

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



**Agenda of:** September 10, 2009  
**Item No.:** 10  
**Staff:** Patricia Kelly

**GENERAL PLAN AMENDMENT/REZONE/PARCEL MAP**

**FILE NUMBER:** A09-0001/Z09-0001/P09-0002  
**APPLICANT:** Richard J. and Bernitta A. Kovach Family Trust  
**AGENT:** Marlon Ginney  
**ENGINEER:** Gene E. Thorne and Associates, Inc.

**REQUEST:** The application consists of the following request:

1. Amend the General Plan Land Use Designation from Commercial (C) to Medium-Density Residential (MDR).
2. Zone change from Planned Commercial (CP) to One-Acre Residential (R1A).
3. Tentative Parcel Map creating two (2) parcels one-acre in size on a two-acre project site.
4. Design waiver requests to:
  - a. Reduce the Design Improvement Standards Manual (DISM) 101B requirement of a roadway width from 28-feet to 20-feet with 2-foot shoulders on each side for an overall roadway width of 24-feet and omit curbs, gutters and sidewalks.
  - b. Reduce the road right-of-way from 50-feet to 35-feet.
5. Abandon the existing 50-foot wide non-exclusive road and public utility easement for the on-site access roadway as shown between Parcel C and D on the Parcel Map recorded in Book 7 at Page 42, El Dorado County (Exhibit K).

**LOCATION:** On the north side of French Creek Road 0.25 miles south of the intersection with Mother Lode Drive in the Shingle Springs area, Supervisorial District II. (Exhibit A)

**APN:** 090-290-46 (Exhibit B)

**ACREAGE:** 2.0 acres

**GENERAL PLAN:** Commercial (C) (Exhibit C)

**ZONING:** Planned Commercial (CP) (Exhibit D)

**ENVIRONMENTAL DOCUMENT:** Mitigated Negative Declaration

**RECOMMENDATION:** Staff recommends the Planning Commission forward a recommendation to the Board of Supervisors to take the following actions:

1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
2. Adopt the mitigation monitoring program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the conditions of approval and mitigation measures in Attachment 1;
3. Approve General Plan Amendment A09-0001 and Rezone Z09-0001 based on the findings in Attachment 2;
4. Approve Tentative Parcel Map Application P09-0002, subject to the conditions of approval in Attachment 1, based on the Findings in Attachment 2;
5. Approve the following design waivers based on the findings in Attachment 2:
  - a. Reduce the Design Improvement Standards Manual (DISM) 101B requirement of a roadway width from 28-feet to 20-feet with 2-foot shoulders on each side for an overall roadway width of 24-feet and omit curbs, gutters and sidewalks.
  - b. Reduce the road right-of-way from 50-feet to 35-feet.
6. Abandon the existing 50-foot wide non-exclusive road and public utility easement for the on-site access roadway as shown between Parcel C and D on the Parcel Map recorded in Book 7 at Page 52, El Dorado County (Exhibit K).

## 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 is provided in the following sections.

**Project Description:** The project request is for a General Plan Amendment, Rezone, and Parcel Map. Discussed below are important project characteristics.

General Plan Amendment: Request for a General Plan Amendment to change the General Plan Land Use Designation from Commercial (C) to Medium-Density Residential (MDR).

Rezone: Request for a rezone from Planned Commercial (CP) to One-Acre Residential (R1A).

Tentative Parcel Map: Request to create two (2) parcels, one-acre in size, on a two-acre site. The two proposed parcels would be served by public water and sewer. The project would be accessed by French Creek Road, a County maintained road, as the primary access to the subject project site.

Design waiver requests to:

- a. Reduce the Design Improvement Standards Manual (DISM) 101B requirement of a roadway width from 28-feet to 20-feet with 2-foot shoulders on each side for an overall roadway width of 24-feet and omit curbs, gutters and sidewalks.
- b. Reduce the road right-of-way from 50-feet to 35-feet.

**Site Description:** The project site is situated at an elevation range of approximately 1,480 to 1,550 feet. The building sites and on-site roadway for the proposed parcels would be in the areas of each proposed parcel that lie closest to French Creek Road. The west quarter of the project site has slopes of 30 percent or greater, and the proposed on-site roadway as well as east of the 30 percent or greater slopes along the west side of the project site. The project site is adjacent to multi-family residences to the north, French Creek Road to the east, a single-family residence to the south, and an undeveloped parcel to the west comprising of oak woodland.

Soils on the site are classified in the Auburn, Boomer, Argonaut, and Sobrante series. The soil type is Auburn very rocky silt loam, 2 to 30 percent slopes (AxD). Permeability is moderate and surface runoff is slow to medium. The erosion hazard is slight to moderate.

There are approximately 1.55 acres of mixed oak woodland partially-closed canopy community on the project site. Dominant trees in this community are interior live oaks, black oak blue oak and gray pines. Valley oaks and California buckeye also occur in lesser abundance.

**Adjacent Land Uses:**

	Zoning	General Plan	Land Use/Improvements
Site	CP	C	Undeveloped
North	CP	C	Multi-family residential/ Apartments
South	R1A	MDR	Residential/Single family residence
East	PD	MDR	Residential/Single family residences
West	CP	C	Undeveloped

**Discussion:** The project site is surrounded on the north, south and east by rural residential development which consists of one acre and larger parcels. West of the project site is undeveloped CP property which is surrounded on the south and west by residential development. The adjoining parcel to the west zoned CP would require at a minimum, a site plan review application be submitted for review and approved by Planning Services prior to any development.

The majority of the parcels in the surrounding area are developed at this time. Parcels are primarily rural residential in nature, with single-family and multi-family dwellings and appurtenant structures.

**Project Issues:**

Discussion items for this project include land use compatibility, road improvements, water and sewer improvements, fire safety, existing site design for grading and improvements, and available public services.

**Access:** Access for the project site would be from French Creek Road, a County maintained roadway. In accordance with the Fire District and Department of Transportation DISM, the access road would be developed to a 20-foot width with 2-foot shoulders and the applicant would provide a turn around on Road "A" to the provisions of County Standards Plan 114 or approved equivalent.

**Road Easement Abandonment:** The applicant has requested a road easement abandonment of the existing 50-foot wide non-exclusive road and public utility easement for the on-site access roadway as shown between Parcel C and D on the Parcel Map recorded in Book 7 at Page 52, El Dorado County (Exhibit X). A condition would be included in the Conditions of Approval, Attachment 1, requiring the applicant to place a note on the Parcel Map in compliance with Section 66445 (j) of the Subdivision Map Act, to abandon the existing road easement and public utility easement.

**Public Water and Sewer:** The project would be served by public water and sewer. The applicant provided a copy of a Facility Improvement Letter (FIL) dated July 2, 2008 issued by the El Dorado Irrigation District (EID). In order for EID to provide the required fire flow and water service to the project site the applicant would be required to construct a water line extension connecting to the 10-inch waterline located in French Creek Road. EID has determined that the existing 6-inch sewer line

located in Altair Way has adequate capacity at this time. In order for the applicant to receive service from this line, an extension of facilities of adequate size must be constructed.

**Water System Improvements and access for Fire Safety:** As previously discussed the project would be served by public water. The El Dorado County Fire Protection District has determined that the minimum fire flow for this project is 1,000 gallons per minute (GPM) for 2-hour duration while maintaining a 20-pounds per square inch (psi) residual pressure. According to the District's hydraulic model, the existing system can deliver the required fire flow.

The proposed parcels would be required to comply with the required fire flow needed for fire protection as determined by the Department of Forestry and Fire Protection (Cal Fire). Pursuant to Cal Fire, these standards would include construction of the access road off of French Creek Road to be a minimum road width of 20-feet per the California Fire Code. The road would need to be constructed with an approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (2007 California Fire Code, Appendix D). The dead end access road would be required to provide a turnaround constructed at its terminus (Article 2. Emergency Access, Section 1273.09 (c) of the Fire Safe Regulations and 2007 California Fire Code, Appendix D). Cal Fire requires a Wildland Fire Safe Plan be developed by a qualified consultant.

**Park Land:** This project would be required to pay a Park-in-Lieu fee for the acquisition of parklands.

### **General Plan**

This project is consistent with the applicable policies of the adopted El Dorado County General Plan. Findings for consistency with the General Plan are provided in Attachment 2. The policies and issues that affect this project are discussed below:

The proposed General Plan Amendment from C to MDR is consistent with all other applicable policies of the General Plan including **2.2.1.2** land use designation, **2.3.2.1** and **2.2.5.21** concerning the project's land use compatibility with adjacent residential development lot sizes and overall project density. West of the project site is undeveloped C property which is surrounded by residential development. No commercial development is located adjacent to the project site.

The current General Plan land use designation would permit a full range of commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County and the proposed General Plan amendment would establish areas suitable for detached single-family residences. The maximum allowable density would be one dwelling unit per 1.0 acre.

Discussion: The requested General Plan Amendment would change the land use designation to MDR. The purpose of this land use category is to establish areas suitable for detached single-family residences with larger lot sizes which would enable limited agricultural land management activities. This designation is considered appropriate within the Community Region and Rural Centers. The project parcel is located within the Shingle Springs Community Region.

The amendment from C to MDR would allow for an area where the absence or reduced level of infrastructure including roads, water lines and sewer lines does not justify higher densities, where the topography poses a constraint to higher density; and as a transitional land use between the more highly developed and the more rural areas of the County. The maximum allowable density shall be one dwelling unit per 1.0 acre. This would represent development of residential lands within Community Regions and Community Centers which combines commercial and residential uses. The transition of land use from commercial to residential in the vicinity of the project parcel would be a compatible land use transition. As proposed, the MDR designation and zone district would be compatible with the existing and proposed surrounding single-family residential development to the east, and south and multi-family residential development to the north. The property west of the project site is designated C and zoned CP and is surrounded by single-family residential development. The CP zoning would require at a minimum, a site plan review application be submitted for review and approved by Planning Services prior to any development. The project site is suitable for residential development and the initial study did not find any significant impacts that could be associated with development of the site.

