of the NCIC investigations are discussed below. NCIC described the project setting:

The proposed project area is located on a gentle southwest-facing slope, with small tributaries to New York Creek flowing through the western part of the parcel, and a creek named Dutch Ravine originating in the southeastern corner of the parcel. Given the environmental setting, there is a moderate-to-high potential for prehistoric or ethno-historic-period Native American sites in the project area.

a&b. Live Oak School is located in the Southwest corner of the property. A 2.2 acre open space lot would be created to preserve the school. The potential impact to the school would be less than significant. There is also an existing residence at the southern end of the property that was also analyzed. North Central Information Center found there is a moderate-to-high probability of identifying prehistoric cultural sites, and a high potential for

finding historic-period cultural resources in the project area. The applicant provided an onsite cultural resources survey of the property by ECORP Consulting Inc., dated May 2009. The study concluded that while there were some cultural resources present on the site "none fit the eligibility criteria for the California Register of Historic Resources as defined by CEQA." The schoolhouse would be preserved within the open space lot and the house was constructed after 1957, is not considered architecturally significant, and does meet the criterion for the California Register of Historic Resources and therefore, does not require further management.

c. A unique paleontological site would include a known area of fossil bearing rock strata. The project site does not contain any known paleontological sites or known fossil locales.

d. Due to the size and scope of the project, there would be the potential to discover human remains outside of a dedicated cemetery. However, based on the results of the cultural resource study, the project would be unlikely to disturb any human remains. In the event that remains are discovered, all work shall be halted and the significance of the remains shall be evaluated in accordance with California Health and Safety Code Section 7050.5; Public Resources Code Sections 5097.94, 5097.98, and 5097.99. The project would be conditioned to require compliance. Impacts would be considered less than significant.

Findings: The project does have the potential to result in significant adverse impacts to historic resources. However with the incorporation of the above mitigation measure, impacts to historic resources would be less than significant. Potential impacts to cultural, archaeological and paleontological resources have not been identified. Therefore, impacts to cultural resources are less than significant.

VI. GEOLOGY AND SOILS. *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b. Result in substantial soil erosion or the loss of topsoil?			X	
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) creating substantial risks to life or property?			X	
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the			X	

VI. GEOLOGY AND SOILS. *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
disposal of waste water?				

Discussion:

A substantial adverse effect on Geologic Resources would occur if the implementation of the project would:

- Allow substantial development of structures or features in areas susceptible to seismically induced hazards such as groundshaking, liquefaction, seiche, and/or slope failure where the risk to people and property resulting from earthquakes could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards;

- Allow substantial development in areas subject to landslides, slope failure, erosion, subsidence, settlement, and/or expansive soils where the risk to people and property resulting from such geologic hazards could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards; or

- Allow substantial grading and construction activities in areas of known soil instability, steep slopes, or shallow depth to bedrock where such activities could result in accelerated erosion and sedimentation or exposure of people, property, and/or wildlife to hazardous conditions (e.g., blasting) that could not be mitigated through engineering and construction measures in accordance with regulations, codes, and professional standards.

a. El Dorado County does not appear on the Alquist-Priolo lists for affected counties; however, due to the large number of seismic areas in California, the project site would experience some minimal activity during seismic events. The impacts from fault ruptures, seismically induced ground shaking, or seismic ground failure or liquefaction would be considered to be less than significant. Any potential impact caused by locating structures in the project area will be offset by compliance with the Uniform Building Code earthquake standards. There are no slopes on the site exceeding 29%, so there would be no building or grading on slopes with grades of 30% or greater, reducing the potential for mudslides or landslides to less than significant. This impact would be less than significant.

b. Road building and potential building sites for homes would occur on grades of up to 30%. These activities could alter drainage patterns in the project area, causing erosion or loss of topsoil. All grading activities must comply with the El Dorado County Grading, Erosion, and Sediment Control Ordinance. Any potential impact would be reduced to less than significant.

c. The project is located on a moderately-sloping site in El Dorado County. The potential for earthquake or ground shaking activity is low in the region due to the lack of faults or geologically active sites in the area. The potential for impacts related to the stability of the soils or lands is low. Therefore, impacts resulting from potentially unstable soils would be less than significant.

d. The proposed project site is located on areas of Auburn Silt Loam and Auburn Very Rocky Silt Loam. These soil types are very low in clay content and are not considered expansive. Therefore, impacts would be less than significant.

e. The project proposes individual septic systems to treat wastewater generated by the 19 potential new primary homes on the site. Field test data and on-site soil evaluations performed on the project site indicate adequate soil conditions

for installation of standard septic tank infiltration trench systems, with demonstrated soil depths of at least 7.5 feet.[2] Further, the El Dorado County Department of Environmental Health is responsible for protecting public health and the environment from the potential adverse health and environmental impacts associated with on-site individual sewage disposal systems. Therefore, impacts would be considered less than significant.

Findings: It has been determined that there would be no significant impacts to geologic resources, nor any significant impacts resulting from placing people or structures in the vicinity of geologic hazards. Identified thresholds of significance for the geology and soils category have not been exceeded and no significant adverse environmental effects would result from the project.

