

**COUNTY OF EL DORADO DEVELOPMENT SERVICES  
PLANNING COMMISSION  
STAFF REPORT**



**Agenda of:** November 18, 2010  
**Item No.:** 8  
**Staff:** Aaron Mount

**REZONE**

**FILE NUMBER:** Z08-0011/Jose Wine Cave

**AGENT:** Ted Bechard

**APPLICANT** Alfonso P. Elena

**REQUEST:** Zone Change from Residential Agricultural-20 (RA-20) to Planned Agricultural (PA).

**LOCATION:** On the west side of Prospectors Road, approximately one mile north of the intersection with Marshall Road in the Coloma area, Supervisorial District IV. (Exhibit A).

**APN:** 088-440-13 (Exhibit B)

**ACREAGE:** 40.01 acres

**GENERAL PLAN:** Rural Residential (RR) (Exhibit C)

**ZONING:** Residential Agricultural-20 (RA-20) (Exhibit D)

**ENVIRONMENTAL DOCUMENT:** Negative Declaration

**RECOMMENDATION:** Planning Services recommends the Planning Commission forward the following recommendation to the Board of Supervisors:

1. Adopt the Negative Declaration based on the Initial Study prepared by staff; and
2. Approve Rezone application Z08-0011 based on the Findings in Attachment 1.

**BACKGROUND:** The proposed Rezone from RA-20 to PA would allow uses allowed by right under the Winery Ordinance that currently require a special use permit. As discussed in the Zoning section below, the Agricultural Commission has reviewed the project and has recommended approval of the Rezone (Exhibit H).

**STAFF ANALYSIS:** Staff has reviewed the project for compliance with the County’s regulations and requirements. An analysis of the proposal and issues for Planning Commission consideration are provided in the following sections.

**Project Description:** The request would rezone the project site from Residential Agricultural-20 (RA-20) to Planned Agricultural (PA). The change is being requested to pursue the uses allowed by right under the Winery Ordinance. The current zoning would require a special use permit be obtained to allow a winery and its accessory uses. Future winery operations would utilize the existing permitted encroachment onto Prospectors Road, a County maintained road.

**Site Description:** The project site is located on a southwest facing ridge in the Coloma/Lotus area. Elevation of the project site ranges from approximately 1,400 feet to 1,800 feet above sea level. The site has moderate to severe slopes and contains chaparral vegetation. Existing improvements within the parcel include over five acres of vineyard, a barn under construction, and a driveway. Access to the project site is from Prospectors Road, a county maintained road.

**Adjacent Land Uses:**

	Zoning	General Plan	Land Use/Improvements
Site	RA-20	RR	Agriculture, Existing permit for a barn
North	RA-20	RR	Agriculture, Undeveloped
South	RA-20	RR	Agriculture, Undeveloped
East	AE	RR/AL	Agriculture, Agricultural Structures
West	RA-20	RR	Undeveloped, US BLM land

The subject site is located in a Rural Region adjacent to low-density residential, undeveloped, and agricultural lands. The proposed Rezone to PA would allow for agricultural and winery uses that would be consistent within the Rural Residential land use designation and adjacent uses. No new agricultural setbacks would be applied to adjacent parcels as the subject parcels current zoning requires them.

**General Plan:** The General Plan designates the subject site as Rural Residential (RR) which typical uses include single-family residences, agricultural support structures, and a full range of agricultural production uses, recreation, and mineral development activities. The proposed zone change to PA is consistent with the RR land use designation and Table 2-4 of the General Plan. Additionally, the following General Plan policies also apply to this project:

General Plan Policy 2.2.5.3 directs that 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 that would support a higher density or intensity 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;*
2. *Availability and capacity of public treated water system;*
3. *Availability and capacity of public waste water treatment system;*

The project site is not located within a public water district and is currently served by well water. Currently there are issued building permits for a barn. Any future expansion for a winery or other agricultural expansion that would require water or sewage disposal may require a new septic system and additional water services. All septic systems would be reviewed by Environmental Management for consistency with County standards.

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

The project is located within the Black Oak Mine Unified School District. The proposed Rezone would allow an increased range of agricultural uses permitted by right and would not allow additional residential density that would increase the existing demand on the public school system.

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

The project parcel is located within the Garden Valley Fire Protection District. The nearest station is approximately 1.6 miles north east of the site. Any future development would be reviewed by the District during the building permit process to ensure compliance with the Fire Safe Regulations. The site currently contains adequate access to a County maintained road.

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

The project parcel is located 1.3 miles north east of the Lotus and Coloma Rural Centers.

7. *Erosion hazard;*

Potential erosion hazards are unlikely. No grading is proposed with the Rezone application. Future development must adhere to the County's grading and erosion control requirements. The site has steep slopes but is composed of thin rocky soils. The likelihood of severe erosion hazards due to expanded agricultural uses on the site would be low. Any grading related to expansion of the vineyard would be reviewed by the Agricultural Department.

8. *Septic and leach field capability;*
9. *Groundwater capability to support wells;*

The project parcels would continue to be served by private septic and well water as discussed under criteria 1 through 3 above. Environmental Management would ensure compliance.

10. *Critical flora and fauna habitat areas;*

The project site is not located within any Rare Plant Mitigation Areas and is not known to have soil types capable of sustaining the Pine Hill Endemic Plant Species. There would be no impact to biological resources.

11. *Important timber production areas;*

The project site does not contain nor is located adjacent to designated important timber areas.

12. *Important agricultural areas;*

The project parcel is located within the Coloma/Lotus area and is currently in use for a vineyard. The proposed Rezone to PA would allow an expanded range of agricultural uses to be permitted by right consistent with the Winery Ordinance. The proposed Rezone would be consistent with the Objectives and Policies of the General Plan in allowing for an increased range of agricultural uses to occur on-site.

General Plan Policy 8.1.4.1 requires a recommendation from the Agricultural Commission for all discretionary project which have the potential to impact agricultural lands. As previously stated, the Ag Commission recommended approval of the proposed Rezone based on findings that the proposed rezone to PA would allow for expanded agricultural use of the site and would not negatively impact the surrounding property owners.

13. *Important mineral resource areas;*

The project site is not mapped as being within a Mineral Resource Zone (MRZ) by the State of California Division of Mines and Geology or in the El Dorado County General Plan.

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

The project site is accessed via Prospectors Road which connects to Marshall Road, both County maintained roads. Marshall Road operates at a level of service (LOS) which is within the thresholds established by the General Plan. Any future winery activities on the site would not exceed the LOS thresholds established by the General Plan as winery activities are normally associated with traffic during off peak hours.

15. *Existing land use pattern;*

As shown on the Zoning Map (Exhibit D), the adjacent parcels are zoned RA-20 and AE. In accordance with General Plan Policy 8.1.3.2, the proposed PA zoning would be considered an agricultural zoning but would not impose a new 200 foot agricultural setback as it applies to the current RA-20 zoning.

The project site is bound by agricultural and residential uses. As proposed, the zone change would be compatible with the existing and potential surrounding agricultural and residential land uses and would not create land use conflicts with surrounding properties.

16. *Proximity to perennial water course;*

The nearest water course would be 1,800 feet west of the project site. Impacts to the water course would be remote.

17. *Important historical/archeological sites;*

The Cultural Resource Study that was prepared for the site did not identify any sensitive resources on the site. Any development of the site would be subject to the requirements of the General Plan Consistency Checklist which would include standard protective measures to be implemented in the event historical or archeological features are discovered during project construction.

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

The project site is not located in a seismic hazard area or in the proximity of any active faults.

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

The site does not have any CC&R's.

**Conclusion:** As discussed above, the proposed Rezone to PA would be consistent with the objectives of the General Plan related to the encouragement of agricultural activities within Rural Regions. The proposed Rezone would not intensify any impacts to biological resources, negatively impact the area, and is consistent with adjacent uses; therefore Planning Services staff finds the project would be consistent with the General Plan.

**Zoning:** In accordance with Section 17.36.150 of the County Code, a proposed Rezone to PA would require a recommendation from the Agricultural Commission. The Agricultural Commission reviewed the project at the September 9, 2009 Agricultural Commission Hearing and recommended approval of the proposed Rezone based on the existing agricultural use of the property.

The proposed Rezone from Residential Agricultural-20 (RA-20) to Planned Agricultural (PA) would allow for an expanded range of agricultural uses to be permitted by right under the Winery

Ordinance. The allowed uses could include a wine tasting room, retail sales of wine, public tours, picnic areas, and special events with attendance of up to 250 persons.

Section 17.36.110 of the County Code establishes the purpose of the PA Zone District is to provide for the orderly development and protection of lands having sufficient space and conditions compatible to horticulture, husbandry and other agricultural pursuits and to promote and encourage these pursuits by providing additional opportunities for the sale, packing, processing, and other related activities which tend to increase their economic viability and to provide for the protection from encroachment of unrelated and incompatible land uses tending to have adverse effects on the development or use of these so designated lands..

Uses Permitted by Right: Both the RA-20 and the PA Zone Districts permit one single family detached dwelling and associated accessory structures. Barns and agricultural structures are also allowed by right. The RA-20 Zone District allows agricultural operations which include raising and grazing of domestic animals and cultivation of crops and the packing, processing and sale of such goods when the nature of the goods.

The PA District would allow for the by-right uses permitted under the winery ordinance. The Winery uses are subject to minimum acreages of crops in production based on the acreage of the site. The project site contains over five acres of vineyard which is the requirement in the Winery Ordinance to pursue the associated by-right uses. The allowed uses could include a wine tasting room, retail sales of wine, public tours, picnic areas, and special events with attendance of up to 250 persons.