The proposed two parcels would be in keeping with the General Plan intended development pattern expected in lands designated as MDR and would provide a similar and consistent residential density between existing residential development of similar lot sizes. The MDR designation is considered appropriate only within Community Regions and Rural Centers. The project site is located in the Shingle Springs Community Region. Therefore, the proposed project would be compatible within the context of the surrounding land uses pursuant to **Policy 2.2.1.2 and 2.2.5.21.**

The proposed General Plan Amendment from C to MDR. West of the project site is undeveloped C property which is surrounded by residential development. No commercial development is located adjacent to the project site. The proposed General Plan Amendment would be appropriate due to the surrounding residential development in the vicinity of the project site. Commercial development is located along Mother Lode Road and transitions into residential development in the vicinity of the project site.

**Policy 2.1.1.7** directs that development be limited in some cases until such time as adequate roadways, utilities, and other public service infrastructure becomes available and wildfire hazards are mitigated.

Discussion: Emergency road access would be conditioned to be improved to minimum DOT road standards. The project would be conditioned to meet Fire District fire safe requirements prior to filing the Parcel Map. Power and phone service would be available. The project would be served by public water and sewer.

**Policy 2.2.5.3:** The County shall evaluate future rezoning: (1) To be based on the General Plan's general direction as to minimum parcel size or maximum allowable density; and (2) To assess whether changes in conditions 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;*

Discussion: Policies 5.1.2.1 and 5.1.2.2 require that prior to approval of any discretionary development a determination of the adequacy of the public services and utilities to be impacted shall be made, and the development shall not result in a reduction of services below minimum established standards.

The project area would be served by public water and sewer. The El Dorado Irrigation District (EID) has reviewed available services and determined adequate water and sewer service would be available to service the parcels included in the project area. In order for EID to provide the required fire flow and water service to the project site, the applicant would be required to construct a water line extension connecting to the 10-inch waterline located in French Creek Road. EID has determined that the existing 6-inch sewer line located in Altair Way has adequate capacity at this time. In order for the applicant to receive service from this line, an extension of facilities of adequate size must be constructed. An amendment and rezone from commercial to residential could lessen the impact on water and sewer demand as previously analysis under the 2004 General Plan Environmental Impact Report.

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

Discussion: The project site is located within the Buckeye Union School District. The distance to the closest high school would be approximately one mile. The affected school district was contacted as part of the initial consultation process and no specific comments or mitigation measures were received.

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

Discussion: The El Dorado County Fire Protection District and Cal Fire would be responsible for providing fire protection to the project site. The nearest fire station is located in Shingle Springs at 3860 Ponderosa Road, approximately 0.75 miles from the project site. Cal Fire has reviewed the project and has determined that compliance with the required conditions of approval, they would be able to provide adequate fire protection to the site. The El Dorado County Fire Protection District was provided the opportunity to review and comment on the project. Planning Services has not received comments from the District so the District's comments are not reflected in this staff report.

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

Discussion: The project site is located within the Shingle Springs Community Region.

7. *Erosion hazard;*

Discussion: Under **Policy 7.3.2.2**, projects requiring a grading permit shall have an erosion control program approved, where necessary. The soil type is Auburn very rocky silt loam, 2 to 30 percent slopes (AxD). Permeability is moderate and surface runoff is slow to medium. The erosion hazard is slight to moderate. Minimal grading would be required for the on-site road improvements. Road improvement grading as well as future development must adhere to the County's grading and erosion control requirements.

8. *Septic and leach field capability;*

9. *Groundwater capability to support wells;*

Discussion: The project parcels would be served by public and water facilities of the El Dorado Irrigation District. The Facility Improvement Letter (FIL) dated July 2, 2008, indicates that the site can be served adequately by existing facilities. No septic systems or leach fields are proposed. No wells are proposed.

10. *Critical flora and fauna habitat areas;*

Discussion: The County's General Plan designates areas within the County that have the potential to affect rare plants. The County's General Plan and General Plan EIR define Rare Plant Mitigation Areas within the County, which designate lands potentially affecting rare plants that are subject to mitigation. The project site is located in Rare Plant Mitigation Area 2. As required by Section 17.71 of the Zoning Ordinance and Board of Supervisors Resolution 205-98 payment of the Mitigation Area 2 mitigation fee would be required prior to building permit issuance. The Biological Resources Evaluation prepared for the project determined that no special-status species were observed in the project site during the general biological surveys or the botanical inventory conducted during the evident and identifiable period for special-status plants.

11. *Important timber production areas;*

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

12. *Important agricultural areas;*

Discussion: The project site is presently General Plan designated and zoned for commercial development. The project site is not within an active agricultural area, and the site itself is not used for agricultural purposes. Thus, the site would not be considered an important agricultural area.

13. *Important mineral resource areas;*

Discussion: The project would not impact an important mineral resource area.



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

Discussion: The El Dorado County Department of Transportation reviewed the Rezone, General Plan Amendment and Parcel Map applications and concluded that the recommended conditions of approval, including improvements to French Creek Road and proposed design waivers, would sufficiently address project traffic issues and ensure that the transportation system would be adequate to serve the project.

15. *Existing land use pattern;*

Discussion: The project site is bordered to the north and west by commercially zoned parcels. The site to the west is an undeveloped commercial site with land that is currently heavily wooded with pine and oak trees. Multi-family residences border the project site to the north. A planned development consisting of single-family residences exists east of the project site. There are a number of residentially designated parcels located in the project vicinity. The surrounding commercially zoned properties are a mix of developed and undeveloped parcels. The amendment from commercial to residential is compatible with existing surrounding development but potentially incompatible with adjoining future land use to the west as identified in the 2004 General Plan. The adjoining parcel to the west is zoned Planned Commercial (CP) and would require at a minimum, a site plan review application be submitted for review and approved by Planning Services prior to any development.

16. *Proximity to perennial water course;*

Discussion: The Biological Resources Evaluation prepared for the project did not identify wetlands, drainages, or seeps on the project site.

17. *Important historical/archeological sites;*

Discussion: A study prepared by Foothill Associates, Inc. details the results of an archaeological inventory survey of approximately 20-acres which includes the project site identified that proposed action involving development of the project site for residential and related use that could result in physical disturbance to ground and sub-surface components and could have the potential to impact cultural resources. Standard conditions would be included in the Conditions of Approval, Attachment 1, to ensure that impacts to cultural resources would be minimal.

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

Discussion: As shown in the Division of Mines and Geology's publication Fault Rupture Hazard Zones in California, there are no Alquist-Priolo Special Studies Zones mapped in El Dorado County. Any potential impact caused by locating buildings in the project area would be offset by the compliance with the Uniform Building Code earthquake standards.

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

Discussion: No Conditions, Covenants, and Restrictions exist for the project site.

**Policy 2.3.2.1** states disturbance of slopes thirty (30) percent or greater shall be discouraged to minimize the visual impacts of grading and vegetation removal.

Discussion: Minimal grading is proposed for the on-site road improvements. Limits of grading for the project's proposed access road would be from French Creek Road to a point approximately 75 feet into the project site interior avoiding impacts to slopes which are 30 percent of greater.

**Policy 5.7.1.1** directs that the applicant demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection either are or would be provided concurrent with development.

Discussion: The project would be required to meet the required minimum fire flow requirements of the El Dorado County Fire Protection District which would be reviewed and approved by them prior to filing the Parcel Map.

**Policy 6.2.3.2** directs that the applicant demonstrate that adequate access exists or can be provided to ensure that emergency vehicles can access the site and private vehicles can evacuate the area.

Discussion: The project would be served by French Creek Road. The road would be improved to the El Dorado County Fire Protection District, Cal Fire and Department of Transportation standards. The applicant would be required to prepare a Wildland Fire Safe Plan to be reviewed and approved by Cal Fire. The project would be conditioned to ensure that the dead end access road would be constructed capable of accommodating and supporting the imposed load of fire apparatus which includes construction of a turn around at its terminus.

**Policy 7.4.4.4** establishes the native oak tree canopy retention and replacement standards. Existing project oak tree canopy coverage is estimated at 77.5 percent. (Arborist Report for Kovach Parcel Map, Philip R. Mosbacher, January 2009) Under General Plan Policy 7.4.4.4, Option A, 70 percent of the existing canopy must be retained. As proposed, the project would retain 94.8 percent of the oak tree canopy at the site consistent with General Plan Policy 7.4.4.4, Option A because minimal grading for road widening and no parcel development is proposed. Future development of the proposed parcels would have the option of complying with either Option A or Option B of Policy 7.4.4.4.

<b>Project Site (acreage)</b>	<b>Oak Canopy Coverage (acreage)</b>	<b>Percentage of Required Retention</b>	<b>Proposed Oak Removal for road &amp; infrastructure (acreage)</b>	<b>Percentage Retention Proposed</b>
2	1.55	70%	0.08	94.8%

Discussion: The proposed project would impact oak woodland habitat, which pursuant to **Policy 7.4.4.4** requires retention and replacement of the affected habitat. The project would result in varying degrees of disturbance to oaks and other woodland, depending on the scope of future improvements

such as building pads and driveways. The applicant has only analyzed potential impacts to oak trees as a result of the construction of a proposed dead end on-site road. The project Arborist Report dated January 21, 2009 states that of the 2-acre project site, healthy oak canopy covers 1.55-acres (77.5 percent). The proposed on-site development design would require the removal of approximately 0.08-acres of oak canopy from the project site. The removal of 0.08-acres of canopy would reduce the oak canopy on the parcel by 5.2 percent. The total on-site oak canopy to remain would be approximately 1.47-acres or 94.8 percent. For a project site of 2-acres and 1.55-acres of oak canopy area to qualify for Option A of **Policy 7.4.4.4**, 70 percent of the existing oak canopy must remain.