VII. HAZARDS AND HAZARDOUS MATERIALS. *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	

Discussion:

A substantial adverse effect due to Hazards or Hazardous Materials would occur if implementation of the project would:

2 Duncan, Ron, Onsite Sewage Disposal Study for Malcolm Dixon Road Project, May 11, 2006.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact

- Expose people and property to hazards associated with the use, storage, transport, and disposal of hazardous materials where the risk of such exposure could not be reduced through implementation of Federal, State, and local laws and regulations;

- Expose people and property to risks associated with wildland fires where such risks could not be reduced through implementation of proper fuel management techniques, buffers and landscape setbacks, structural design features, and emergency access; or

- Expose people to safety hazards as a result of former on-site mining operations.

a&b. Hazardous materials would be used in the construction of homes and improvements associated with the project. During times of construction, these materials would be transported to and from the project site. The safe transport and use of these materials is required by federal law, and safety information for all such products is included on packaging materials and labels. The temporary transport and use of these materials by construction personnel does not result in significant adverse health impacts in typical circumstances. This impact would be less than significant.

c. There are no schools within ¼ mile of the proposed project site. There is no potential for impact.

d. The project site is not included on any list of hazardous materials sites complied pursuant to Government Code Section 65962.5. Project implementation would not create a significant hazard to the public or the environment and therefore there would be no impact.

e. The proposed project is not located with an airport land use plan area. The nearest airport to the proposed project site, Cameron Park Airport, is located approximately five miles east of the project site. Therefore there would be no potential impact.

f. There are no private airports or airstrips within two miles of the project site and therefore no potential impact.

g. The proposed project would not conflict with any County-adopted emergency or disaster response or evacuation plans as it would not change any existing roads, highways or traffic patterns. According to the Traffic Impact and Operations Analysis prepared, the proposed project would not adversely affect emergency vehicle access at the project site or study intersections. Additionally, the project design must comply with emergency access standards contained in the El Dorado County SRA Fire Safe Regulations (Title 14, Division 1.5, Chapter 7, Subchapter 2, Article 2 Emergency Access) with regard to road width, surface, grade, and radius; turnouts; driveways; and gating. County review of the proposed Tentative Subdivision Map would ensure compliance with these standards. This impact would be considered less than significant.

h. The site would be located within a relatively rural area, with grasslands and vegetation capable of supporting or spreading a wildland fire. CDF has established a fire hazard severity classification system, which assesses the fire potential for wildlands based on three factors: fuel load, climate, and topography. The classification system provides three classes of fire hazards: Moderate, High, and Very High. According to Figure HS-1 of the El Dorado County General Plan, the project site would be within an area classified as High fire hazard severity. In compliance with CDF regulations, the County requires the creation of defensible space around structures and roads. In order to comply with the state's defensible space requirement, the project must incorporate the following design features:

1. Clearance of 30-100 feet of flammable vegetation from around buildings; on steeper parcels, fire safe Clearance requirements are determined by the local fire protection agency;
2. Removal of branches from within 10 feet of a chimney; and

3. Removal of all flammable vegetation from roof tops, including dry leaves and pine needles.

In addition to the above requirements, all buildings within the project area must comply with Chapter 8.08 of the El Dorado County Code, also known as the County Fire Hazard Ordinance, which includes rules and regulations covering emergency access, signing and numbering, and emergency water. Compliance with existing regulations would reduce the potential impact to less than significant.

Findings: It has been determined that there would be no significant impacts resulting from hazardous materials nor would the project result in exposure of schools or other sensitive areas to hazardous materials. There are no airports or dangerous intersections which would impact the project. Impacts in this category would be reduced with adherence to all existing, applicable safety regulations and policies. Identified thresholds of significance for the hazards category have not been exceeded and no significant adverse environmental effects would result from the project.

VIII. HYDROLOGY AND WATER QUALITY. *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?			X	
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or -off-site?			X	
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f. Otherwise substantially degrade water quality?		X		
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X

VIII. HYDROLOGY AND WATER QUALITY. *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
j. Inundation by seiche, tsunami, or mudflow?				X

Discussion:

A substantial adverse effect on Hydrology and Water Quality would occur if the implementation of the project would:

- Expose residents to flood hazards by being located within the 100-year floodplain as defined by the Federal Emergency Management Agency;
- Cause substantial change in the rate and amount of surface runoff leaving the project site ultimately causing a substantial change in the amount of water in a stream, river or other waterway;
- Substantially interfere with groundwater recharge;
- Cause degradation of water quality (temperature, dissolved oxygen, turbidity and/or other typical stormwater pollutants) in the project area; or
- Cause degradation of groundwater quality in the vicinity of the project site.

a. The project is located outside the County's Community Region boundary; therefore General Plan Policy 5.3.1.1 allows for projects to rely on on-site septic systems. The project would be annexed into the El Dorado Irrigation Service District for water service based on the EID Facilities Improvement Letter (FIL) dated February 26, 2009. The facility diagram attached to the FIL indicates that there would be no available sewer lines within the immediate vicinity of the project. Therefore, the project would be serviced by individual septic systems. Field test data and on-site soil evaluations performed on the site indicate adequate soil conditions for installation of standard septic tank infiltration trench systems, which demonstrated soil depths of at least 7.5 feet.[3] Further, the El Dorado County Department of Environmental Management would be responsible for protecting public health and the environment from the potential adverse impacts associated with on-site, individual sewage disposal systems. The proposed project's septic system design would be reviewed by the Department to ensure compliance with County Ordinance Chapter 15.32, Private Sewage Disposal System, as well as County Resolution No. 259-99, Design Standards for the Site Evaluation and Design of Sewage Disposal Systems. Review by the Department of Environmental Management and compliance with the existing regulations would ensure that all septic systems constructed as part of the project would function properly and would not violate any water quality standards or waste discharge requirements. Therefore, the potential impacts would be less than significant.

b. Water service for the proposed project would be provided by the El Dorado Irrigation District. The District obtains water entirely from surface water sources. Therefore, the eventual construction of single family dwellings would not substantially deplete groundwater supplies. Groundwater recharge rates on the project site are low, due to the nature of the soils and the steepness of the slopes and would only be minimally altered as a result of the proposed project. The potential impacts would be considered less than significant.

c. Impacts to the project site and nearby waterways would consist of changes in grading and the creation of impervious surfaces associated with the construction of roads, new homes and driveways. Dischargers whose projects disturb one or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity. Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation. The Construction

[3] Duncan, Ron, Onsite Sewage Disposal Study for Malcolm Dixon Road Project, May 11, 2006.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact

General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). Section A of the Construction General Permit describes the elements that must be contained in a SWPPP including, site map(s), Best Management Practices (BMPs), a visual and chemical monitoring program; and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment. Implementation of a SWPPP would reduce this impact to less than significant.

d. The project site is moderately sloped. There are four drainage basins originating within, or draining into the site. Drainage basins 1, 2, 3 and 4 all drain to the west and eventually into New York Creek, which is a tributary to the American River. These four basins cover 32.37 acres, 18.70 acres, 23.75 acres, and 6.41 acres, respectively. Additional drainage from the project would result due to improvements to Malcolm-Dixon Road. This would create additional impervious surfaces; however areas close to the road would drain into drainage basin 1, and the increase in water volume resulting from road improvements would not be considered significant.