Development Standards: The PA Zone District would impose the same setback requirements as the existing RA-20 Zone District. All development would be required to maintain a 30 foot setback for residential development and 50 feet for agricultural uses. Section 17.06.150 of the County Code requires agricultural setbacks of 200 feet for non-compatible uses on adjacent land. The Winery Ordinance, 17.14.200, requires winery and tasting rooms to have a 200 foot setback for parcels outside of an agricultural district. The PA has a maximum building height of 45 feet for residential structures and has no maximum height for agricultural structures. The current barn which has an issued permit meets these development standards.

Conclusion: The development standards of the PA Zone District would allow a range of expanded agricultural and winery activities on the site to be permitted by right. These uses would be more intensive than those allowed under the current RA-20 Zone District including more intensive processing and sales of goods on site related to a winery. Due to the project site location within the Coloma/Lotus Area and adjacent to a County Maintained Road, the proposed Rezone would be consistent in the project area and the range of expanded uses would not be detrimental to the surrounding area. No new agricultural setbacks would be imposed on adjacent parcels as the current zoning requires them.

## **ENVIRONMENTAL REVIEW**

Staff has prepared a Negative Declaration (Exhibit I) to determine if the project may have a significant effect on the environment. It has been determined that the project would avoid any potentially significant environmental effects as the land use designation has been fully analyzed in the General Plan EIR. The initial study discussed the potential impacts of the by-right winery uses that would be allowed if the zone change is approved. It was found that all impacts would be less than significant. Staff has determined that there is no substantial evidence that the proposed project would have a significant effect on the environment.

In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$2,010.25 after approval, but prior to the County filing the Notice of Determination on the project. This fee, plus a \$50.00 recording fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$2,010.25 is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

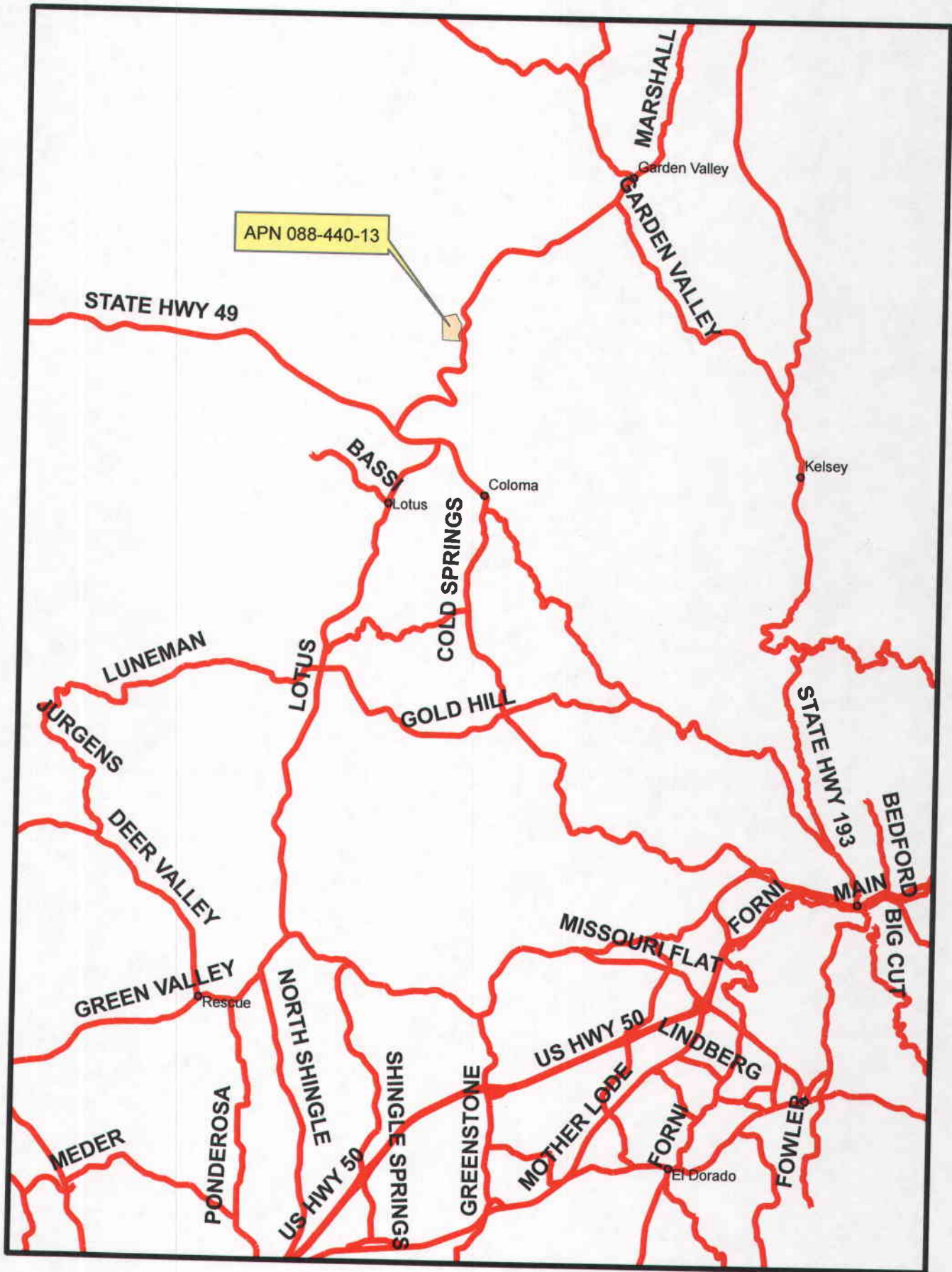
## SUPPORT INFORMATION

### Attachments:

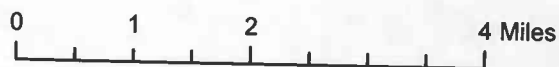
Attachment 1 .....	Findings
Exhibit A .....	Location Map
Exhibit B .....	Assessor's Parcel Map
Exhibit C .....	General Plan Land Use Map
Exhibit D .....	Zone District Map
Exhibit E .....	Site Plan
Exhibit F .....	Aerial Photograph
Exhibit G .....	Agricultural Commission Report
Exhibit H .....	Environmental Checklist Form



# EXHIBIT A: LOCATION MAP



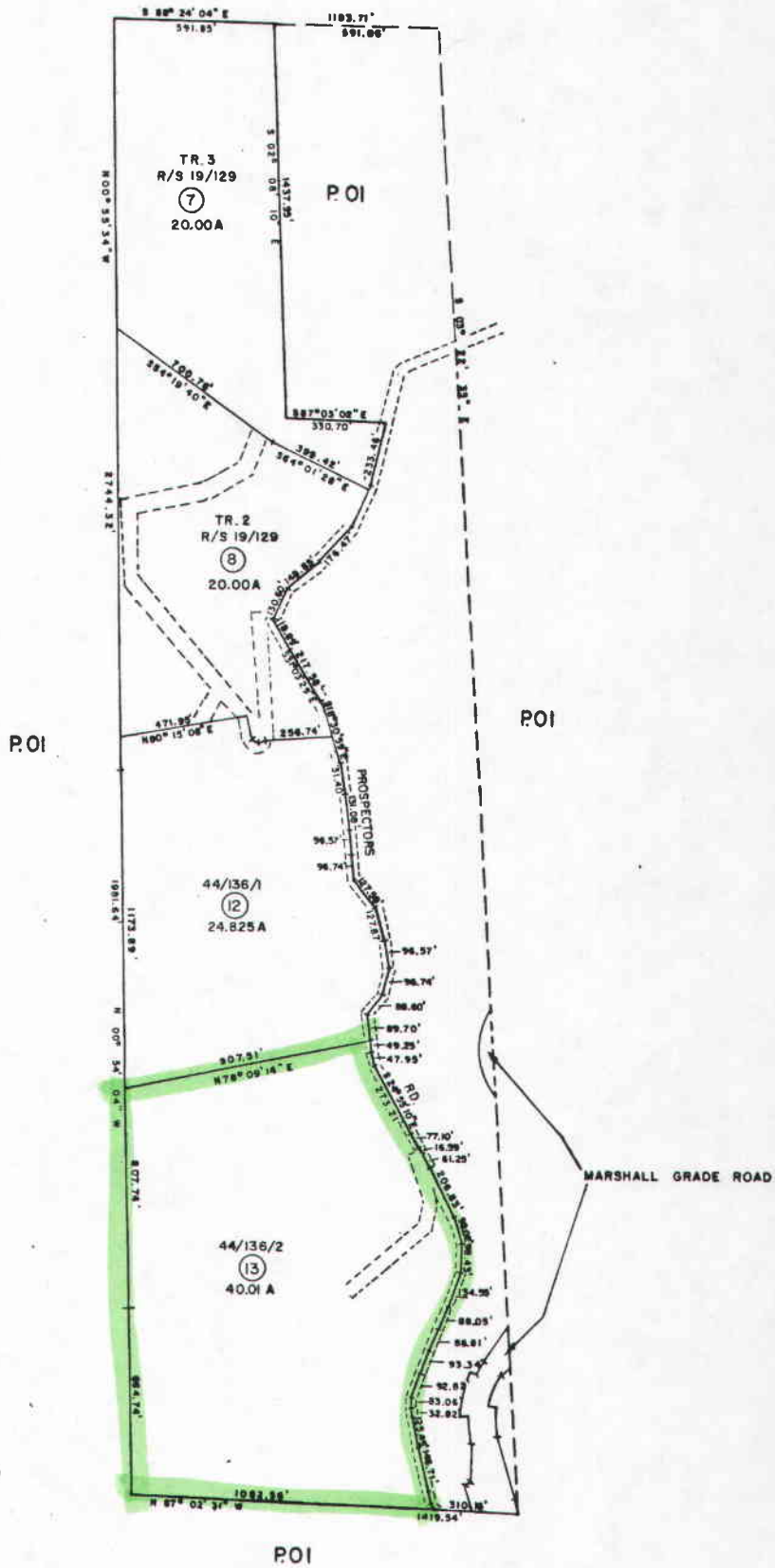
PERMIT # Z08-0011  
PREPARED BY AARON MOUNT