**Policy TC-4i** states within Community Regions and Rural Centers, all development shall include pedestrian/bike paths connecting to adjacent development and to schools, parks, commercial areas and other facilities where feasible. Presently sidewalks do not exist in the adjacent subdivision to the east of the project site, nor along any other project vicinity roadways. The closest area businesses, a barber shop and the Family & Child Commission of El Dorado County, at the corner of French Creek Road and Creekside Drive are not pedestrian oriented. Other area businesses are located on Mother Lode Drive and do not provide sidewalk access. DOT supports the applicant's request not to provide pedestrian/bike paths. As discussed in this staff report, DOT supports the design waiver request to reduce the Design and Improvement Standards Manual Design Standard 101B requirement to a roadway width of 20-feet and 2-foot shoulders on each side for an overall roadway width of 24-feet and omit curbs, gutters and sidewalks. It is not feasible to require the applicant to provide pedestrian/bike paths.

**Conclusion:** The project has been reviewed in accordance with the El Dorado County 2004 General Plan policies and it has been determined that the project would be consistent with all applicable policies of the General Plan. Findings of consistency with the General Plan are provided in Attachment 2.

## **Zoning**

The project request includes a Rezone application. As discussed below, the rezone would require future development to adhere to the Development Standards of the One-Acre Residential Zone District (R1A).

**Development Standards:** Section 17.28.080 A-F of the Zoning Ordinance establishes the requirements for development within the R1A Zone District:

A. *Minimum parcel area, one acre*

The project would create two (2) one-acre parcels.

B. *Minimum parcel area per dwelling unit, same as subsection A of this section;*

Future development of the residential lots would include single family residences and accessory buildings. The proposed lots provide sufficient areas suitable for residential development.

C. *Minimum parcel width, one hundred feet;*

The minimum parcel width for the proposed parcels would be 147 feet which would be consistent with this requirement.

D. *Minimum yards; front, thirty feet (30'); sides, fifteen feet (15'), except the side yard shall be increased one foot (1') for each additional foot of building height in excess of twenty-five feet(25'); rear thirty feet (30'); stable (front), thirty feet(30'); sides, thirty feet (30'); rear, thirty feet (30'); (Ord. 4236, 1992)*

The project includes setbacks, as shown on the Tentative Parcel Map (Exhibit E) which have been designed to be consistent with the setback requirements.

**Discussion:** The proposed General Plan land use and zone district would be more compatible than commercial development. This would represent development of residential lands within Community Regions and Community Centers which combines commercial and residential uses. As proposed the MDR designation and R1A zone district would be compatible with the existing and proposed surrounding single-family residential and commercial land uses and would not create land use conflicts with surrounding properties. The site adjoins commercially designated lands and single-family designated lands and is located on French Creek Road within a residential area.

**Conclusion:** As discussed above, Planning Services staff finds that the project can be found to conform with the intent of the Zoning Code and that the necessary findings can be made to support the request for a General Plan land use designation change, a rezone, and tentative parcel map creating two parcels. The details of those findings are contained in Attachment 2.

### **Design Waivers**

Listed below are the design waivers requested for the project. The Department of Transportation has reviewed the Design Waivers and has recommended approval. Appropriate findings are included in Attachment 2 of the staff report.

Two Design Waivers have been requested as part of the project:

- a. Reduce the Design Improvement Standards Manual (DISM) 101B requirement of a roadway width from 28-feet to 20-feet with 2-foot shoulders on each side for an overall roadway width of 24-feet and omit curbs, gutters and sidewalks.

**Discussion:** The Design Waiver request to reduce the roadway width and omit curbs, gutters and sidewalks along the proposed on-site roadway is due to the level of development on surrounding properties as well as access limitations and topography of the project site. At present sidewalks do not exist in the adjacent subdivision to the east of the project site nor along any other project vicinity roadways. Existing commercial and residential development on Mother Lode Drive and French Creek Drive do not have access sidewalks provided.

The proposed on-site roadway would be located at the only area of the project site which provides the required sight distance in both directions along French Creek Road. The proposed on-site roadway is also appropriately located opposite Altair Road and in the center of the proposed parcels. Reduction of the on-site roadway would maximize building area as well as minimize impacts to oak canopy. The proposed on-site roadway would have very low traffic volume due to only serving two residential parcels. Requiring sidewalks, curbs, and gutters are not warranted due to the low projected traffic volume and low project density.

- b. Reduce the right-of-way from 50-feet to 35-feet.

Discussion: The reduction in road right-of-way would minimize environmental impacts to existing oak canopy and minimize visual impacts. The proposed 35-foot right-of-way would meet fire safety standards and sight distance requirements would be satisfied.

**Conclusion:** Planning Staff recommends approval of the design waivers based on the recommendations of the Department of Transportation. Findings are contained within Attachment 2.

**Agency and Public Comments:** Appropriate conditions from each reviewing agency are included in Attachment 2. The following agencies provided comments and/or conditions for this project:

- El Dorado County Department of Transportation
- El Dorado County Environmental Management Department
- El Dorado County Air Quality Management District
- El Dorado County Resource Conservation District
- El Dorado County Transit Authority
- Office of the County Surveyor
- California Department of Forestry and Fire Protection (Cal Fire)

The El Dorado County Fire Protection District was provided the opportunity to review and comment on the project. Planning Services has not received comments from the District so any concerns the District may have are not reflected in this staff report.

## **ENVIRONMENTAL REVIEW**

Staff has prepared an Initial Study (Environmental Checklist attached as (Exhibit I) to determine if the project would have a significant effect on the environment. Based on the Initial Study, staff finds that the project could have a significant effect on biological resources. However, the project has been modified to incorporate the mitigation measure identified in the Initial Study which would reduce the impacts to a level considered to be less than significant. Therefore, a Mitigated Negative Declaration has been prepared

**NOTE:** This project is located within an area that has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened or endangered plants or animals, etc.) and was referred to the California Department of Fish and Game. In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$1,993.00 after

approval, but prior to 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 \$1,993.00 is forwarded to the State Department of Fish and Game and issued to defray the cost of managing and protecting the states fish and wildlife resources.

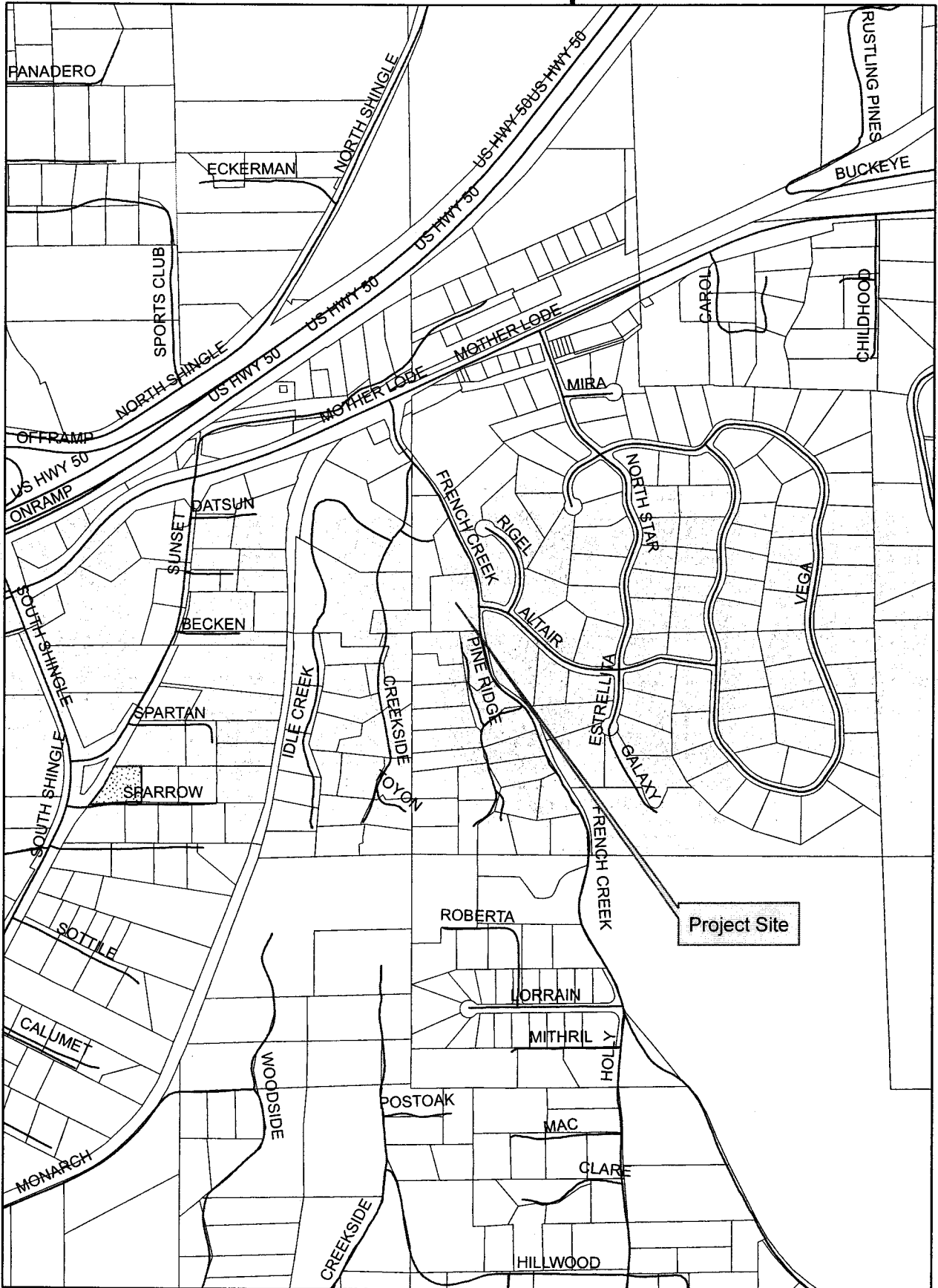
## SUPPORT INFORMATION

### Attachments:

Attachment 1 .....	Conditions of Approval
Attachment 2 .....	Findings
Exhibit A .....	Location Map
Exhibit B .....	Assessor's Parcel Map
Exhibit C .....	General Plan Land Use Map
Exhibit D .....	Zoning Map
Exhibit E .....	Tentative Parcel Map
Exhibit F .....	Slope Map
Exhibit G .....	Aerial Photo
Exhibit H .....	Parent Parcel Map Book 48, Page 144
Exhibit I .....	Environmental Checklist
Exhibit J .....	Facility Improvement Letter (FIL)
Exhibit K .....	Parcel Map Book 7, Page 42