Groundwater recharge rates on the project site are normally low, due to the nature of the soils and the steepness of the slopes and would only be minimally altered as a result of the proposed project. Minor alterations would be made to drainage patterns on the project site due to changes in grading and the creation of impervious surfaces associated with new roads, homes and driveways. However, water would be channeled through drainage ditches along roads and through culverts under roads, the placement of which would coincide with existing drainage patterns. County standards related to septic design requires that septic systems be constructed under at least a twelve inch soil depth. In addition a 100 foot setback from year round streams is required. Soil filtration for standard septic systems occurs within three feet *(County standards require five feet of filtration),* therefore it would ensure that mixing of surface runoff and septic discharge would not negatively impact New York Creek. The project would not result in substantial changes in drainage volumes or patterns, from the site into New York Creek, nor would the proposed project result in on- or off-site flooding. This impact would be less than significant.

e. According to the drainage study prepared for the proposed project, the carrying capacities of existing natural drainage ways would be unaffected by project implementation.

Pollutant discharges from construction activities would be minimized through the implementation of an approved SWPPP (see Response (c) above). Once the project site has been developed, pollutant discharges to waterways, including automotive greases and oils, heavy metals, pesticides and fertilizers, may increase due to runoff flowing over project driveways, roads, and landscaped areas. Operational phase stormwater pollution would not be regulated by the Clean Water Act; however, El Dorado County has developed programs to inform residents of ways to minimize polluted runoff from lawn care, septic system maintenance, auto care, and landscaping activities. The proposed project would not be expected to provide substantial additional sources of polluted runoff. This impact would be considered less than significant.

f. Impacts to water quality resulting from the proposed project are addressed by regulations and permit requirements including an SWPPP, dredge and fill permits, construction set-back requirements and Best Management Practices. Impacts to water quality are discussed in detail in this section as well as the Biological Resources section of this Mitigated Negative Declaration. There are no additional impacts that would otherwise substantially degrade water quality. This impact would be less than significant.

g. The project site is not located within a 100-year floodplain (Flood Zone C; Federal Emergency Management Agency Flood Insurance Rate Map Panel 060040 0700 D; areas of minimal flooding). There would be no impact.

h. The project site is not located within a 100-year floodplain (Flood Zone C; Federal Emergency Management Agency Flood Insurance Rate Map Panel 060040 0700 D; areas of minimal flooding). There would be no impact.

i. The closest dams and levees to the project site are Cameron park dam and dams and levees on Folsom Lake. This site is two miles uphill from Folsom Lake. Additionally, failure of Folsom Dam is considered remote. The inundation area of the Cameron Park dam failure map does not include this area. There would be no impact.

j. The project area is not near a body of water large enough to generate a seiche, tsunami, or mudflow. The nearest large bodies of water are Lake Tahoe and Folsom Lake. Neither is close enough or large enough to pose seiche risk. Mudflow on this type of soil is unlikely, see geology and soils section. There would be no impact.

Findings: It has been determined that there would be no significant impacts to hydrology or water quality. Identified thresholds of significance for the hydrology and water quality category have not been exceeded and no significant adverse environmental effects would result from the project.

IX. LAND USE PLANNING. *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Physically divide an established community?			X	
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?			X	

Discussion:

A substantial adverse effect on Land Use would occur if the implementation of the project would:

- Result in the conversion of Prime Farmland as defined by the State Department of Conservation;
- Result in conversion of land that either contains choice soils or which the County Agricultural Commission has identified as suitable for sustained grazing, provided that such lands were not assigned urban or other nonagricultural use in the Land Use Map;
- Result in conversion of undeveloped open space to more intensive land uses;
- Result in a use substantially incompatible with the existing surrounding land uses; or
- Conflict with adopted environmental plans, policies, and goals of the community.

a. The project would introduce housing into a partially developed area and require rezoning agricultural land to residential use. The El Dorado County 2004 General Plan Environmental Impact Report analyzed potential build-out and housing stock for the County by 2025. General Plan Policy 2.9.1.2 requires that every five years, as part of the General Plan review and update, actions be taken to decrease forecasted impacts in areas where higher intensity development is found to have a market demand. A study conducted by Bay Area Economics in June 2006 concluded that "Based on the actual growth rates within El Dorado County since 2002 compared to the growth projections contained in the Land Use Forecast Report, growth assumptions in the Land Use Forecast Report are reliable, and in fact somewhat conservative from an environmental impact standpoint." Within four years of General Plan adoption, the growth rate for second dwelling units is at 4 percent of the estimated growth rate for each alternative. The surrounding area is residential in nature and the character of land use would not be significantly

altered by the proposed project. The project would not divide an established community and thus the potential impact would be considered less than significant.

b. The project includes the Rezoning of the site from Exclusive Agriculture (AE) to Estate Residential 5-Acre (RE-5). The El Dorado County General Plan land use designation for the project site is Low Density Residential (General Plan Policy 2.2.1.2). The project would be consistent with this land use designation and would not require a General Plan Amendment.

c. Protected and sensitive natural areas within El Dorado County include: Recovery Plan Area for California Red-legged Frog, Pine Hill Preserve, Migratory Deer Herd Habitats and Sensitive Terrestrial Communities as listed in the California Natural Diversity Database. The project site does not include, nor is it adjacent to any of these Protected and Sensitive Natural Habitat areas. Therefore there would be no potential impact.