10-1304.C.9

# EXHIBIT B

BK. 60



NOTE - Assessor's Block Numbers Shown in Ellipses  
Assessor's Parcel Numbers Shown in Circles

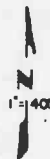
Assessor's Map Bk. 60 - Pg. 44  
County of El Dorado, California

FEB 0 9 2001

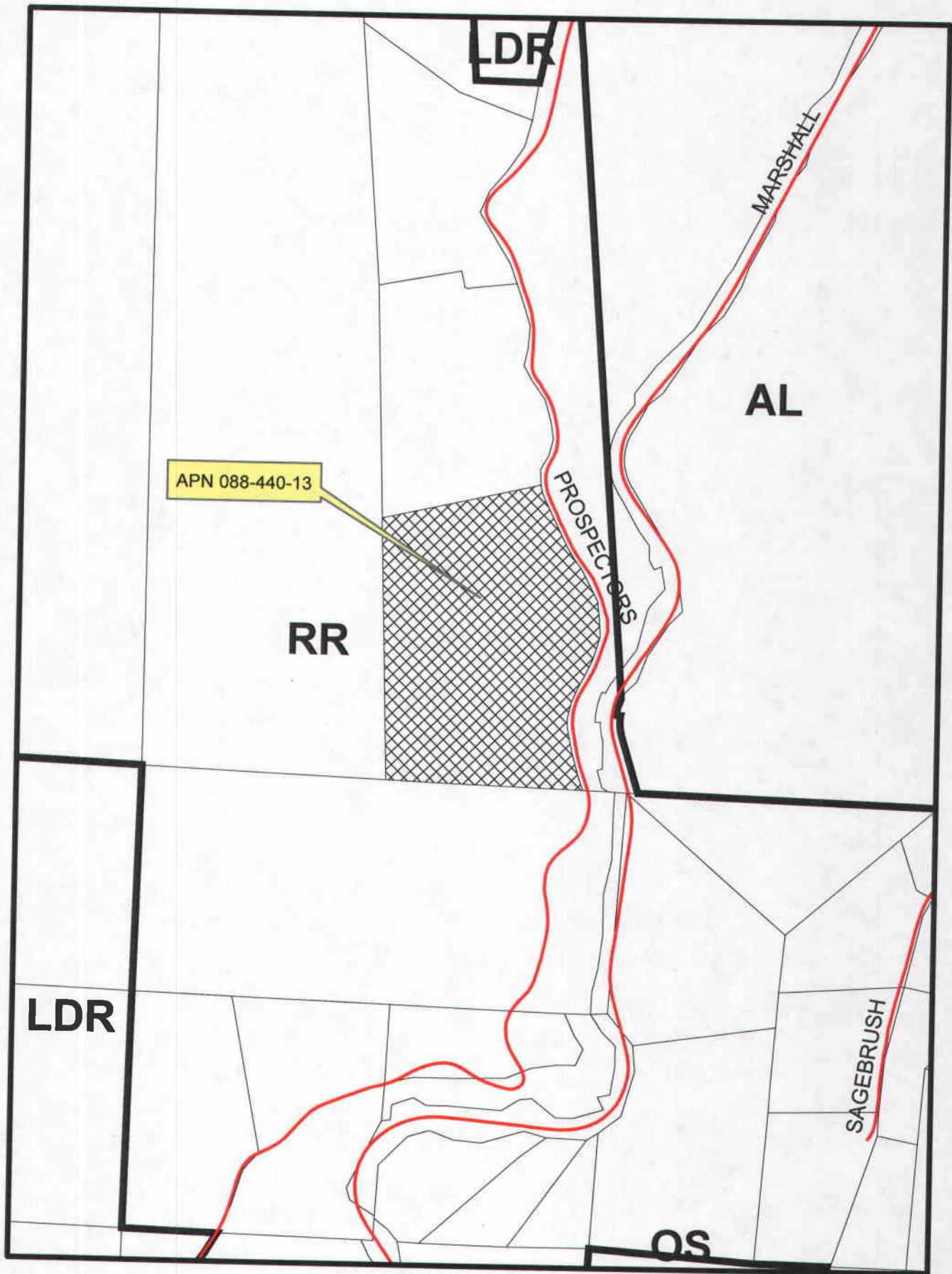
E.1/2E.1/2 SEC. 6 T.11 N. R.10 E. M.D.M.

Tax Area Code

88:44



# EXHIBIT C: GENERAL PLAN MAP



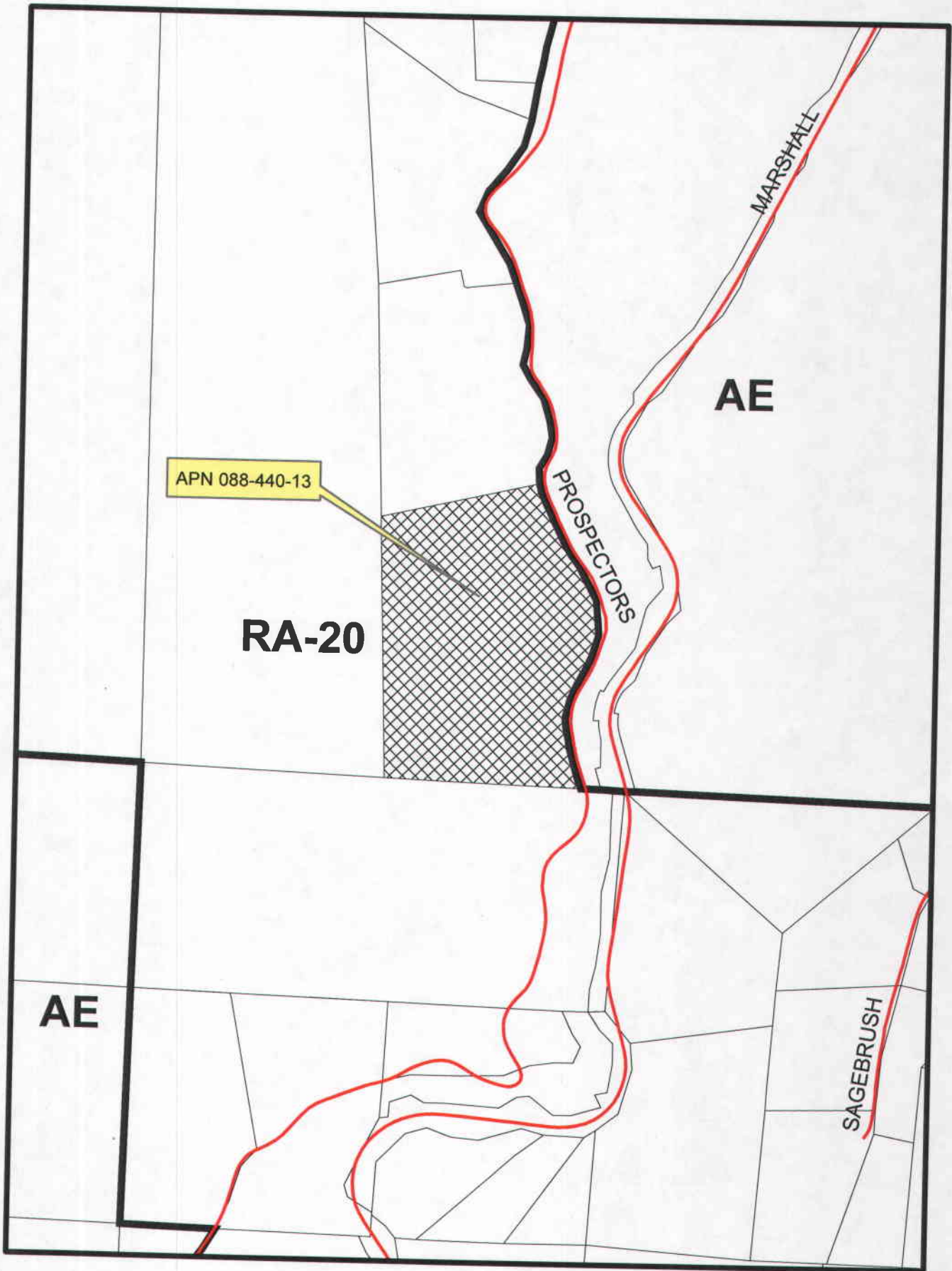
PERMIT # Z08-0011  
PREPARED BY AARON MOUNT



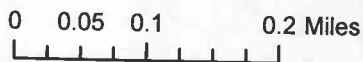
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# EXHIBIT D: ZONE DISTRICT MAP