# Kovach Parcel Map P09-0002/A09-0001/Z09-0001

## Location Map

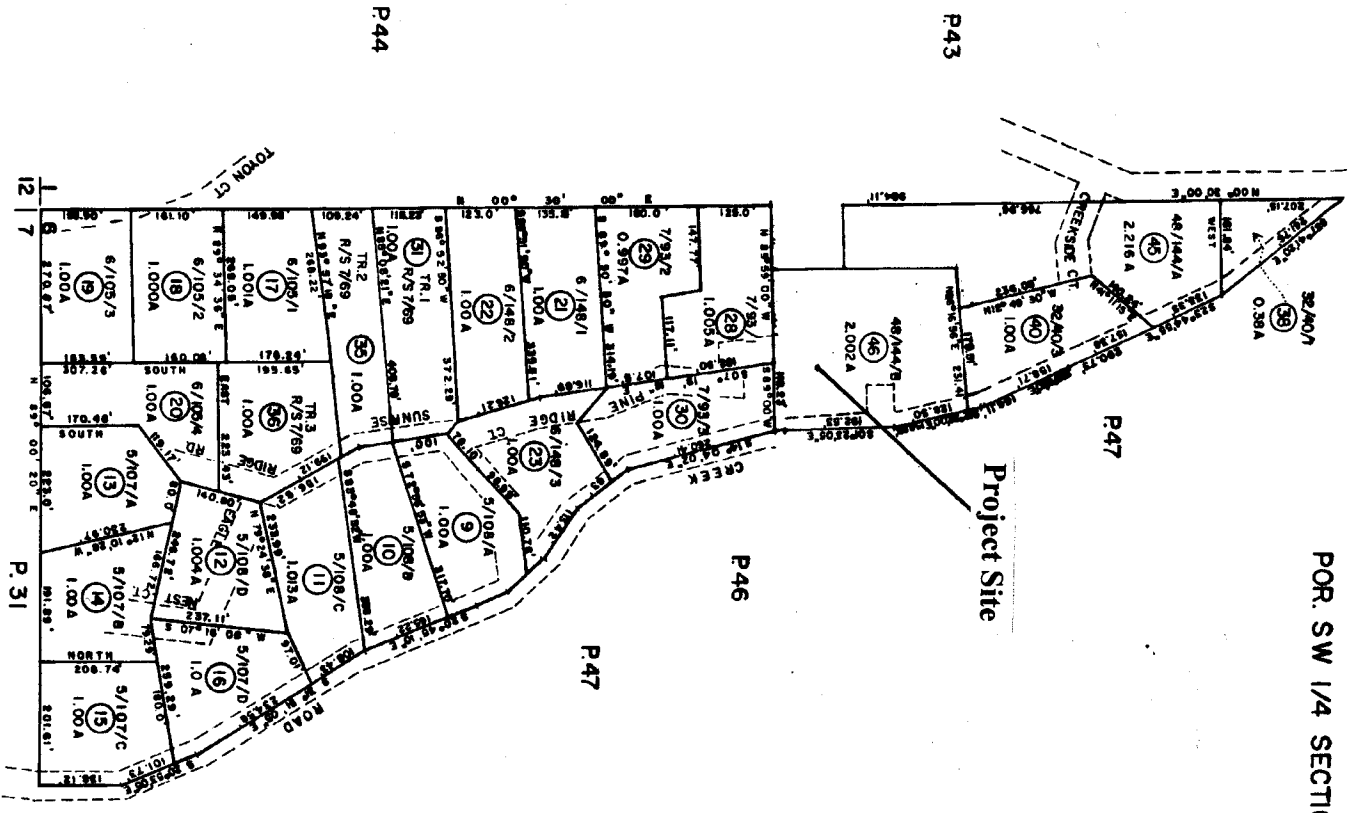


Map prepared by  
Pat Kelly  
El Dorado County  
Planning Services

0 250 500 1,000 Feet



Exhibit A



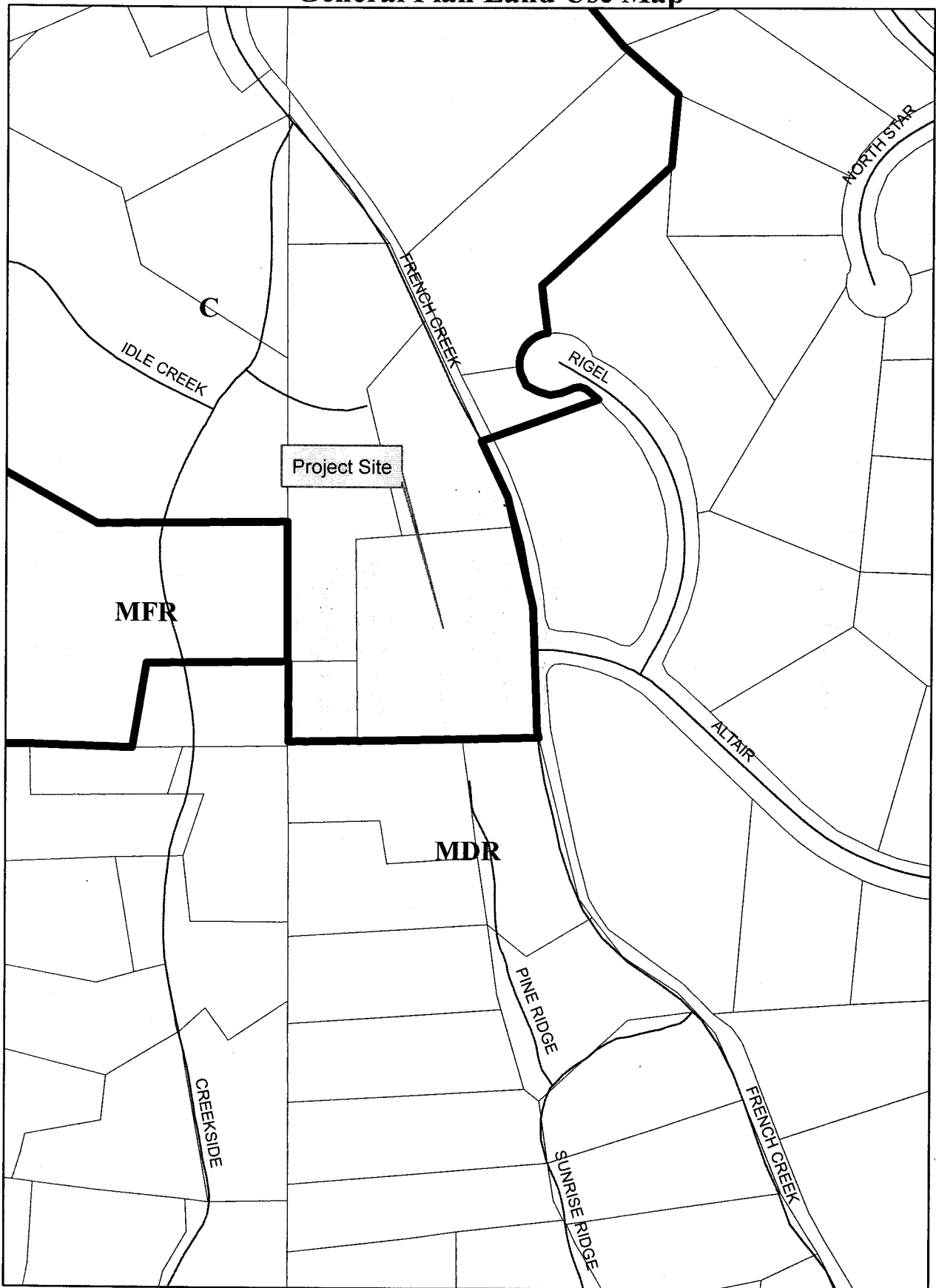
NOTE - Assessor's Block Numbers Shown in Ellipse  
Assessor's Parcel Numbers Shown in Circles