Findings: It has been determined that there would be no significant impacts to land uses. The proposed project would change the zoning for the proposed site from agricultural to residential, however this would not result in significant impacts. Identified thresholds of significance for the aesthetics category have not been exceeded and no significant adverse environmental effects would result from the project.

X. **MINERAL RESOURCES.** *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Discussion:

A substantial adverse effect on Mineral Resources would occur if the implementation of the project would:

- Result in obstruction of access to, and extraction of mineral resources classified MRZ-2x, or result in land use compatibility conflicts with mineral extraction operations.

a. The project site is not located within the overlay zone designated in the Zoning Ordinance for areas with known mineral resources. There is no impact.

b. The project would not limit the ability of property owners to extract mineral resources should such resources become known in the future. There is no impact.

Findings: It has been determined that there would be no significant impacts to mineral resources. Identified thresholds of significance for the mineral resources category have not been exceeded and no significant adverse environmental effects would result from the project.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. NOISE. *Would the project result in:*				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise level?				X
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Discussion:

A substantial adverse effect due to Noise would occur if the implementation of the project would:

- Result in short-term construction noise that creates noise exposures to surrounding noise sensitive land uses in excess of 60dBA CNEL;
- Result in long-term operational noise that creates noise exposures in excess of 60 dBA CNEL at the adjoining property line of a noise sensitive land use and the background noise level is increased by 3dBA, or more; or
- Results in noise levels inconsistent with the performance standards contained in Table 6-1 and Table 6-2 in the El Dorado County General Plan.

a. Noise would be generated on the project site from construction activities associated with new homes and improvements to roadways and infrastructure. This noise generation would be temporary and intermittent in nature. Construction noise would be subject to Policy 6.5.1.11 of the El Dorado County General Plan Noise Element. This policy identifies maximum allowable noise exposure for construction generated noise, and outlines limited construction hours to ensure less than significant impacts from construction-related noise. Compliance with the above noise policy would be sufficient to ensure that impacts due to construction noise are less than significant.

b. Ground borne vibrations are associated with heavy vehicles (i.e. railroad) and with heavy equipment operations. All noise generation due to construction activities would be required to comply with Policy 6.5.1.11 of the El Dorado County General Plan Noise Element. Vehicle traffic generated by the proposed project would be typical of traffic generated by the adjacent residential uses; passenger cars and trucks, which are not a source of significant vibration. This impact would be considered less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact

c. Construction of the 19 additional homes and their use would result in periodic noise generation from the use of vehicles, noises generated on home sites, and landscape maintenance. Noise thresholds have been created in the form of General Plan polices to mitigate impacts to less than significant levels for impacts associated with noise. Cumulative impacts were previously considered and analyzed. In this instance, adherence to General Plan Policy 6.5.1.11 shall mitigate noise impacts to less than significant levels. The overall types and volumes of noise would not be excessive and would be similar in character to surrounding land uses. This impact would be considered less than significant.

d. The construction phase of the project would result in an increase in ambient noise levels. Construction noise would be temporary and would be minimized by compliance with Policy 6.5.1.11 of the El Dorado County General Plan Noise Element. Project operation would also result in periodic noise generation above current levels from the use of vehicles, landscaping equipment, etc. The overall types and volumes of noise from project operation would not be excessive and would be similar in character to surrounding land uses. Thus, as a result, this impact would be less than significant.

e. The project site is not located within an airport land use plan or within two miles of an airport. The Cameron Airpark Airport is the nearest airport to the project area and is approximately five miles away. The project site would be located outside of the 55dB CNEL area on the airport noise contour map for Cameron Park Airport. Thus there would be no impact.

f. The project site is not located within two miles of a private airstrip and there would be no potential impact.

Findings: It has been determined that there would be no significant impacts due to noise. The project would increase ambient noise levels during construction; however, this is mitigated by limiting the hours of operation. Additional noise increases would result from implementation of the project, however, identified thresholds of significance for the noise category have not been exceeded and no significant adverse environmental effects would result from the project.

XII. **POPULATION AND HOUSING.** *Would the project:*				
a. Induce substantial population growth in an area, either directly (i.e., by proposing new homes and businesses) or indirectly (i.e., through extension of roads or other infrastructure)?			X	
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Discussion:

A substantial adverse effect on Population and Housing would occur if the implementation of the project would:

- Create substantial growth or concentration in population;
- Create a more substantial imbalance in the County's current jobs to housing ratio; or
- Conflict with adopted goals and policies set forth in applicable planning documents.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact

a,b,c. To avoid impacts associated with an increase in population growth potential displacement of housing or residents, General Plan Policy 2.9.1.2 requires that every five years, as part of the General Plan review and update, actions can be taken to decrease forecasted impacts in areas where higher intensity development is found to have a market demand. A recent study conducted by Bay Area Economics in June 2006 concluded that "Based on the actual growth rates within El Dorado County since 2002 compared to the growth projections contained in the Land Use Forecast Report, it appears that the growth assumptions in the Land Use Forecast Report are reliable, and in fact somewhat conservative from an environmental impact standpoint." The proposed project could include up to 19 residential units. Assuming 2.8 persons per household[4] in the primary units, population could increase by approximately 54 persons. Assuming all residential units include a primary and secondary unit, the population could increase to approximately 107 persons. Assuming growth beyond the primary units the additional population would not be considered a significant population growth. Therefore, potential impacts as a result of increased population and displacement of housing or residents would be considered less than significant.