PERMIT # Z08-0011  
PREPARED BY AARON MOUNT



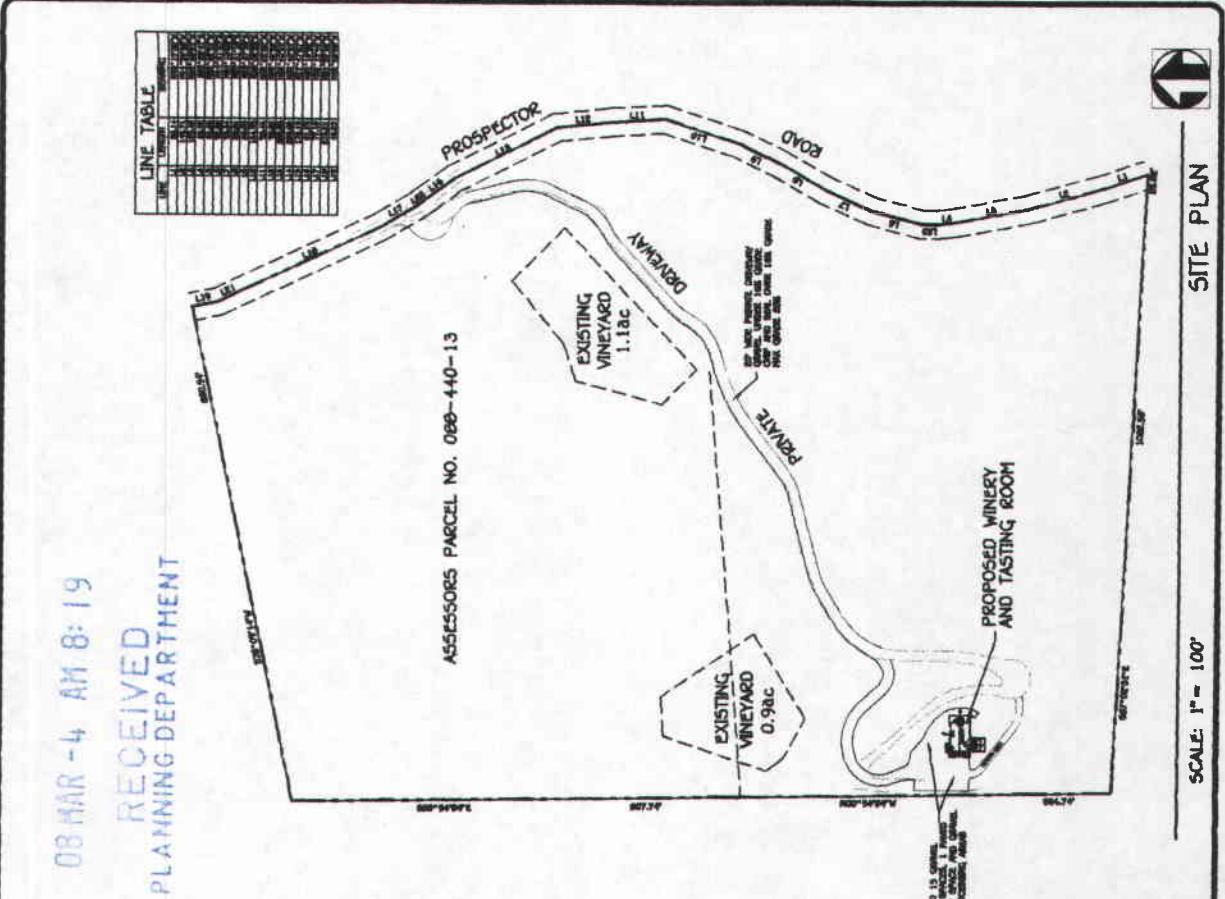
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# EXHIBIT E

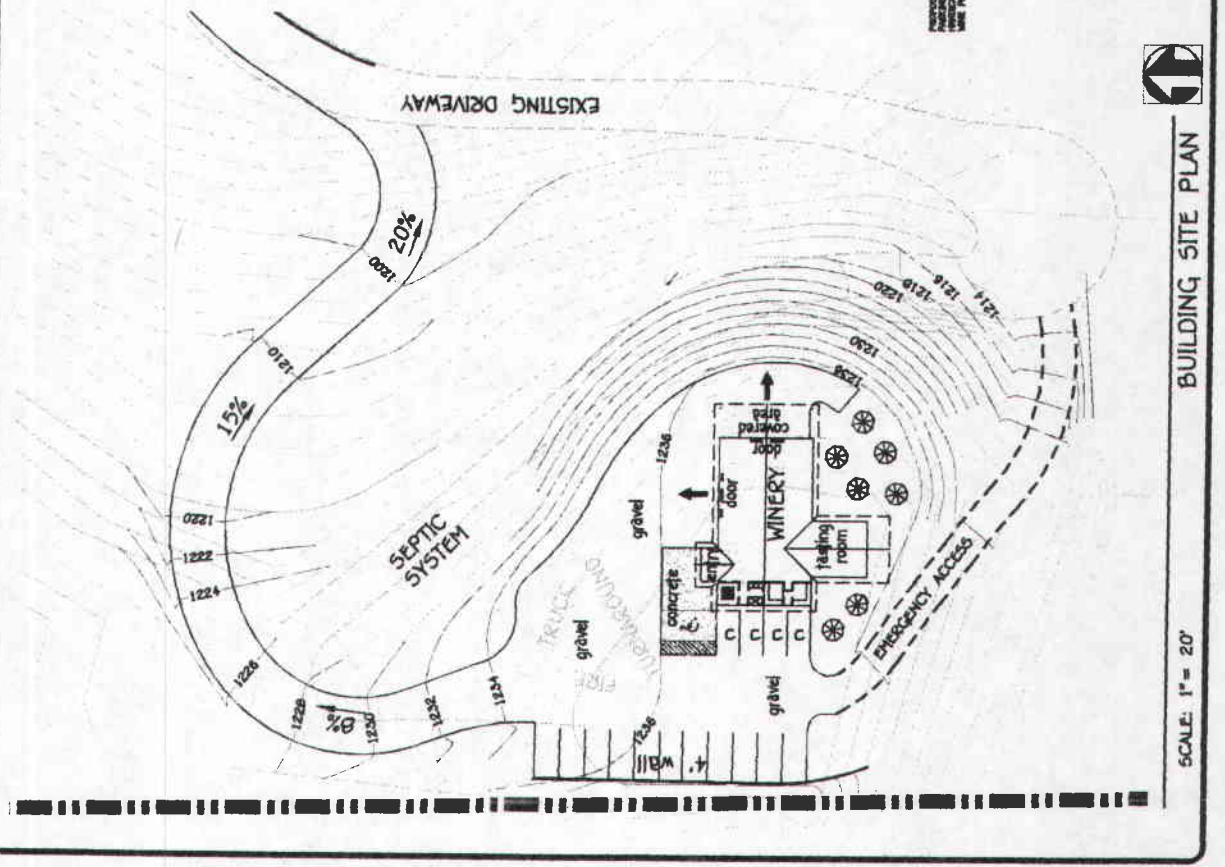
DESIGN TECH
AP.N. 088-440-13

ELENA VINEYARD
OWNER: ALONSO ELENA

SHEET 1
TOTAL SHEETS 1



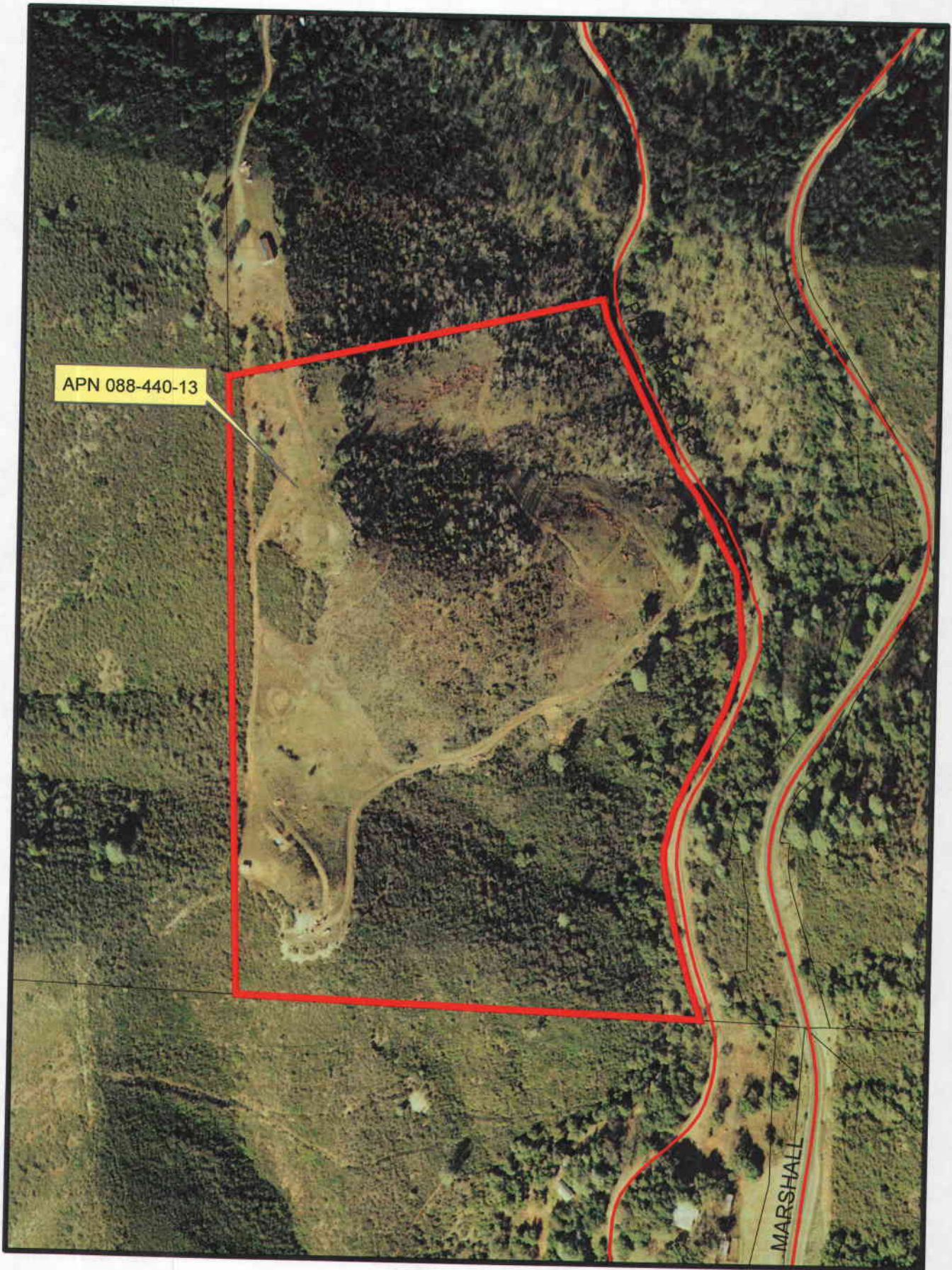
08 MAR -4 AM 8:19  
 RECEIVED  
 PLANNING DEPARTMENT