Assessor's Map Bl. 90 - Pg. 29  
County of El Dorado, California  
JUL 1 1 2005

# EXHIBIT B



**Kovach Parcel Map P09-0002/A09-0001/Z09-0001  
General Plan Land Use Map**



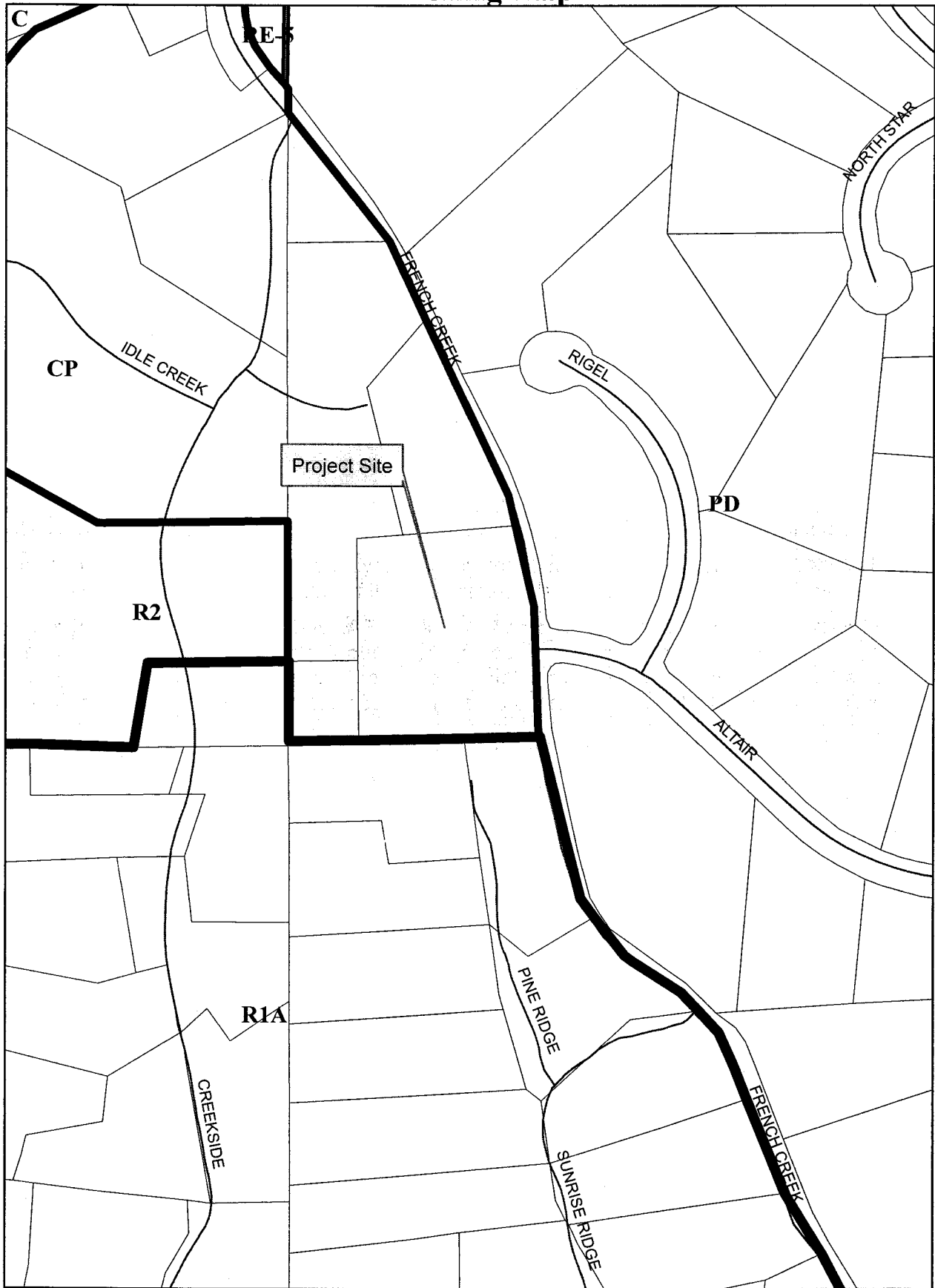
Map prepared by  
Pat Kelly  
El Dorado County  
Planning Services

0 50 100 200 Feet  
[Scale bar with 4 segments]



Exhibit C

# Kovach Parcel Map P09-0002/A09-0001/Z09-0001 Zoning Map



Map prepared by  
Pat Kelly  
El Dorado County  
Planning Services

0 50 100 200 Feet  
[Scale bar]



Exhibit D

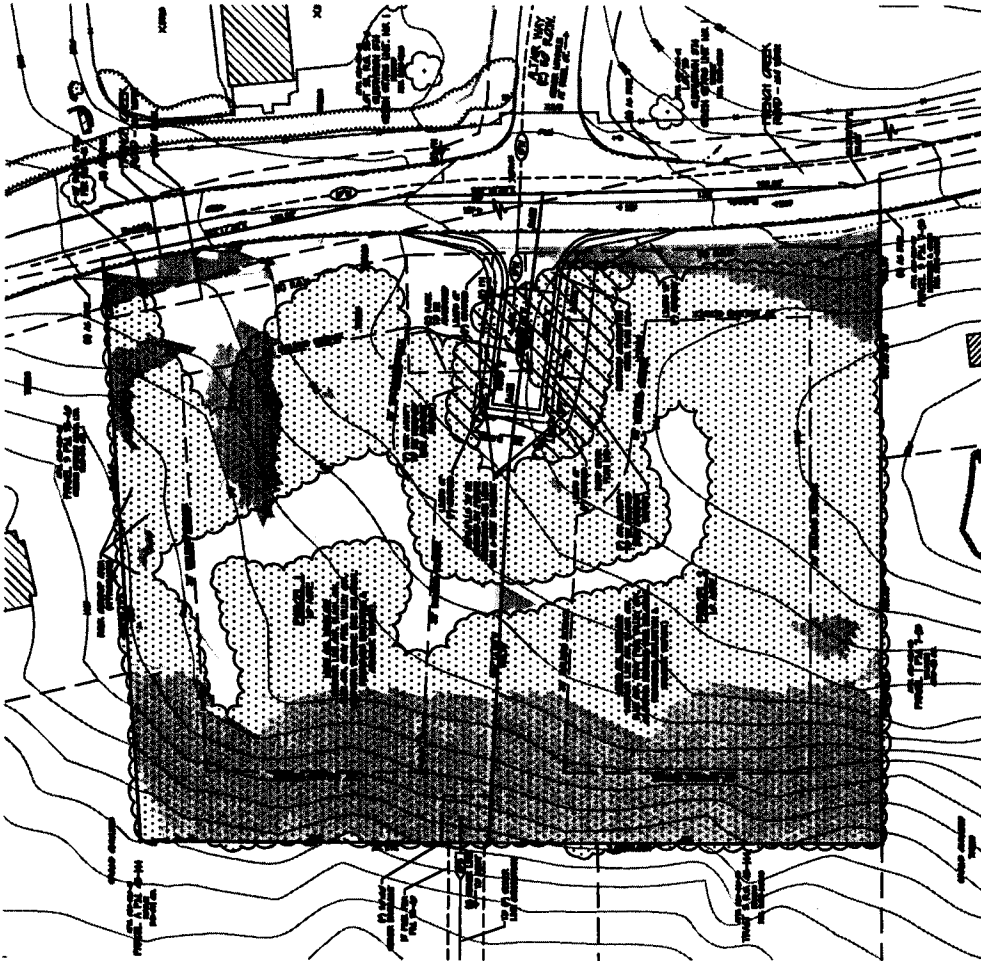
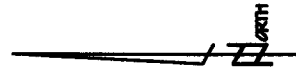
20 MAR 10 AM 11:20

RECEIVED  
PLANNING DEPARTMENT

**TENTATIVE PARCEL MAP  
BEING PARCEL 6, P.M. 48-144  
COUNTY OF EL DORADO, STATE OF CALIFORNIA**

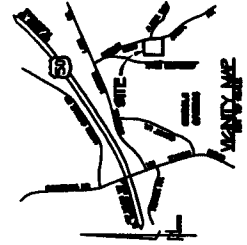
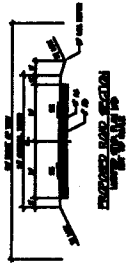
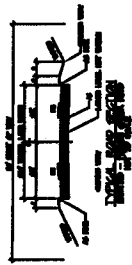
**PROJECT NOTES**  
1. THE PLANNING DEPARTMENT HAS REVIEWED THIS PARCEL MAP FOR CONFORMANCE WITH THE SUBDIVISION MAP ACT AND THE ZONING ORDINANCES OF THE COUNTY OF EL DORADO.  
2. THIS PARCEL MAP IS TENTATIVE AND IS SUBJECT TO THE APPROVAL OF THE PLANNING DEPARTMENT AND THE BOARD OF SUPERVISORS.  
3. THE PLANNING DEPARTMENT HAS REVIEWED THIS PARCEL MAP FOR CONFORMANCE WITH THE SUBDIVISION MAP ACT AND THE ZONING ORDINANCES OF THE COUNTY OF EL DORADO.  
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4. THIS PARCEL MAP IS TENTATIVE AND IS SUBJECT TO THE APPROVAL OF THE PLANNING DEPARTMENT AND THE BOARD OF SUPERVISORS.