Findings: It has been determined that there would be no significant impacts to population or housing. The project would not substantially increase the population, nor displace housing or residents. Identified thresholds of significance for the population and housing category have not been exceeded and no significant adverse environmental effects would result from the project.

XIII. **PUBLIC SERVICES.** *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*				
a. Fire protection?			X	
b. Police protection?			X	
c. Schools?			X	
d. Parks?			X	
e. Other government services?			X	

Discussion:

A substantial adverse effect on Public Services would occur if the implementation of the project would:

- Substantially increase or expand the demand for fire protection and emergency medical services without increasing staffing and equipment to meet the Department's/District's goal of 1.5 firefighters per 1,000 residents and 2 firefighters per 1,000 residents, respectively;
- Substantially increase or expand the demand for public law enforcement protection without increasing staffing and equipment to maintain the Sheriff's Department goal of one sworn officer per 1,000 residents;
- Substantially increase the public school student population exceeding current school capacity without also including provisions to adequately accommodate the increased demand in services;

[4] El Dorado County General Plan, July 2004, Chapter 2 land Use, Table 2-2, Page 19.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact

- Place a demand for library services in excess of available resources;
- Substantially increase the local population without dedicating a minimum of 5 acres of developed parklands for every 1,000 residents; or
- Be inconsistent with County adopted goals, objectives or policies.

a. Fire protection for the project site would be currently provided by the California Department of Forestry and Fire. The project site would be annexed, through discretionary approval of LAFCO, into the El Dorado Hills Fire Department and would be within the Department's Response Zone 84b. The closest fire station to the project site would be Station 84 located at 2180 Francisco Drive just over one mile west of the project site. The development and annexation of new homes in the District would result in an increased demand for services but would not significantly impact the Department. The applicant would be responsible for the payment of development fees to the District which would help fund required capitol improvements. Additionally, a portion of property taxes collected from the proposed development would fund ongoing operations of the Department. With annexation into the Department and payment of fees, this impact would be less than significant.

b. The El Dorado County Sheriff's Department would provide law enforcement services to the proposed development. The El Dorado Hills Satellite Sheriff Station is located at 981 Governors Drive approximately three miles southwest of the project site. The development of new homes on the project site would result in an increase in calls for service but would not significantly impact the Department. The project applicant would be responsible for the payment of development fees to the Department to offset any project impacts. As a result, this impact would be considered less than significant.

c. The project site would be located within the Rescue Union School District and the El Dorado Union High School District. The occupancy of proposed residences may result in new enrollments at local schools. Under Senate Bill 50, school districts can levy developer fees from residential construction to pay for school improvements. Fees would be assessed as part of the County's building permit process and are sufficient to offset any project impacts to the school district resulting in a less than significant impact.

d. Park and recreation services would be provided by the County and special districts, which maintain facilities within the County. It should be noted that although the subdivision is not within the service boundaries of the El Dorado Hills Community Services District and no property tax increment would be allotted to the District, future residents would likely use the District's parks and recreation facilities, creating a "free-rider" situation. There are numerous parks located within five miles of the project site with a total area of over 50 acres. The applicant would be required to dedicate land or pay a fee pursuant to Section 16.12.090 of the County Subdivision Ordinance to mitigate the increased demand for parkland. Thus, this impact would be considered less than significant.

e. No other government services would be adversely affected by the project and any potential impacts are less than significant.

Findings: It has been determined that there would be no significant impacts to public services. There are adequate police, fire, school, park, and other public services available to serve the proposed project without resulting in significant impacts to the physical environment. Identified thresholds of significance for the public services category have not been exceeded and no significant adverse environmental effects would result from the project.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
XIV. RECREATION.				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Discussion:

A substantial adverse effect on Recreational Resources would occur if the implementation of the project would:

- Substantially increase the local population without dedicating a minimum of 5 acres of developed parklands for every 1,000 residents; or
- Substantially increase the use of neighborhood or regional parks in the area such that substantial physical deterioration of the facility would occur.

a. Park and recreation services would be provided by the County and special districts, which maintain facilities within the County. Using the standard of five acres of parkland for every 1,000 residents, this project would result in the demand for less than one acre of new parkland. The project applicant would be required to dedicate land or pay a fee pursuant to Section 16.12.090 of the County Subdivision Ordinance to mitigate the increased demand for parkland. As a result, this impact would be considered less than significant.

b. The project does not include nor require the construction or expansion of recreational facilities. There would be no impact.

Findings: It has been determined that there would be no significant impacts to recreational resources. The project applicant would be required to dedicate land or pay a fee to offset impacts to community park facilities. Identified thresholds of significance for the recreation category have not been exceeded and no significant adverse environmental effects would result from the project.

XV. TRANSPORTATION/TRAFFIC. *Would the project:*				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X	
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X

XV. TRANSPORTATION/TRAFFIC. *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e. Result in inadequate emergency access?			X	
f. Result in inadequate parking capacity?			X	
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

Discussion:

A substantial adverse effect on Traffic would occur if the implementation of the project would:

- Result in an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system;
- Generate traffic volumes which cause violations of adopted level of service standards (project and cumulative); or
- Result in, or worsen, Level of Service "F" traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county as a result of a residential development project of 5 or more units.

a. A Traffic Impact and Operations Analysis was prepared for the proposed project by KD Anderson and Associates, Inc. in August 2006. Additional analysis was also provided by Kimley-Horn and Associates for a proposed road extension to Green Valley Road and overall traffic circulation for additional projects within the immediate vicinity in August 2008. According to the original analysis by KD Anderson and Associate, Inc., once fully occupied the proposed development would generate 182 total daily trips, with 14 trips occurring in the AM peak hour, and 19 trips occurring within the PM peak hour. These estimates are based on the Institute of Transportation Engineers *Trip Generation Manual 7th Edition.* The project would not cause a substantial increase in traffic in relation to the existing traffic load or capacity of the street system. See Response (b) below. The off-site roadway connection to Green Valley Road would further reduce impacts associated with Traffic. This impact would be considered less than significant.

b. According to the traffic analysis, once fully occupied the proposed development would generate 182 total daily trips, with 14 trips occurring in the AM peak hour, and 19 trips occurring within the PM peak hour. These estimates are based on the Institute of Transportation Engineers *Trip Generation Manual 7th Edition.*

The County's level of service standard specifies the following:

> "Level of Service (LOS) for County-maintained roads and State highways within the unincorporated areas of the County shall not be worse than LOS E in the Community Regions." (Policy TC-Xd) The proposed project would be within the Cameron Park Community Region.
>
> "If a project causes the peak hour level of service or volume/capacity ratio on a County road or State highway that would otherwise meet the County standards (without the project) to exceed the (given) values, then the impact shall be considered significant."