# Z 08-0011



# EXHIBIT F: AERIAL PHOTOGRAPH



PERMIT # Z08-0011  
PREPARED BY AARON MOUNT

0 0.025 0.05 0.1 Miles



10-1304.C.14





**AGRICULTURAL COMMISSION**

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

Greg Boeger, Chair – Agricultural Processing Industry  
 Lloyd Walker, Vice-chair – Other Agricultural Interests  
 Chuck Bacchi – Livestock Industry  
 Bill Draper, Forestry-Related Industries  
 Tom Heflin – Fruit and Nut Farming Industry  
 David Pratt – Fruit and Nut Farming Industry  
 Gary Ward, Livestock Industry

**MEMORANDUM**

**DATE:** May 29, 2008  
**TO:** Aaron Mount, Development Services/Planning  
**FROM:** Greg Boeger, Chair GB  
**SUBJECT:** Z 08-0011 – JOSE WINE CAVE (ALFONSO P. ELENA/TED BECHARD)

RECEIVED  
 PLANNING DEPARTMENT  
 JUN 3 PM 3:25

During the Agricultural Commission’s regularly scheduled meeting held on May 14, 2008, the following discussion and motion occurred regarding Z 08-0011 – Jose Wine Cave Zone Change (Alfonso P. Elena/Ted Bechard): A request for a rezone to change the zoning from RA-20 (Residential Agricultural-20 Districts) to PA (Planned Agricultural Districts). The property, identified by Assessor’s Parcel Number 088-440-13, consists of 40.01 acres, and is located on the west side of Prospectors Road approximately 1 mile north of the intersection with Marshall Grade, in the Coloma area. (District 4)

Staff reported on the site visit. According to the El Dorado County Zoning Ordinance 17.36.110, the purpose of Planned Agricultural Districts is, “...to provide for the orderly development and protection of lands having sufficient space and conditions, compatible to horticulture, husbandry and other agricultural pursuits and to promote and encourage these pursuits by providing additional opportunities for the sale, packing, processing, and other related activities which tend to increase their economic viability...” Ordinance 17.36.150 Development Standards, lists criteria that the establishment of agricultural zoning shall be based upon (at least one of the criteria must be met): 1) The capability of land for agricultural production – what type of soil is on the site and is it “Choice” agricultural soil according to the “Soil Survey of El Dorado area, California?”, or” 2) What is the present land use? – is the land being actively used for agricultural purposes and does it meet the criteria for an agricultural preserve? Where is the parcel located in relation to other land uses? – The policy states that “Land that is within an agricultural area or adjacent to agriculturally zoned lands may be recommended for agricultural zoning.” \*Note: under Present Land Use, the policy states, “Additionally, when lands do not qualify as agricultural under capability criteria 1, or the above (present land use criteria 2 – *added*), they may be zoned agricultural if recommended by the agricultural commission.” Although the soils on the site are not considered “Choice” agricultural soils, the land is actively being used for agricultural pursuits. The owner of the parcel has planted approximately 2 acres of wine grapes and has plans to increase the acreage to 12 acres total.

Alfonso P. Elena was present to answer any questions by the public or Agricultural Commission members.

Aaron Mount

Meeting Date: May 14, 2008

RE: Elena, Alfonso

Page 2

*It was moved by Mr. Pratt and seconded by Mr. Bacchi to recommend APPROVAL of P 08-0011 Jose Wine Cave zone change (Alfonso P. Elena/Ted Bechard) request for a rezone to change the zoning from RA-20 (Residential Agricultural-20 Districts) to PA (Planned Agricultural Districts) as the applicant has demonstrated his intent to operate an agricultural enterprise through his current and planned agricultural pursuits. Motion passed.*

**AYES:** Helfin, Walker, Ward, Bacchi, Draper, Pratt, Boeger

**NOES:** None

**ABSENT:** None

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

GB:na

cc: Ted Bechard  
Alfonso P. Elena



# EXHIBIT H



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

## ENVIRONMENTAL CHECKLIST FORM AND DISCUSSION OF IMPACTS

**Project Title:** Z08-0011/ Jose Wine Cave

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

**Contact Person:** Aaron Mount, Associate Planner

**Phone Number:** (530) 621-5355

**Property Owner's Name and Address:** Alfonso Elena, 3419 Scenic Dr., Napa, CA 94558

**Project Applicant's/Agent's Name and Address:** Ted Bechard, PO Box 335, Somerset, CA 95684

**Project Location:** The subject property is located on the west side of Prospectors Road 1 mile north of the intersection with Marshall Road in the Coloma area.

**Assessor's Parcel Number(s):** 088-440-13      **Parcel Size:** 40.01 acres

**Zoning:** Residential Agricultural-20 (RA-20)

**Section:** 06 T: 11N R: 10E

**General Plan Designation:** Rural Residential (RR)

**Description of Project:** The request would rezone the project site from Residential Agricultural-20 (RA-20) to Planned Agricultural (PA). The zone change is being requested to allow the uses under the Winery Ordinance to be allowed by right. Future agricultural operations would utilize the existing permitted encroachment onto Prospectors Road.

**Surrounding Land Uses and Setting:**

	<u>Zoning</u>	<u>General Plan</u>	<u>Land Use</u> (e.g., Single Family Residences, Grazing, Park, School)
Site:	RA-20	RR	Agriculture, Existing permit for a barn
North:	RA-20	RR	Agriculture, Undeveloped
East:	AE	RR/AL	Agriculture, Agricultural Structures
South:	RA-20	RR	Agriculture, Undeveloped
West:	RA-20	RR	Undeveloped, US BLM

**Briefly Describe the environmental setting:** The project site is on a prominent ridge above the south fork of the American River. Elevation of the project site ranges from approximately 1,400 feet to 1,800 feet above sea level. The site has moderate to severe slopes and contains chaparral vegetation. Existing improvements within the parcel include over five acres of vineyard, a barn under construction, and a driveway. Soils consist of Serpentine Rock Lands (SaF), Auburn very rocky silt loam (AxE), and Auburn extremely rocky silt loam (AyF)

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

El Dorado County Development Services: Building Permit

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

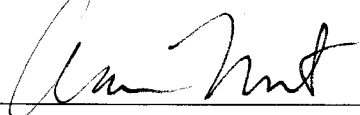
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

Aesthetics		Agriculture and Forestry Resources	Air Quality
Biological Resources		Cultural Resources	Geology / Soils
Greenhouse Gas Emissions		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

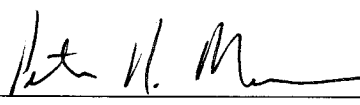
**DETERMINATION**

**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:  Date: 10/15/10

Printed Name: Aaron Mount For: El Dorado County

Signature:  Date: 19 Oct. 2010

Printed Name: Peter Maurer For: El Dorado County

## **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 Zone Change request. No development is proposed at this time.

### **Project Location and Surrounding Land Uses**

The project site is located within the Coloma area. The project site is surrounded by agricultural land.

### **Project Characteristics**

The project would include a Rezone of the parcel only. No development would occur as part of the project. As discussed in the Land Use Category, the proposed Rezone to PA would allow for an expanded range of agricultural uses to occur on the property by right. The allowed uses could include those enumerated in the adopted Winery Ordinance; including a wine tasting room, retail sales of wine, public tours, picnic areas, and special events with attendance of up to 250 persons.

#### 1. Transportation/Circulation/Parking

Primary project access would be provided via an existing connection to Prospectors Road. Prospectors Road is a County maintained road that DOT states has adequate capacity for the uses that would be allowed with approval of the zone change.

#### 2. Utilities and Infrastructure

Existing site improvements consist of over five acres of vineyard, a barn under construction, and a driveway. The site would be served by well and septic. Fire protection services would be provided by the Garden Valley Fire District and CAL FIRE.

#### 3. Population

The agricultural operation and the winery uses would not be considered population inducing uses.

#### 4. Construction Considerations

No construction is proposed as part of the request.

### **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 will be considered by the Lead Agency in a public meeting and will be certified if it is determined to be in compliance with CEQA. The Lead Agency will also determine whether to approve the project.

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

This initial study 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

Any future development would require the project applicant to obtain permits for grading and building from Development Services and obtain an approved Fugitive Dust Plan from the Air Quality Management District.

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.

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**ENVIRONMENTAL IMPACTS**

<b>I. AESTHETICS. <i>Would the project:</i></b>			
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) **Scenic Vista.** No identified public scenic vistas or designated scenic highway would be affected by this project. Impacts would be less than significant.
- b) **Scenic Resources.** The proposed project would have no impact on existing scenic resources including, but not limited to, trees, rock outcroppings, and historic resources as the project is not located within a corridor defined as a State scenic highway.
- c) **Visual Character.** No development is proposed at this time. The project site is located within an area designated by the General Plan as Rural Residential (RR). RR designated areas are suitable for expanded agricultural uses. The proposed Rezone to PA would be consistent with goals of the RR designation and would not impair the visual character of the area. There would be no impact.
- d) **Light and Glare.** The proposed project would have no significant effect or adversely affect day or nighttime views adjacent to the project site. Future development would require the submittal of a preliminary outdoor lighting plan prior to approval to ensure conformance to Section 17.14.170 of County Code. As such, no impacts would occur at this time.