- LEGEND**
- 1. UNIMPROVED LOT
  - 2. IMPROVED LOT
  - 3. LOT WITH IMPROVEMENTS
  - 4. LOT WITH IMPROVEMENTS
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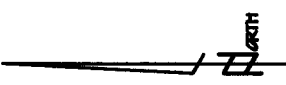
EL DORADO TENTATIVE PARCEL MAP  
1948

**A 09-0001 Z 09-0001/P 09-0002  
EXHIBIT E**

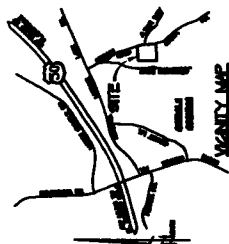
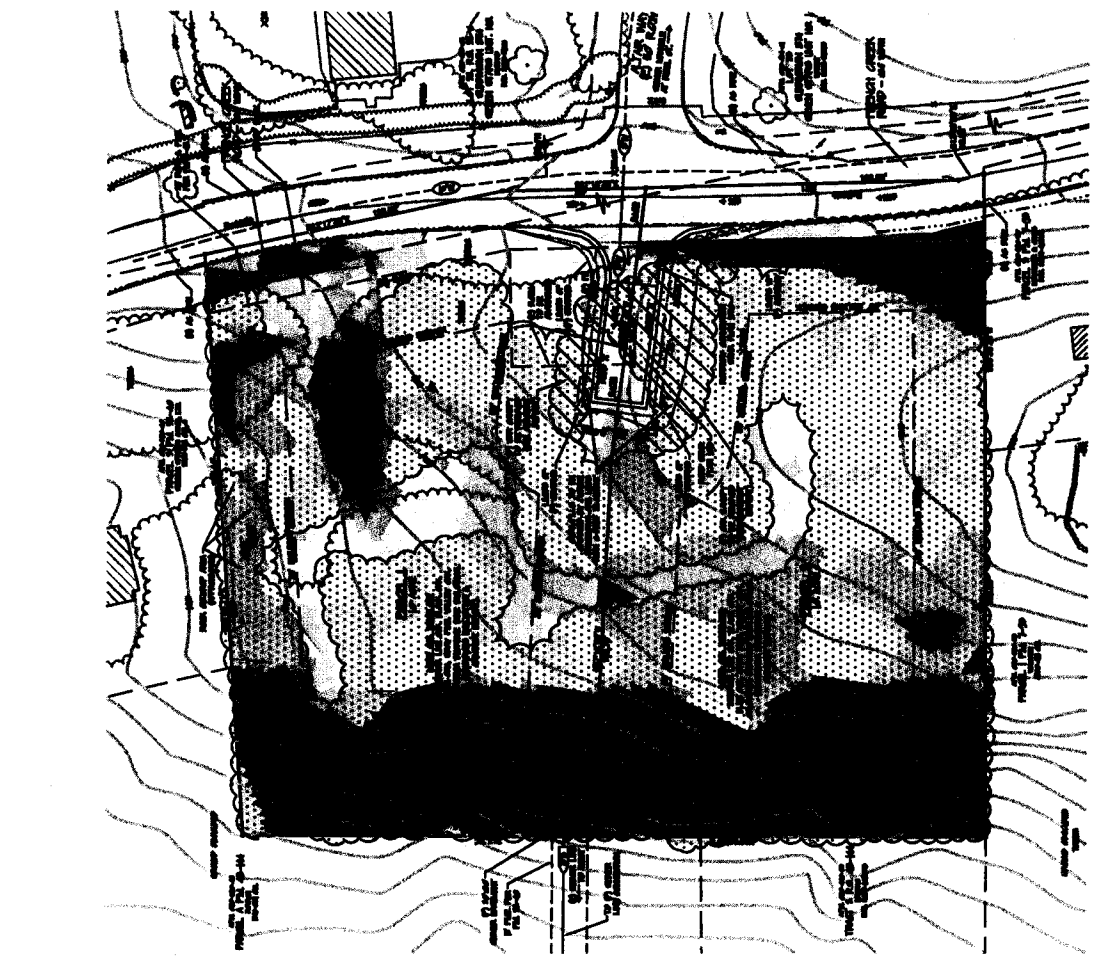
**SLOPE MAP**

BEING PARCEL P, PM 48-144  
COUNTY OF EL DORADO, STATE OF CALIFORNIA

**FRASER NOTES**  
1. THIS MAP WAS PREPARED BY FRASER CONSULTANTS INC. AND IS A REPRESENTATION OF THE DATA PROVIDED TO US BY THE CLIENT AND THE DATA ON WHICH IT IS BASED. WE DO NOT WARRANT THE ACCURACY OF THE DATA OR THE RESULTS OF OUR ANALYSIS. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE DATA AND THE RESULTS OF OUR ANALYSIS. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE DATA AND THE RESULTS OF OUR ANALYSIS. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE DATA AND THE RESULTS OF OUR ANALYSIS.



CONCEPT OF THE PROJECT IS TO PROVIDE A SLOPE MAP FOR THE SITE. THE SLOPE MAP IS TO BE USED TO DETERMINE THE SLOPE OF THE SITE AND TO IDENTIFY ANY AREAS OF CONCERN. THE SLOPE MAP IS TO BE USED TO DETERMINE THE SLOPE OF THE SITE AND TO IDENTIFY ANY AREAS OF CONCERN. THE SLOPE MAP IS TO BE USED TO DETERMINE THE SLOPE OF THE SITE AND TO IDENTIFY ANY AREAS OF CONCERN.

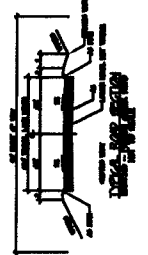
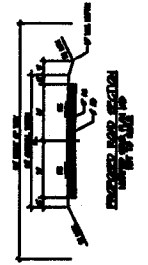


**LEGEND**

[Symbol]	10% SLOPE
[Symbol]	15% SLOPE
[Symbol]	20% SLOPE
[Symbol]	25% SLOPE
[Symbol]	30% SLOPE
[Symbol]	35% SLOPE
[Symbol]	40% SLOPE
[Symbol]	45% SLOPE
[Symbol]	50% SLOPE
[Symbol]	55% SLOPE
[Symbol]	60% SLOPE
[Symbol]	65% SLOPE
[Symbol]	70% SLOPE
[Symbol]	75% SLOPE
[Symbol]	80% SLOPE
[Symbol]	85% SLOPE
[Symbol]	90% SLOPE
[Symbol]	95% SLOPE
[Symbol]	100% SLOPE
[Symbol]	STREET
[Symbol]	RAILROAD
[Symbol]	POWER LINE
[Symbol]	WATERWAY
[Symbol]	BOUNDARY
[Symbol]	PROPERTY LINE
[Symbol]	ADJACENT PROPERTY

**SLOPE STUDY REPORT**

DATE	09-12-69
PROJECT	PARCEL P, PM 48-144
CLIENT	FRASER CONSULTANTS INC.
PREPARED BY	FRASER CONSULTANTS INC.
CHECKED BY	FRASER CONSULTANTS INC.
SCALE	AS SHOWN



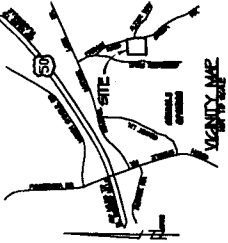
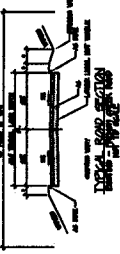
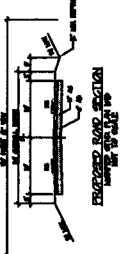
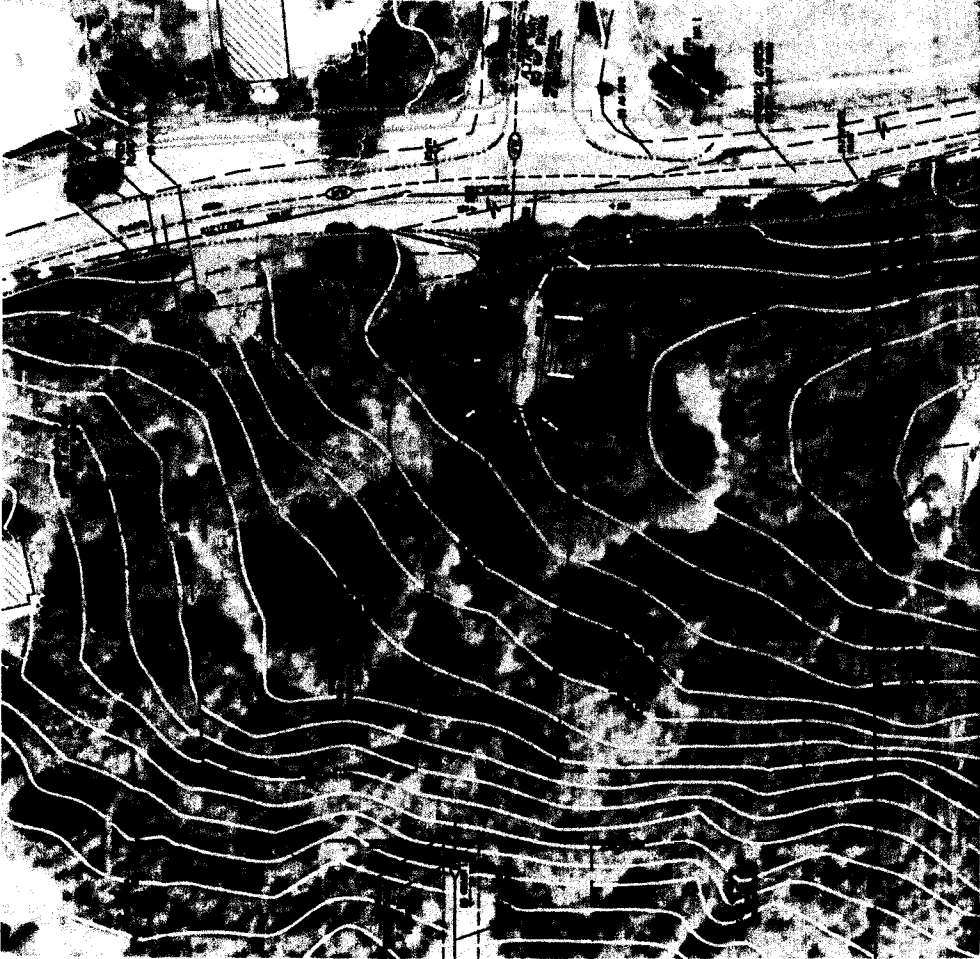
A 09-0001 Z 09-0001/P 09-0002  
**EXHIBIT F**