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact

Analysis of existing traffic conditions at the study intersections were based on peak-hour traffic counts conducted in January 2006 and also August 2008 for five adjacent projects. The following study intersections were included in the traffic analysis:

1. Salmon Falls Road at Malcolm-Dixon Road (two way stop control)
2. Green Valley Road at Allegheny Road/Silva Valley Parkway (two way stop control)
3. Green Valley Road at Malcolm-Dixon Road (two way stop control)
4. Salmon Falls Road at La Canada Access
5. Green Valley Road at Chartraw Road
6. Malcom Dixon at Western Diamante Estates Access
7. Malcom Dixon Road at Chartraw Road (South "T")
8. Malcom Dixon Road at Chartraw Road (North "T")

TABLE 1
Proposed Development Area Trip Generation August 2008

ITE Land Use (Code)	# Units	Total Daily Trips	AM Peak Hour					PM Peak Hour				
			Total Trips	IN		OUT		Total Trips	IN		Out	
				%	Trips	%	Trips		%	Trips	%	Trips
Single Family Detached Housing	115	1,182	90	25%	22	75%	67	122	63%	77	37%	45

Existing Conditions: The weekday AM and PM peak-hour intersection turning movement traffic counts were conducted between the hours of 6:30 a.m. and 9:30 a.m. and 4 p.m. and 7 p.m., respectively. The existing level of service (LOS) for the study intersections are shown in Table 2 below.

Table 2
Existing Levels of Service

Intersection (Traffic Control)	AM Peak Hour		PM Peak Hour	
	Delay* (seconds)	LOS	Delay* (seconds)	LOS
Salmon Falls Road @ Malcolm Dixon Road (TWSC)	11.4	B	12.6	B
Green Valley Road @ Allegheny Road / Silva Valley Parkway (TWSC)	91.5	F	115.9	F
Malcolm Dixon Road @ Green Valley Road (TWSC)	15.0	C	15.4	C
*Control delay for worst minor approach				

As indicated in Table 2, the study intersections operate from LOS B to LOS F during the AM and PM peak hours.

Existing plus Project Conditions: Peak-hour traffic associated with the proposed project was added to the existing traffic volumes and levels of service were determined at the study intersections. Table 3 provides a summary of the intersection analysis.

The El Dorado County Department of Transportation has indicated that the Green Valley Road intersection with Allegheny Road/Silva Valley Parkway is scheduled for traffic signal installation and the addition of turn lanes in mid-2006. These improvements would increase the LOS at this intersection to LOS B for both the AM and PM peak hours.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact

Table 3
Existing plus Proposed Project Levels of Service

Intersection (Traffic Control)	AM Peak Hour		PM Peak Hour	
	Delay (seconds)	LOS	Delay (seconds)	LOS
Salmon Falls Road @ Malcolm Dixon Road (TWSC)	11.5**	B	12.7**	B
Green Valley Road @ Allegheny Road / Silva Valley Parkway (Signal*)	18.2***	B	16.4***	B
Malcolm Dixon Road @ Green Valley Road (TWSC)	15.3**	C	15.7**	C

* Assumes traffic signal is in-place
** Control delay for worst minor approach
*** Average intersection control delay

As indicated in Table 3, the study intersections operate at LOS B or LOS C with the intersection improvement and the addition of project traffic during the AM and PM peak hours. Therefore, the project would not individually exceed a level of service standard established by the County. This impact would be less than significant.

Existing plus Approved Projects (2011) Conditions: Peak hour traffic volume projections for the study area roadway segments were developed and used to determine the levels of service at the study intersections under 2011 conditions. Table 4 provides a summary of the intersection analysis.

Table 4
Existing plus Approved Projects (2011) Levels of Service

Intersection (Traffic Control)	AM Peak Hour		PM Peak Hour	
	Delay* (seconds)	LOS	Delay* (seconds)	LOS
Salmon Falls Road @ Malcolm Dixon Road (TWSC)	12.4*	B	13.2*	B
Green Valley Road @ Allegheny Road / Silva Valley Parkway (Signal*)	19.4**	B	17.4**	B
Malcolm Dixon Road @ Green Valley Road (TWSC)	17.0*	C	16.9*	C

*Control delay for worst minor approach
** Average intersection control delay

As indicated in Table 4, the study intersections operate at LOS B or LOS C during the AM and PM peak hours.

Existing plus Approved Projects (2011) plus Proposed Project Conditions: Peak hour traffic associated with the proposed project was added to the existing plus approved projects traffic volumes and LOS was determined at the study intersections. Table 5 provides a summary of the intersection analysis.