**FINDING:** It has been determined that there would be no 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.

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<b>II. AGRICULTURE AND FOREST RESOURCES. <i>Would the project:</i></b>			
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. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?			X
d. Result in the loss of forest land or conversion of forest land to non-forest use?			X
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest 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) **Farmland Mapping and Monitoring Program.** Review of the Important Farmland GIS map layer for El Dorado County developed under the Farmland Mapping and Monitoring Program indicates that no areas of Prime, Unique, or Farmland of Statewide Importance would be affected by the project. In addition, El Dorado County has established the Agricultural (-A) General Plan land use map for the project and included this overlay on the General Plan Land Use Maps. Review of the General Plan land use map for the project area indicates that there are no areas of "Prime Farmland" or properties designated as being within the Agricultural (-A) General Plan land use overlay district area adjacent to the project site. The proposed Rezone to PA would allow expanded agricultural uses and would not allow conversion of farmland to other uses. The proposed Rezone would preserve the agricultural potential of the site, there would be no impact.
- b) **Williamson Act Contract.** The proposed project would not conflict with existing agricultural zoning in the project vicinity and would not adversely impact any properties currently under a Williamson Act Contract. Expansion of the existing agricultural operation would be consistent with adjacent agricultural uses. No impacts would occur.
- c) **Forest land.** There is no forest land at the subject site or within the project area. No impacts would occur.

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- d) **Loss of Forest land or Conversion of Forest land.** As there is no forest land at the subject site or within the project area, no loss of forest land or conversion of forest land would occur. As such, no impacts would occur.
- e) **Conversion of Prime Farmland or Forest Land.** No existing agricultural land would be converted to non-agricultural use as a result of the proposed project. No impacts would occur.

**FINDING:** It has been determined that the project would not result in any impacts to agricultural lands or properties subject to a Williamson Act Contract. The surrounding area is developed with residential and commercial development. For this "Agriculture" category, the identified thresholds of significance have not been exceeded and no significant adverse environmental effects would result from the project.

III. AIR QUALITY. <i>Would the project:</i>			
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:**

A substantial adverse effect on Air Quality would occur if:

- Emissions of ROG and No<sub>x</sub>, 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<sub>10</sub>, CO, SO<sub>2</sub> and No<sub>x</sub>, 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 & c)

El Dorado County, in adopting the El Dorado County, California Clean Air Act Plan, has set a schedule for implementing and funding Transportation Control Measures to limit mobile source emissions. The proposed project will not conflict with or obstruct the implementation of this plan. Currently, El Dorado County is classed as being in "severe non-attainment" status for Federal and State ambient air quality standards for ozone (O3). Additionally, the County is classified as being in "non-attainment" status for particulate matter (PM10) under the State's standards. The California Clean Air Act of 1988 requires

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the County's air pollution control program to meet the State's ambient air quality standards. Standard practices for stationary and point source air pollution control is administered by the El Dorado County Air Pollution Control District (EDCAPCD). Project related air quality impacts are divided into two categories:

- Short-term impacts related to construction activities; and
- Long-term impacts related to the project operation.

The project parcel is accessed directly off of Prospectors Road, a County maintained roadway. Under the winery ordinance, §17.14.200, the rezone would allow, by right, wine tasting, tours, special events of up to 250 people, and promotional events that will generate additional vehicle trips onto Prospectors Road. Under the ordinance, these events will be limited to 250 people or less depending on parking availability. The off-street parking ordinance, §17.18, requires 1 parking space per 3 persons in attendance for these types of events. Eighty-four cars, or a total of 168 vehicle trips, could result from special events of up to 250 people. Under the Guide to Air Quality Assessment, Table 5.2 - Projects with Potentially Significant ROG and NOx Operation Emissions, single family housing containing 230 dwelling units at 10 trips per day per unit is an example of a project that would exceed the established threshold of significance of 82 lbs per day of ROG and NOx emissions, considered precursors to O3 pollution. Under the Guide, projects that fall below the cut points of Table 5-2 will not be significant for PM10 either. While the increase in traffic from uses allowed under the rezone will result in short-term and long-term increases in mobile emission sources, the amount of increase is not considered to be a cumulatively considerable net increase in criteria pollution for which the project region is at non-attainment.

b) If future building or infrastructure improvements require the disturbance of 250 cubic yards or more of earth, the applicant shall comply with Air Quality Management District (AQMD) Rule 223-2 Fugitive Dust-Asbestos Hazard Mitigation, which includes an asbestos dust mitigation plan submittal, fugitive dust prevention, speed limits, warning signs, track out prevention, excavated soil management and post-construction mitigation. This information must be submitted to the Air Quality Management District for review and approval prior to issuance of a grading permit. Alternately, the applicant may have a California Professional Geologist inspect the project site and provide the AQMD with a report demonstrating there is no Naturally Occurring Asbestos on the project site. This evaluation must be submitted to the AQMD with the current review fee. If there is no naturally occurring asbestos or less than 250 cubic yards of earth is disturbed, the applicant must still comply with AQMD Rule 223-1 Fugitive Dust-Construction Activities. If a County grading permit is required, the applicant will be required to submit a Fugitive Dust Plan to the AQMD prior to issuance of a grading permit. The project site is in an area mapped for Naturally Occurring Asbestos or fault zones. Compliance with the previously described requirements at time of grading permit issuance should reduce impacts on air quality to less than significant.

d - e)

Sensitive receptors include such groups as young children and the elderly, and such sites as schools, hospitals, daycare centers, and convalescent homes. The project parcel is surrounded by large residential/agricultural parcels as well as BLM land. There are no sensitive receptors identified in the nearby vicinity, and the likelihood of this project exposing sensitive receptors to substantial pollution concentrations over and above what already exists is less than significant.

**FINDING:** As discussed above, no development is proposed at this time. Future development at the subject site would be subject to the submittal of a supplemental air quality analysis to be prepared at time of development plan application submittal to analyze specific potential impacts from the proposed development plan. Impacts would be less than significant.



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IV. BIOLOGICAL RESOURCES. <i>Would the project:</i>			
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) **Special Status Species.** No special status species were identified at the subject site. The project site is not located within any Rare Plant Mitigation Areas and is not known to have riparian or wetland features. There would be no impact to biological resources. No impacts would occur.
- b) **Riparian Habitat.** The project proposes no impacts to 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. As no construction is proposed, no impacts would occur.
- c) **Wetlands.** According to the U.S. Fish and Wildlife Service Wetland Inventory Map, no wetlands are located at the project site. As such, no impacts would occur.

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- d) **Migration Corridors.** There are local populations of deer in and around the project area. 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). No impacts would occur.
- e) **Local Policies.** The project site is not located within an Important Biological Corridor as designated in the General Plan. Future development of the subject site would require complying with either Option A or Option B of Policy 7.4.4.4, Oak Canopy retention if oak trees would be required to be removed. Impacts would be less than significant.
- a) **Habitat Conservation Plan.** There are no adopted Habitat Conservation Plans or Natural Community Conservation Plans that are applicable to the subject site. The project site is not in critical habitat or a recovery plan core area for the California Red-Legged Frog. The project site is not in the United States Fish and Wildlife Service recovery plan boundary for the Pine Hill plants. No impacts would occur.

**FINDING:** There would be less than significant impacts to biological resources, oak trees and/or oak woodland tree canopy because no development is proposed at this time. Future development would require the submittal of a building permit with additional general plan review. As such, less than significant impacts would occur in the 'Biological Resources' category.

V. CULTURAL RESOURCES. <i>Would the project:</i>			
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.

a-d. **Cultural Resources:** The applicant submitted an archaeological survey prepared by Past Forward in October 2009. The Cultural Resources Study prepared for the site determined that no cultural resources or sensitive archeological resources are located on-site. The site has been previously disturbed with the existing agricultural development. The portion of the site that would likely be utilized for future agricultural development has been graded under permit for a barn. The area is currently accessed by an existing driveway via Prospectors Road. All land disturbances have

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occurred and the likelihood of identifying cultural resources is remote. Any future development would be required to comply with applicable laws including protective measures to be implemented in the event any cultural resources are discovered during project construction. Impacts would be less than significant.

**FINDING:** No impacts would occur as no construction is proposed at this time. Established thresholds of significance would not be exceeded within the "Cultural Resources" category.

VI. GEOLOGY AND SOILS. <i>Would the project:</i>			
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 disposal of waste water?			X

**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

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- 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) **Seismicity, subsidence and liquefaction.** There are no Earthquake Fault Zones subject to the Alquist-Priolo Earthquake Fault Zoning Act (formerly Special Studies Zone Act) in El Dorado County.<sup>1</sup> No other active or potentially active faults have been mapped at or adjacent to the project site where near-field effects could occur.<sup>2</sup> There would be no impact related to fault rupture. There are two known faults within the project vicinity; however, the project site is located in a region of the Sierra Nevada foothills where numerous faults have been mapped. All other faults in the County, including those closest to the project site are considered inactive.<sup>3</sup>

Earthquake activity on the closest active could result in groundshaking at the project site. However, the probability of strong groundshaking in the western County where the project site is located is very low, based on probabilistic seismic hazards assessment modeling results published by the California Geological Survey.<sup>4</sup> While strong groundshaking is not anticipated, the site could be subject to low to moderate groundshaking from activity on regional faults.

No portion of El Dorado County is located in a Seismic Hazard Zone (i.e., a regulatory zone classification established by the California Geological Survey that identifies areas subject to liquefaction and earthquake-induced landslides). Lateral spreading, which is typically associated with liquefaction hazard, subsidence, or other unstable soil/geologic conditions do not present a substantial risk in the western County where the project site is located be no risk of landslide.<sup>5</sup>

There would be no significant impacts that could not be mitigated through proper building design, as enforced through the County building permit process, which requires compliance with the Uniform Building Code, as modified for California seismic conditions. Impacts would be less than significant.