**AERIAL PHOTO EXHIBIT**  
 BEING PARCEL B, P.M. 48-14A  
 COUNTY OF EL DORADO, STATE OF CALIFORNIA

- PROJECT NOTES**  
 THESE PLANS WERE PREPARED BY THE ARCHITECT FOR THE ARCHITECT'S USE ONLY. THE ARCHITECT MAKES NO REPRESENTATION AS TO THE ACCURACY OF THE AERIAL PHOTOGRAPH. THE ARCHITECT HAS NOT CONDUCTED A VISUAL SURVEY OF THE PROJECT SITE AND HAS NOT BEEN ADVISED BY THE ARCHITECT OF ANY CHANGES TO THE PROJECT SITE SINCE THE DATE OF THE AERIAL PHOTOGRAPH WAS TAKEN.
- THE ARCHITECT HAS CONDUCTED VISUAL SURVEYS OF THE PROJECT SITE AND HAS NOT BEEN ADVISED BY THE ARCHITECT OF ANY CHANGES TO THE PROJECT SITE SINCE THE DATE OF THE AERIAL PHOTOGRAPH WAS TAKEN.
  - THE ARCHITECT HAS CONDUCTED VISUAL SURVEYS OF THE PROJECT SITE AND HAS NOT BEEN ADVISED BY THE ARCHITECT OF ANY CHANGES TO THE PROJECT SITE SINCE THE DATE OF THE AERIAL PHOTOGRAPH WAS TAKEN.
  - THE ARCHITECT HAS CONDUCTED VISUAL SURVEYS OF THE PROJECT SITE AND HAS NOT BEEN ADVISED BY THE ARCHITECT OF ANY CHANGES TO THE PROJECT SITE SINCE THE DATE OF THE AERIAL PHOTOGRAPH WAS TAKEN.
  - THE ARCHITECT HAS CONDUCTED VISUAL SURVEYS OF THE PROJECT SITE AND HAS NOT BEEN ADVISED BY THE ARCHITECT OF ANY CHANGES TO THE PROJECT SITE SINCE THE DATE OF THE AERIAL PHOTOGRAPH WAS TAKEN.



- OWNER - EL DORADO COUNTY
- PROJECT - EL DORADO COUNTY
- DATE - 10/1/78
- SCALE - AS SHOWN
- DESIGNED BY - [Name]
- PROJECT ENGINEER - [Name]
- PROJECT NO. - 48-14A
- DATE OF PHOTOGRAPH - 10/1/78
- PHOTOGRAPHER - [Name]
- SCALE - AS SHOWN
- DATE - 10/1/78
- PROJECT - EL DORADO COUNTY
- DATE - 10/1/78
- PROJECT - EL DORADO COUNTY
- DATE - 10/1/78
- PROJECT - EL DORADO COUNTY
- DATE - 10/1/78



- LEGEND**
- 10' CONTOUR
  - 20' CONTOUR
  - 30' CONTOUR
  - 40' CONTOUR
  - 50' CONTOUR
  - 60' CONTOUR
  - 70' CONTOUR
  - 80' CONTOUR
  - 90' CONTOUR
  - 100' CONTOUR
  - 110' CONTOUR
  - 120' CONTOUR
  - 130' CONTOUR
  - 140' CONTOUR
  - 150' CONTOUR
  - 160' CONTOUR
  - 170' CONTOUR
  - 180' CONTOUR
  - 190' CONTOUR
  - 200' CONTOUR

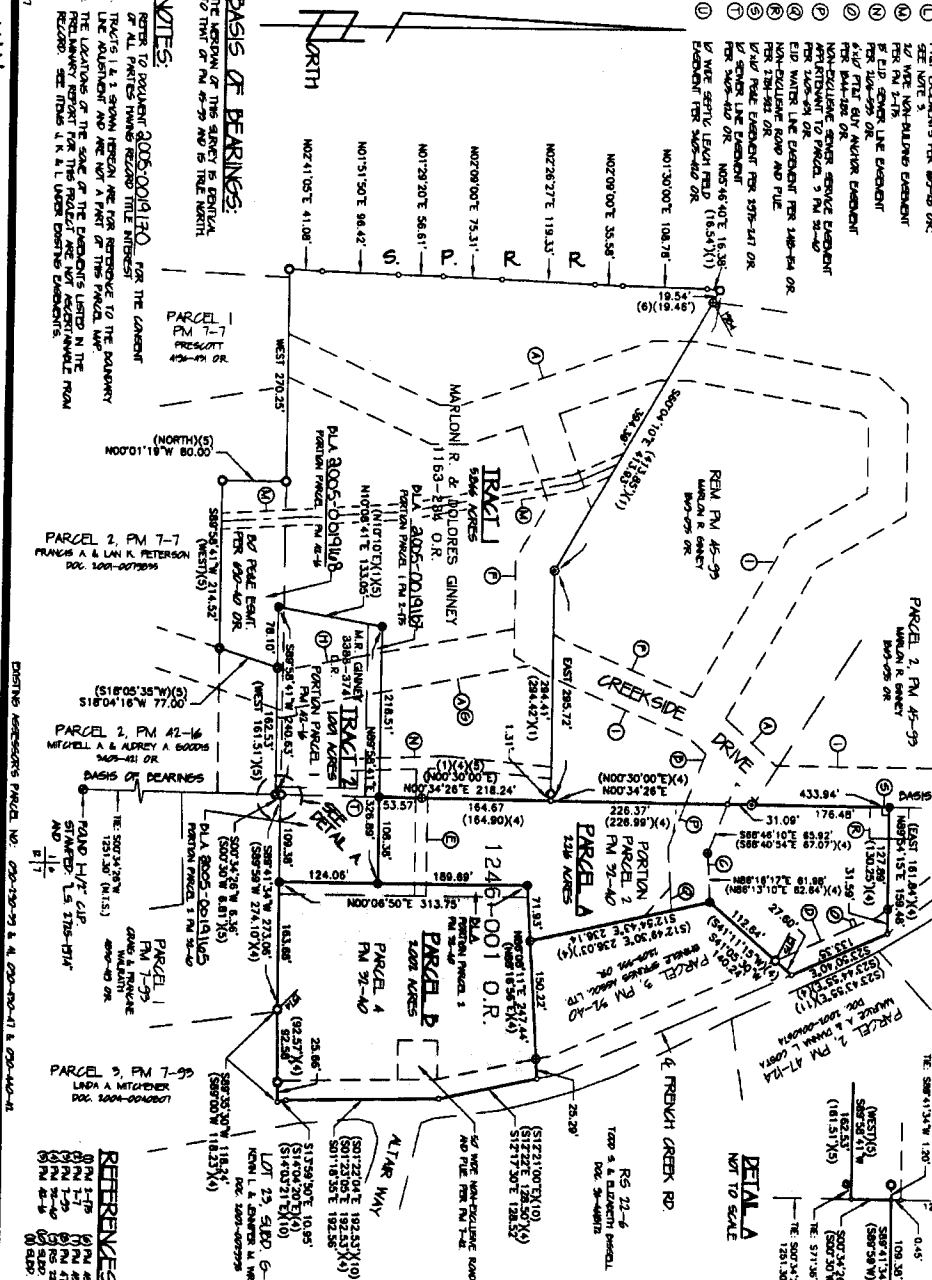


# PARCEL MAP

PORTIONS OF THE E 1/2 OF SECTION 1, T. 9 N., R. 9 E., MDN. & A PORTION OF THE SW 1/4 OF SECTION 6, T. 9 N., R. 10 E., MDN. BEING A PORTION OF PARCEL 1 OF FM 2-175, PARCELS 2 & 4 OF FM 32-40 AND PARCEL 1 OF FM 42-16 COUNTY OF EL DORADO STATE OF CALIFORNIA GENERER 2004 SCALE: 1"=100' JOHN E. THORNE & ASSOCIATES, INC.

- EXISTING EASEMENTS:**
- 1. PILE FOR UTILITY ROAD AND
  - 2. FOR NON-EXCLUSIVE ROAD AND PILE FOR 10'-11' OR
  - 3. FOR NON-EXCLUSIVE ROAD AND PILE FOR 10'-11' OR
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  - 50. PILE FOR 10'-11' OR

- LEGEND:**
- 1. CANTONMENT FRONT ONLY
  - 2. ROAD 3/4" CUP STAMPED 1.5 175-079 UNLESS NOTE IS OTHERWISE SHOWN
  - 3. ROAD 3/4" CUP STAMPED 1.5 424-155 UNLESS NOTE IS OTHERWISE SHOWN
  - 4. ROAD 3/4" CUP STAMPED 1.5 424-155 UNLESS NOTE IS OTHERWISE SHOWN
  - 5. ROAD 3/4" CUP STAMPED 1.5 424-155 UNLESS NOTE IS OTHERWISE SHOWN
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  - 50. ROAD 3/4" CUP STAMPED 1.5 424-155 UNLESS NOTE IS OTHERWISE SHOWN



**DEVELOPMENT SERVICES DIRECTORS STATEMENT:**

THIS MAP CONFORMS WITH THE REQUIREMENTS OF SECTIONS 44010 AND 44041 OF THE SUBDIVISION MAP ACT, CALIFORNIA, DATED 3-3-03.

**SURVEYOR'S STATEMENT:**

THIS MAP WAS PREPARED BY ME OR UNDER MY SUPERVISION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE. AT THE REQUEST OF THE PARCEL MAP APPLICANT, I HEREBY STATE THAT THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE APPROVED OR CONVENTIONALLY APPROVED TENTATIVE MAP. I AM A LICENSED SURVEYOR AND I HAVE RECEIVED AND MET THE REQUIREMENTS AND OBLIGATIONS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE TO BE RETAINED.

**COUNTY RECORDER'S CERTIFICATE:**

I HAVE EXAMINED THE MAP. THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP. I HAVE REVIEWED THE RECORDS OF THE COUNTY OF EL DORADO AND HAVE FOUND NO RECORDS OF ANY SUBDIVISION MAP ACT AND OF ANY LOCAL ORDINANCE OF THE COUNTY OF EL DORADO WHICH, IN MY OPINION, WOULD AFFECT THE VALIDITY OF THE MAP AS SHOWN ON THIS TENTATIVE MAP. I HAVE REVIEWED THE RECORDS OF THE COUNTY OF EL DORADO AND HAVE FOUND NO RECORDS OF ANY SUBDIVISION MAP ACT AND OF ANY LOCAL ORDINANCE OF THE COUNTY OF EL DORADO WHICH, IN MY OPINION, WOULD AFFECT THE VALIDITY OF THE MAP AS SHOWN ON THIS TENTATIVE MAP.