Table 5
Existing plus Approved Projects (2011) plus Proposed Project Levels of Service

Intersection (Traffic Control)	AM Peak Hour		PM Peak Hour	
	Delay (seconds)	LOS	Delay (seconds)	LOS
Salmon Falls Road @ Malcolm Dixon Road (TWSC)	12.6*	B	13.4*	B
Green Valley Road @ Allegheny Road / Silva Valley Parkway (Signal*)	19.5**	B	17.7**	B

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact

Malcolm Dixon Road @ Green Valley Road (TWSC)	17.4*	C	17.2*	C
*Control delay for worst minor approach ** Average intersection control delay				

As indicated in Table 5, the study intersections operate at LOS B or LOS C during the AM and PM peak hours. Therefore, the project would not cumulatively exceed a level of service standard established by the County. This impact would be less than significant.

c. The project would not result in a change in air traffic patterns. There would be no impact.

d. The project does not contain any design features that could create a hazard. The project may include road and driveway construction on grades of up to 30 percent; however, compliance with a required grading permit would ensure proper grading and safe conditions. Properties surrounding the project site are either undeveloped or developed with similar uses. No incompatibility would result from project implementation and thus this potential impact would be considered less than significant.

e. The project includes two gated access points to the project site as well as a third potential access point that would be constructed to the south creating a new connection to Green Valley Road from Malcolm Dixon. According to the Traffic Impact and Operations Analysis prepared for the proposed project, project implementation would not adversely affect emergency vehicle access at the project site or study intersections. Additionally, the project design must comply with emergency access standards contained in the El Dorado County SRA Fire Safe Regulations (Title 14, Division 1.5, Chapter 7, Subchapter 2, Article 2 Emergency Access) with regard to road width, surface, grade, and radius; turnouts; driveways; and gating. County review of the proposed Tentative Subdivision Map would ensure compliance with these standards. This impact would be less than significant.

f. The project would comply with Section 17.18.060 of the County Code requiring two off street parking spaces not in tandem for every residential unit. In addition, proposed residences would likely include garages providing additional parking spaces. This impact would be less than significant.

g. Currently, there are no public transit services located in the immediate vicinity of the proposed project. The proposed project would not be of sufficient size or density to support public transit services. The project proposes no design characteristics, uses, or features that conflict with any plans, policies, or programs supporting alternative transportation and thus there would be no impact.

Findings: It has been determined that there would be no significant impacts to traffic, emergency access, air traffic, parking, or public transit. Identified thresholds of significance for the traffic and transportation category have not been exceeded and no significant adverse environmental effects would result from the project.

XVI. UTILITIES AND SERVICE SYSTEMS. *Would the project:*				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	

XVI. UTILITIES AND SERVICE SYSTEMS. *Would the project:*	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f. Be served by a landfill with sufficiently permitted capacity to accommodate the project's solid waste disposal needs?			X	
g. Comply with federal, state, and local statutes and regulations related to solid waste?			X	

Discussion:

A substantial adverse effect on Utilities and Service Systems would occur if the implementation of the project would:

- Breach published national, state, or local standards relating to solid waste or litter control;
- Substantially increase the demand for potable water in excess of available supplies or distribution capacity without also including provisions to adequately accommodate the increased demand, or is unable to provide an adequate on-site water supply, including treatment, storage and distribution;
- Substantially increase the demand for the public collection, treatment, and disposal of wastewater without also including provisions to adequately accommodate the increased demand, or is unable to provide for adequate on-site wastewater system; or
- Result in demand for expansion of power or telecommunications service facilities without also including provisions to adequately accommodate the increased or expanded demand.

a. The project proposes the subdivision of the site into 19 residential lots with individual septic systems serving each home. Field test data and on-site soil evaluations performed on the site indicate adequate soil conditions for installation of standard septic tank infiltration trench systems, which demonstrated soil depths of at least 7.5 feet.[5] Further, the septic systems fall under the authority of the El Dorado County Department of Environmental Health, and under the regulations of the Regional Water Quality Control Board. Septic systems designed and installed on site must meet State and county standards, and thus will not exceed any standards of the Regional Water Quality Control Board. The impact would be less than significant.

b. The proposed project would include the construction of 19 new homes. Each home would have an individual septic system and would not require the construction or expansion of wastewater facilities. Water service to the site would be provided by the El Dorado Irrigation District. This would require the expansion of facilities to serve the site. Annexation of the project site into EID would be required. All costs associated with annexation would be paid by Diamante Development LLC. Additional facilities would be required for service from EID, including construction

[5] Duncan, Ron, Onsite Sewage Disposal Study for Malcolm Dixon Road Project, May 11, 2006.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact

of a booster pump station at the Salmon Falls tank site. This pump must be sized appropriately for all lands that would be served. This impact would be less than significant.

c. Storm drainage facilities required by the project are limited to on-site drainage ditches and culverts. Potential environmental effects of constructing these drainage facilities are considered throughout this document as part of the project. Any potential impacts would be avoided through the implementation of the County Grading Ordinance and thus this potential impact would be considered less than significant.

d. The proposed project includes the annexation of the project site into the El Dorado Irrigation District (EID) for the provision of domestic water and fire hydrants. LAFCO's discretionary approval would be required for annexation, and contiguity must be established prior to annexation. According to the EID Facility Improvement Letter for the project dated February 26, 2009, states that "The District has secured additional water rights and is in the process of obtaining approvals for diverting these additional supplies at Folsom lake. The District is also underway with a phased expansion of the El Dorado Hills Water Treatment plant that will increase water supply availability for the District. At this time, however, the District cannot estimate when this new water supply will be available to the projects that don't already have a contractual commitment with the District for water service."

Pursuant to Section 15.16.050 of the El Dorado County Code, no permit shall be issued for the construction of a building having plumbing facilities therein, until proof of an adequate water supply would be provided as required by the Division of Environmental Management.

