



## EL DORADO COUNTY PLANNING & BUILDING DEPARTMENT

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Date: September 14, 2023

To: Honorable Board of Supervisors

From: Melanie Shasha, Senior Planner, Tahoe Planning, Stormwater and VHRs Division

**Subject:** Correction of Mitigation Measure BIO-6, GPA21-0001, Z21-0001, P21-0002

This project has been reviewed in accordance with the California Environmental Quality Act (CEQA) and determined, with an Initial Study, to be a Mitigated, Negative Declaration. The Initial Study for the project was circulated for 30 days and no change to the mitigation measures were identified. However, the language for Mitigation Measure BIO-6 has two timings. This was recently discovered.

The first timing is prior to recordation. The second timing is prior to initiation of any land clearing, grading, or construction activities. It is the opinion of Staff and the Project Biologist that the first timing be removed from the mitigation measure. This does not result in having to recirculate the Initial Study per CEQA Section 15073.5(c)(4). Below is the proposed change to the measure. This change has been made to Attachment A of the Staff Report.

o **Mitigation Measure BIO-6: Aquatic Resources**

The developer/ applicant shall procure a verification or jurisdictional determination from the USACE of the aquatic resources mapped within the Study Area. If impacts to any of the verified aquatic resources are proposed due to proposed development activities, prior to issuance of any clearing, grading, or building permits:

1. If fill will be placed into Waters of the United States, developer/ applicant shall apply for a Section 404 permit from the USACE. Waters of the U.S. that will be impacted shall be replaced or rehabilitated on a "no-net-loss" basis. Habitat restoration, rehabilitation, and/or replacement shall be at a location and by methods acceptable to the USACE.
2. The developer/applicant shall apply for a Section 401 water quality certification from the RWQCB for impacts to aquatic features for which a Section 404 permit will be obtained and adhere to the certification conditions. If any proposed development proposes to impact aquatic features that are not Waters of the U.S. but are waters of the state, Waste Discharge Requirements will be obtained from the RWQCB.
3. The developer/applicant shall apply for a Section 1600 Lake or Streambed Alteration Agreement from CDFW if any proposed development features may result in impacts to Green Spring Creek.

Timing/Implementation: Prior to initiation of any land clearing, grading, or construction activities:

Enforcement/Monitoring: El Dorado County Planning Services