- b & c) **Soil Erosion and loss of topsoil.** No grading would occur as part of the project. Any future development would be required to obtain a grading permit prior to project construction. The proposed grading would be required to adhere to the *County of El Dorado - Grading, Erosion, and Sediment Control Ordinance*. Adhere to the County Grading Ordinance would reduce the potential impacts to less than significant.
- d) **Expansive soils.** No development is proposed as part of the project. All future development would be required to comply with the County Grading, Erosion Control and Sediment Ordinance. Impacts would be less than significant.

<sup>1</sup> El Dorado County Planning Department, *El Dorado County General Plan Draft EIR (SCH #2001082030) May 2003, p.5.9-29.*  
<sup>2</sup> California Department of Conservation, California Geological Survey, *Mineral Land Classification of El Dorado County, California, CGS Open-File Report 2000-03, 2001, Plate 1.*  
<sup>3</sup> El Dorado County Planning Department, *El Dorado County General Plan Draft EIR (SCH #2001082030), May 2003, p.5.9-5.*  
<sup>4</sup> California Department of Conservation, California Geological Survey, *Probabilistic Seismic Hazards Assessment, Interactive Probabilistic Seismic Hazards Map, 2002. (http://www.consrv.ca.gov/cgs/rghm/psha)*  
<sup>5</sup> El Dorado County Planning Department, *El Dorado County General Plan Draft EIR (SCH #2001082030), May 2003, pages.5.9-6 to 5.9-9.*

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- e) **Septic Systems.** The project site is currently served by a private on-site septic system. The El Dorado County Environmental Management Department has established specific Design Standards for the Site Evaluation and Design of Sewage Disposal Systems which are applicable on any parcel proposing to develop an individual on-site sewage disposal system. These design standards establish minimum standards that must be met. At that time any proposed on-site septic system will be required to meet these design standards, and will be reviewed by the Environmental Management Department for compliance with any and all County and State requirements as part of the building permit process.

**Finding**

No significant geophysical impacts are expected from the project either directly or indirectly. For this "Geology and Soils" category, impacts would be less than significant.

<b>VII. GREENHOUSE GAS EMISSIONS. <i>Would the project:</i></b>			
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?		X	
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X

- a) **Generate Greenhouse Gas Emissions.** The project would not result in the generation of a significant amount green house gasses (GHGs), which could contribute to global climate change because no construction is proposed at this time. No impacts would occur.
- b) **Conflict with Policy.** The project does not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. No impacts would occur.

**FINDING:** It has been determined that the project would result in no impacts to greenhouse gas emissions because no construction is proposed. For this "Greenhouse Gas Emissions" category, no significant adverse environmental effects would result from the project.

<b>VIII. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i></b>			
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

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VIII. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i>				
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:

- 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 Substances.** The rezone could allow the development of a winery and its accessory uses, by right. Typical agricultural and winery uses would not likely include storage of a reportable amount of hazardous substances. Any future storage of any hazardous substances would require submittal of a Hazardous Materials Business Plan which would be subject to review and approval by the Department of Environmental Health. There would be no impact.
- c) **Hazardous Emissions.** There are no schools within ¼ mile of the project site. The project would not generate any hazardous emissions. There would be no impact.
- d) **Hazardous Materials Sites.** The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.<sup>6</sup> There would be no impact.
- e) **Public Airport Hazards.** The project site is not within any airport safety zone or airport land use plan area. There would be no impact.
- f) **Private Airstrip Hazards.** There is no private airstrip(s) in the immediate vicinity that is identified on a U.S. Geological Survey Topography Map. There would be no impact.

<sup>6</sup> California Department of Toxic Substances Control, *Hazardous Waste and Substances Site List (Cortese List)*, [http://www.dtsc.ca.gov/database/Calsites/Cortese\\_List](http://www.dtsc.ca.gov/database/Calsites/Cortese_List), accessed September 23, 2004; California Regional Water Quality Control Board, Central Valley Region, *Leaking Underground Storage Tanks Quarterly Report, April 2004*; California Regional Water Quality Control Board, Central Valley Region, *Site Cleanup List, April 2004*.

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- g) **Emergency Response Plan.** No development is proposed as part of the project. Future development would be subject to review by the Garden Valley Fire Protection District. The District would review the proposal and recommend conditions of approval to comply with Fire Safe Regulations and to reduce potential impacts to any response plan. There would be no impact.
- h) **Fire Hazards.** The project site located in an area classified as having a moderate fire hazard.<sup>7</sup> The Garden Valley Fire Protection District would review future development plans to recommend conditions to reduce the impacts to fire hazards. There would be no impact.

**Finding**

No Hazards or Hazardous conditions are expected with the project either directly or indirectly. For this "Hazards" category, there would be no impact.

<b>XI. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i></b>				
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

<sup>7</sup> El Dorado County Planning Department, El Dorado County General Plan Draft Environmental Impact Report (SCH #2001082030), May 2003, Exhibit 5.8-4.

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<b>XI. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i></b>				
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
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 & f) **Water Quality Standards.** Specific water quality objectives have been established by the Regional Water Quality Control Board (RWQCB) and any project not meeting those objectives are required to apply for a Waste Discharge Permit. Environmental Health will require applicant to obtain a Waste Discharge Permit from the RWQCB prior to approval of the sewage disposal system for the development of the winery. The project would be served by well water and private septic systems. The project would not impact water quality. All drainage from the project site would be done in accordance with the County Drainage, Erosion Control and Sedimentation Ordinance. Impacts would be less than significant.

b) **Groundwater.** The site receives water from a private well. The proposed Rezone would allow for a range of expanded agricultural uses. Any future development of the site would not substantially increase the local water demand beyond the currently permitted uses. Impacts would be less than significant.

c) **Erosion Control Plan.** No development is proposed as part of the project. Prior to approval of any future development, El Dorado County Development Services would require a Grading Plan. The Grading Plan would be required to be in conformance with the *Grading, Erosion and Sediment Control Ordinance*. Adherence to the standards of the Ordinance would reduce potential erosion impacts to a less than significant level.

d) **Existing Drainage Pattern.** No development is proposed as part of the project. Future development would require a drainage, erosion control and plan for the required road improvements and any onsite grading. Adherence to the plan would reduce impacts to a less than significant level.

e) **Storm Water Run-off.** Based on the soil types, surface runoff has been characterized as being slow to moderate. Erosion control plans would be required for any future road improvements. Adherence to the erosion plans would reduce the impacts to a less than significant level.

g, h, & i) **Flooding.** The project is outside of mapped flood plains, impacts would be less than significant.



Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- j) **Seiche, tsunami, or mudflow.** The potential impacts due to a seiche, tsunami, or mudflow are remote. Impacts would be less than significant.

**Finding**

No significant hydrological impacts are expected with the project either directly or indirectly. For this "Hydrology" category, impacts would be less than significant.

<b>X. LAND USE PLANNING. <i>Would the project:</i></b>			
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) **Established Community.** The project site is surrounded by Rural Residential (RR) and Agricultural Lands (AL) parcels within the Rural Region. The proposed Rezone to Planned Agricultural (PA) would not divide an established community. There would be no impact.
- b) **Land Use Plan.** As proposed, the project is consistent with specific, fundamental, and mandatory land use goals, objectives, and applicable policies of the 2004 General Plan including 2.2.5.21, land use compatibility and 2.2.5.3, rezoning evaluation criteria. The zone change request to PA would be consistent with the existing Rural Residential General Plan land use designation. The project is consistent with the development standards of the PA zone district and the Winery Ordinance.

Additional agricultural uses would require building and grading permits. This project meets the land use objectives established for the property. As no conflict exists between the project and applicable land use policies, potential environmental impacts would be considered to be less than significant.

- c) **Habitat Conservation Plan.** Development of the site would not conflict with any established HCPs. Impacts would be less than significant.

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

The proposed rezone would be consistent. There would be no significant impact from the project due to a conflict with the General Plan or zoning designations for use of the property. No significant impacts are expected. For this "Land Use" category, impacts would be less than significant.

<b>XI. MINERAL RESOURCES. <i>Would the project:</i></b>				
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) **Statewide Mineral Resources.** The project site is not mapped as being within a Mineral Resource Zone (MRZ) by the State of California Division of Mines and Geology or in the El Dorado County General Plan. No impact would occur.
- b) **Local Mineral Resources.** The Western portion of El Dorado County is divided into four, 15 minute quadrangles (Folsom, Placerville, Georgetown, and Auburn) mapped by the State of California Division of Mines and Geology showing the location of Mineral and Resource Zones (MRZ). Those areas which are designated MRZ-2a contain discovered mineral deposits that have been measured or indicate reserves calculated. Land in this category is considered to contain mineral resources of known economic importance to the County and/or State. Review of the mapped areas of the County indicates that the subject property does not contain any mineral resources of known local or statewide economic value. No impact would occur.

**FINDING:** No impacts to any known mineral resources would occur as a result of the project. Therefore, no mitigation is required. In the "Mineral Resources" section, the project would not exceed the identified thresholds of significance.

<b>XII. NOISE. <i>Would the project result in:</i></b>				
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	

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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<b>XII. NOISE. Would the project result in:</b>			
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-d) **Noise Standards.** The project may result in an increase in existing ambient noise levels in the project vicinity. The applicant has a minimum of 5 acres of grapevines planted thereby meeting the criteria for a tasting room and special events under the Winery Ordinance if zoned to PA. The present zone district requires a special use permit for a winery and tasting room, while the rezone would allow a winery and its accessory uses by right. The accessory uses include special events with up to 250 people in attendance, wine tasting, wine promotional events and picnic areas for winery related activities. These accessory uses, specifically those involving outdoor events, may result in a permanent or temporary increase in ambient noise levels. While the project, as proposed, does not include a request for special or promotional events or picnic area uses, the County must consider the maximum use that would be allowed under the rezone. The noise standards in a rural area are applied at a point 100 feet from any adjoining residence, and §17.14.200 of the Ordinance requires wineries located outside of the Agricultural District overlay (-A) to have setbacks of 200 feet applied to wineries and accessory structures if adjacent to residentially zoned property. The proposed tasting room facility is located in excess of the 200 foot setback requirement and over 1,000 feet from the nearest residence.