Compliance with the County Code would ensure that the project would not be approved unless this water supply actually becomes available and would be committed to the project. EID service to the proposed project would be contingent upon the project's contiguity to EID's service area, LAFCO approval of the annexation, the future availability of water supply, approval of the Facility Plan Report, construction of all water facilities, and acceptance of the facilities by EID. The potential impact would be considered less than significant.

e. Wastewater service would be provided by on-site septic systems. There would be no impact.

f. In December of 1996, direct public disposal into the Union Mine Disposal Site was discontinued and the Material Recovery Facility/Transfer Station was opened. Only certain inert waste materials (e.g., concrete, asphalt, etc.) may be dumped at the Union Mine Waste Disposal Site. All other materials that cannot be recycled are exported to the Lockwood Regional Landfill near Sparks, Nevada. In 1997, El Dorado County signed a 30-year contract with the Lockwood Landfill Facility for continued waste disposal services. The Lockwood Landfill has a remaining capacity of 43 million tons over the 655-acre site. Approximately six million tons of waste was deposited between 1979 and 1993. This equates to approximately 46,000 tons of waste per year for this period.

After July of 2006, El Dorado Disposal began distributing municipal solid waste to Forward Landfill in Stockton and Kiefer Landfill in Sacramento. Pursuant to El Dorado County Environmental Management Solid Waste Division staff, both facilities have sufficient capacity to serve the County. Recyclable materials are distributed to a facility in Benicia and green wastes are sent to a processing facility in Sacramento. Impacts would be less than significant.

g. Assembly Bill 939, known as the California Integrated Waste Management Act of 1989, mandates all jurisdictions to divert 50 percent of their waste from the landfill by the year 2000. El Dorado County did not meet the year 2000 diversion goal achieving only a 38 percent diversion rate in the year 2001. The County applied for and received a time extension until July 1, 2004. A preliminary diversion rate summary for the County indicates that the diversion goal was achieved in 2005. The proposed project would be required by County Ordinance to divert 50 percent of all

construction debris. Additionally, residential recycling collection service would be provided to the proposed development by the County. This impact would be less than significant.

Findings: It has been determined that there would be no significant impacts to water, wastewater, drainage, or solid waste utilities. Identified thresholds of significance for the utilities and service systems category have not been exceeded and no significant adverse environmental effects would result from the project.

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

Discussion:

a. The project has the potential to result in adverse impacts to biological resources. Potential impacts to biological resources include the alteration of habitat and/or direct impacts to candidate, sensitive or special status species and impacts to riparian areas. Impacts to candidate, sensitive or special status species would be mitigated by **MM BIO-1,** which requires surveys for raptors at appropriate times prior to construction and consultation with the California Department of Fish and Game to determine appropriate avoidance measures. **MM BIO-2** and **MM BIO-3** will ensure that potential impacts to riparian areas and streams are mitigated to avoid potential significant impacts. Additional impacts to biological resources are less than significant.

b. The project would not involve development or changes in land use that would result in an excessive increase in population growth. Impacts due to increased demand for public services associated with the project would be offset by the payment of fees as required by service providers to extend the necessary infrastructure services. The project would not contribute substantially to increased traffic in the area and the project would not require an increase in the wastewater treatment capacity of the County. The project would result in the generation of green house gasses, which could contribute to global climate change. However, the amount of greenhouse gases generated by the project would be negligible compared to global emissions or emissions in the county, so the project would not substantially contribute cumulatively to global climate change. Further, as discussed throughout this environmental document, the project would not contribute to a substantial decline in water quality, air quality, noise, biological resources, agricultural resources, or cultural resources under cumulative conditions. Cumulatively considerable impacts associated with the project are less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact

c. All impacts identified in this MND are either less than significant after mitigation or less than significant and do not require mitigation. Therefore, the proposed project would not result in environmental effects that cause substantial adverse effects on human beings either directly or indirectly. Impacts would be less than significant.

Findings: It has been determined that the proposed project would not result in significant environmental impacts. The above potentially significant impacts to biological resources have been identified within this document and, when appropriate, mitigation measures have been applied which reduce these impacts to less than significant. The project would not exceed applicable environmental standards, nor significantly contribute to cumulative environmental impacts.

SUPPORTING INFORMATION SOURCE LIST

The following documents are available at El Dorado County Planning Services in Placerville

El Dorado County General Plan - Volume I - Goals, Objectives, and Policies

El Dorado County General Plan - Volume II - Background Information

Findings of Fact of the El Dorado County Board of Supervisors for the General Plan

El Dorado County Zoning Ordinance (Title 17 - County Code)

County of El Dorado Drainage Manual (Resolution No. 67-97, Adopted March 14, 1995)

County of El Dorado Grading, Erosion and Sediment Control Ordinance (Ordinance No. 3883, amended Ordinance Nos. 4061, 4167, 4170)

El Dorado County Design and Improvement Standards Manual

El Dorado County Subdivision Ordinances (Title 16 - County Code)

Soil Survey of El Dorado Area, California

California Environmental Quality Act (CEQA) Statutes (Public Resources Code Section 21000, et seq.)

Title 14, California Code of Regulations, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (Section 15000, et seq.)

Additional References:

Duncan, Ron, Onsite Sewage Disposal Study for Malcolm Dixon Road Project. (May 11, 2006)

ECORP Consulting, Inc. Wetland Delineation for El Dorado 112 El Dorado County, California. (January 19, 2006)

ECORP Consulting, Inc. Special Status Species Evaluation El Dorado County, California (June 12, 2008)

ECORP Consulting, Inc. Test Program Results and Evaluation for Cultural Resources at Diamante Estates El Dorado County (May 2009)

El Dorado Irrigation District FIL0209-006 dated February 26, 2009

KD Anderson and Associates, Inc. Trip generation letter report. (August 25, 2006)

KD Anderson and Associates, Inc. Air quality letter report. (August 27, 2006)

Miriam Green Associates, Special Status Plant Surveys for the Chartraw Road Extension, August 5, 2008.

North Central Information Center. Record Search Results for 114 Acres on Malcolm Dixon Road. (May 12 2006)

Sierra Nevada Arborists. Diamante Development LLC Malcolm-Dixon 113 Project Site County of El Dorado, California. (May 23 2006 & June 11, 2008)