A Mitigated Negative Declaration has been adopted for the Winery Ordinance with the following mitigation: MM 11-1: Outdoor Amplified Music. General Plan noise standards contained in Policy 6.5.1.7 and Table 6-2 shall be adhered to for all events featuring outdoor amplified music or amplified speech. For any events occurring between 7 p.m. and 10 pm, a noise analysis shall be submitted to the Development Services Department demonstrating that the noise standards will not be exceeded. No outdoor music will be permitted after 10 pm.

Consistency with this mitigation and the Winery Ordinance would be sufficient analysis for noise issues and therefore impacts would be less than significant.

e & f) **Airport Noise.** The project site is not within an airport land use plan. There would be no impact.

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

Potential short and long term noise sources would be required to comply with established noise standards and policies. For this "Noise" category, the thresholds of significance have not been exceeded.

<b>XIII. POPULATION AND HOUSING. <i>Would the project:</i></b>				
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.

a-c) **Population Growth.** The project site is in an area zoned for residential and agricultural use and is designated as Rural Residential land use under the 2004 General Plan. The proposed project would allow for agricultural and residential land uses which are consistent with both the General Plan and General Plan EIR. Utility services are available at the project site. No housing or people would be displaced, and no extensions of infrastructure would be required. Impacts would be less than significant.

**Finding**

The project would not displace housing. There is no potential for a significant impact due to substantial growth with the proposed project either directly or indirectly. For this "Population and Housing" category, impacts would be less than significant.

<b>XIV. PUBLIC SERVICES. <i>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:</i></b>				
a. Fire protection?			X	
b. Police protection?			X	
c. Schools?			X	

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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<b>XIV. PUBLIC SERVICES.</b> <i>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:</i>			
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;
- 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.** The Garden Valley Fire Protection District currently provides fire protection services to the project area. The Garden Valley Fire Protection District would review the building plans prior to approval of any development that would expand the uses at the project site. Impacts would be less than significant.
- b) **Police Protection.** The project site would be served by the El Dorado County Sheriff's Department with a response time depending on the location of the nearest patrol vehicle. The minimum Sheriff's Department service standard is an 8-minute response to 80% of the population within Community Regions. No specific minimum level of service or response time was established for Rural Centers and Rural Regions. The Sheriff's Department stated goal is to achieve a ratio of one sworn officer per 1,000 residents. Impacts would be less than significant.
- c) **Schools.** The project site is located within the Black Oak Mine Unified School District. Impacts to schools would be negligible as an increase in agricultural uses would not increase the local population. Impacts would be less than significant.
- d) **Parks.** Impacts to parks would be negligible as an increase in agricultural uses would not increase the local population. There would be no impact.
- e) **Government Services.** No other public facilities or services would be substantially impacted by the project. Impacts would be less than significant.

**FINDING:** Impacts to public services and facilities would be further evaluated upon submittal of a development plan application. No significant public service impacts are expected at this time as no construction is proposed. For this "Public Services" category, the thresholds of significance have not been exceeded.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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<b>XV. RECREATION.</b>			
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-b) **Parks and Recreation.** The proposed project would not increase population that would substantially contribute to increased demand on recreation facilities or contribute to increased use of existing facilities. The proposed Rezone would allow for a expanded agricultural uses to occur on the site by right. The potential range of uses would not increase the demand on parks and recreation. Impacts would be less than significant.

**Finding**

No significant impacts to recreation and open space resources are expected either directly or indirectly. For this "Recreation" category, impacts would be less than significant.

<b>XVI. TRANSPORTATION/TRAFFIC. <i>Would the project:</i></b>			
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards 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

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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<b>XVI. TRANSPORTATION/TRAFFIC. <i>Would the project:</i></b>			
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. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			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 & b)

**Traffic Increases/Level of Service Standards.** General Plan policies, primarily those listed under Goal TC-X, require the developer and the County to review, and if necessary mitigate, the project's short term traffic impacts. The project parcel is accessed directly off of Prospectors Road, a County maintained roadway. Under the winery ordinance, §17.14.200, the rezone would allow, by right, wine tasting, tours, special events of up to 250 people, and promotional events that will generate additional vehicle trips onto Prospectors Road. Under the ordinance, these events will be limited to 250 people or less depending on parking availability. Event allowed under the winery ordinance are normally associated with traffic that would occur on off peak times, weekends and later afternoons. Comments were received from the Department of Transportation which stated that there would be no impact and a traffic would not be required. El Dorado County DOT reviewed the potential impacts of additional uses brought about by the project and determined that Prospectors Road and Marshall Road would adequately handle any increase in traffic. Impacts would be less than significant.

- c) **Air traffic.** The project would not result in a change in established air traffic patterns for publicly or privately operated airports or landing field in the project vicinity. No impacts would occur.
- d) **Design Hazards.** Design hazards would be reviewed by the El Dorado County Department of Transportation at time of development plan application submittal. No impacts would occur.
- e) **Emergency Access.** The Garden Valley Fire Protection District has reviewed emergency access issues pertaining to the building permit for the existing barn. If the barn is converted to a winery and tasting room, further evaluation would ensure that the existing encroachment and driveway would be adequate for the new proposed uses. Impacts would be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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f) **Alternative Transportation.** The proposed project does not conflict with the adopted General Plan policies, and adopted plans, or programs supporting alternative transportation. The project was sent to the El Dorado County Transit Authority for review and no comments or concerns were received. No impacts would occur.

**FINDING:** As discussed above, no development is proposed at this time and traffic impacts would be further evaluated at time of development plan application submittal. For this "Transportation/Traffic" category, the thresholds of significance have not been exceeded.

<b>XVII. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i></b>				
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	
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 sufficient 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.



Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- a) **Wastewater.** The project parcel is presently undeveloped except for grape vine plantings and an accessory barn that is served by an on-site private septic system. When a winery is developed it is anticipated that the winery will generate liquid waste that will require disposal off-site. The applicant must obtain a Waste Discharge Permit from the Regional Water Quality Control Board (RWQCB), Central Valley District, prior to approval by Environmental Health of any future sewage disposal system. In addition, approval from the off-site receiver of the "gray water" must be presented to Environmental Health as part of the process. There is no evidence indicating that the project or activities associated with the project will violate any water quality standards or waste discharge requirements established by the RWQCB. Impacts would be less than significant.
  
- b., d., e) **New Facilities** There would be no impact to existing water or wastewater facilities. The project site is served by well and septic systems. The increase in permitted uses based on the proposed rezone would not increase the local water demand to require the expansion of existing facilities or the construction of new facilities.
  
- c) **Storm Water Drainage.** Any drainage facilities for the project would be built in conformance with the standards contained in the "*County of El Dorado Drainage Manual*," as determined by the Department of Transportation. Impacts would be less than significant.
  
- f) **Solid Waste Disposal.** 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.  
  
 County Ordinance No. 4319 requires that new development provide areas for adequate, accessible, and convenient storing, collecting, and loading of solid waste and recyclables. On-site solid waste collection for the proposed lots would be handled through the local waste management contractor. Adequate space would be available at the site for solid waste collection. Impacts would be less than significant.
  
- g) **Solid Waste Requirements.** County Ordinance No. 4319 requires that new development provide areas for adequate, accessible, and convenient storing, collecting and loading of solid waste and recyclables. Onsite solid waste collection would be handled through the local waste management contractor. Adequate space would be available onsite. Impacts would be less significant.

**Finding**

No significant utility and service system impacts are expected either directly or indirectly. For this "Utilities and Service Systems" category, impacts would be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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<b>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:</b>			
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) As discussed in Item V (Cultural Resources), the proposed project would have a less than significant effect on historical or unique archaeological resources. There would be no effects on fish habitat (Item IV). There would be a less than significant effect on special-status plant or animal species (Item IV). The project site is not located within any mapped migratory corridors or contains any riparian features. The site is not within an established HCP or Rare Plant Mitigation area. Impacts would be less than significant.
- b) There would be less than significant impacts related to agriculture resources, air quality, biological resources, cultural resources, geology/soils, hazards/hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, traffic/transportation, or utilities/service systems that would combine with similar effects such that the project's contribution would be cumulatively considerable. For these issue areas, it has been determined there would be no impact or the impact would be less than significant.
- c) No construction or grading is proposed at this time, and based on site-specific environmental conditions; there would be no environmental effects that would cause substantial adverse impacts on people either directly or indirectly. The uses allowed by right under the Winery Ordinance would not cause any potentially significant impacts. The proposed Rezone would be consistent with the objectives of the General Plan and would not substantially increase potential impacts beyond the existing range of permitted uses under the current project zoning.

### **SUPPORTING INFORMATION SOURCE LIST**

The following documents are available at El Dorado County Development Services Department, Planning Services in Placerville:

2004 El Dorado County General Plan A Plan for Managed Growth and Open Roads; A Plan for Quality Neighborhoods and Traffic Relief. Adopted July 19, 2004.

El Dorado County General Plan Draft Environmental Impact Report  
Volume I - Comments on Draft Environmental Impact Report  
Volume II - Response to Comment on DEIR  
Volume III - Comments on Supplement to DEIR  
Volume IV - Responses to Comments on Supplement to DEIR  
Volume V - Appendices

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, 4719)

El Dorado County Design and Improvement Standards

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.)

### **PROJECT SPECIFIC REPORTS AND SUPPORTING INFORMATION**

Cultural Resource Study for APN 088-440-13, Past Forward Inc., October 5, 2009.

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