Dated: 3-4-05

**NOTARIES:**

Notary Public  
 William E. Swartz  
 County of El Dorado, California

Notary Public  
 John E. Thorne  
 County of El Dorado, California

Z 09-0001/P 09-0002

## EXHIBIT H



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

**Project Title:** A09-0001/Z09-0001/P09-0002/Kovach Tentative Parcel Map

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

**Contact Person:** Pat Kelly, Associate Planner

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

**Project Owner's Name and Address:** Bernita A. Kovach, Trustee, 4220 Mc Neil road, Shingle Springs, CA 95682

**Project Location:** On the north side of French Creek Road, 0.25 miles south of the intersection with Mother Lode Drive in the Shingle Springs area, Supervisorial District II

**Assessors Parcel No.:** 090-290-046

**Parcel Size:** 2 acres

**Zoning:** Planned Commercial

**Section:** 6 **T:** 9N

**R:** 10E

**General Plan Designation:** Commercial

**Description of Project:** **Project Description:** The project request is for a General Plan Amendment, Rezone, and Parcel Map. Discussed below are important project characteristics.

General Plan Amendment: Request for a General Plan Amendment to change the General Plan Land Use Designation from Commercial (C) to Medium-Density Residential (MDR).

Rezone: Request for a rezone to change the zoning from Planned Commercial (CP) to One-Acre Residential (RIA).

Tentative Parcel Map: Request to creating two (2) parcels, one-acre in size, on a two-acre site. The two proposed parcels would be served by public water and sewer. The project would utilize French Creek Road, a County maintained road, as the primary access.

Design waiver requests to:

- a. Reduce the Design Improvement Standards Manual (DISM) 101B requirement of a roadway width from 28-feet and 2-foot shoulders as required by the DISM to a roadway width of 20-feet and 2-foot shoulders on each side for an overall roadway width of 24-feet and omit curbs, gutters and sidewalks.
- b. Reduce the right-of-way from 50-feet to 35-feet

Road Abandonment: Abandoned the existing 50-foot wide non-exclusive road and public utility easement for the on-site access roadway as shown between Parcel C and D on the Parcel Map recorded in Book 7 at Page 52, El Dorado County.

**Surrounding Land Uses and Setting:**

# EXHIBIT I

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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	<u>Zoning</u>	<u>General Plan</u>	<u>Land Use (e.g., Single Family Residences, Grazing, Park, School)</u>
Site	CP	C	Commercial/Undeveloped
North:	CP	C	Commercial/Apartments
East:	PD	MDR	Planned Development/Single-family residence
South:	R1A	MDR	Medium density residential, Single-family residence
West:	CP	C	Commercial/Undeveloped

Briefly Describe the environmental setting: The project site is situated at an elevation range of approximately 1,480 to 1,550 feet. The building sites for the proposed parcels would be in the areas of each proposed parcel that lie closest to French Creek Road and the proposed on-site roadway as well as east of the 30 percent or greater slopes along the west side of the project site. The project site is adjacent to apartments to the north, French Creek Road to the east, a single-family residence to the south, and oak woodland to the west.

Soils on the site are classified in the Auburn, Boomer, Argonaut, and Sobrante series. The soil type is Auburn very rocky silt loam, 2 to 30 percent slopes (AxD).

There are approximately 1.55 acres of mixed oak woodland partially-closed canopy community on the project site. Dominant trees in this community are interior live oaks, black oak blue oak and gray pines. Valley oaks and California buckeye also occur in lesser abundance.

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

1. El Dorado County Department of Transportation: Grading permit for on-site road improvements.
2. El Dorado County Air Quality Management District requires an approved Asbestos Dust Mitigation Plan for grading.
3. County Surveyor Office
4. Department of Forestry and Fire Protection (Cal Fire) for a fire safe plan.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

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

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



Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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**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: \_\_\_\_\_

Printed Name: Patricia Kelly For: El Dorado County

Signature: Pierre Rivas Date: 8-17-09

Printed Name: Pierre Rivas For: El Dorado County

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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## PROJECT DISCRIPTION

### Introduction

This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts resulting from the proposed residential project. The project would allow the creation of two (2) parcels, 1-acre in size on a 2-acre site.

### Project Location and Surrounding Land Uses

### Project Characteristics

The project site would be accessed by French Creek Road, an existing County maintained road. On-site road improvements would be required.

#### 1. Transportation/Circulation/Parking

The access to the project site would be from French Creek Road, a County maintained road. The project would provide one point of access into the development. The Department of Forestry and Fire Protection would require that the on-site dead end access road would have a turnaround constructed at its terminus.

#### 2. Utilities and Infrastructure

The project would be served by public water and sewer. The applicant provided a copy of a Facility Improvement Letter (FIL) issued by the El Dorado Irrigation District (EID). In order for EID to provide the required fire flow and water service to the project site the applicant would be required to construct a water line extension connecting to the 10-inch waterline located in French Creek Road. EID has determined that the existing 6-inch sewer line located in Altair Way has adequate capacity at this time. In order for the applicant to receive service from this line, an extension of facilities of adequate size must be constructed.

#### 3. Population

The project would not add significantly to the population in the vicinity.

#### 4. Construction Considerations

Construction of the project would consist of on-site road improvements including grading for an on-site dead end roadway.

The project applicant would be required to obtain permits for grading from the County Department of Transportation (DOT) and obtain an approved Asbestos Dust Mitigation Plan from the Air Quality Management District.

### Project Schedule and Approvals

This Initial Study is being circulated for public and agency review for a 30-day period. Written comments on the Initial Study should be submitted to the project planner indicated in the Summary section, above.

Following the close of the written comment period, the Initial Study would be considered by the Lead Agency in a public meeting and would be certified if it is determined to be in compliance with CEQA. The Lead Agency would also determine whether to approve the project.

## **EVALUATION OF ENVIRONMENTAL IMPACTS**

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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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 would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is a fair argument that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
  - a. the significance criteria or threshold, if any, used to evaluate each question; and
  - b. the mitigation measure identified, if any, to reduce the impact to less than significant.

## **ENVIRONMENTAL IMPACTS**

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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<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 or 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) No identified public scenic vistas or designated scenic highway would be affected by this project. There would be no impact.
- b) The project would not be located along a defined State Scenic Highway corridor and would not impact scenic resources in such corridors including, but not limited to, trees, rock outcroppings, and historic resources based on the location of the project. There would be no impact.
- c) The proposed project would not substantially degrade the visual character or quality of the site and its surroundings. The property would continue to provide the natural visual character and quality that currently exists by directing development to the least sensitive parts of the property and would keep the scenic areas of the property intact. There would be no impact.
- d) The project would consist of single-family residential development creating two (2) parcels one-acre in size on a two-acre site. The parcels size would be consistent with the surrounding properties and would allow for buffers between homes and adjacent uses. Additionally, the project would have to comply with Section 17.14.170 of the El Dorado County Zoning Ordinance, which contains outdoor lighting requirements, intended to control artificial light and glare to the extent that unnecessary illumination of adjacent property would be prohibited. These requirements include the shielding and downward direction of all outdoor lighting. These requirements would also reduce project impacts on night skies. This impact would be considered less than significant.

**Finding:** As proposed, the project would have a less than significant impact to aesthetic and visual resources.

<b>II. AGRICULTURE 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 Wouldiamson Act			X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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<b>II. AGRICULTURE RESOURCES.</b> <i>Would the project:</i>			
Contract?			
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?			X

**Discussion:** A substantial adverse effect to Agricultural Resources would occur if:

- There is a conversion of choice agricultural land to nonagricultural use, or impairment of the agricultural productivity of agricultural land;
  - The amount of agricultural land in the County is substantially reduced; or
  - Agricultural uses are subjected to impacts from adjacent incompatible land uses.
- a) There would be no conversion of choice agricultural lands to nonagricultural lands and there would be no impairment of agricultural productivity of agricultural lands with this project. The project would be located within an established single-family and multi-family residential neighborhood. There would be no impact.
- b) This project would not reduce available agricultural lands. There would be no conflict with existing zoning for agricultural use, or a Williamson Act Contract. There would be no impact.
- c) There would be no conversion of existing agricultural farmlands to non-agricultural uses and there are no other changes that could affect an agricultural designation for non-agricultural use. There would be no impact.

**Finding:** This project would have no impact on agricultural lands and would not impact properties subject to a Williamson Act Contract. For the 'Agriculture' category, the Tentative Parcel Map would have no impact.

<b>III. AIR QUALITY.</b> <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 nonattainment 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>, would 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);

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- Emissions of PM<sub>10</sub>, CO, SO<sub>2</sub> and NO<sub>x</sub>, as a result of construction or operation emissions, would 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) El Dorado County has adopted the Rules and Regulations of the El Dorado County Air Quality Management District (February 15, 2000) establishing rules and standards for the reduction of stationary source air pollutants (ROG/VOC, NOx, and O3). Any activities associated to the grading and construction of this project would pose a less than significant impact on air quality because the El Dorado County Air Quality Management District (AQMD) would require the project implement a Fugitive Dust Plan (FDP) during grading and construction activities. Such a plan would address grading measures and operation of equipment to minimize and reduce the level of defined particulate matter exposure and/or emissions below a level of significance.
- b, c) Currently, El Dorado County is classed as being in "severe non-attainment" status for Federal and State ambient air quality standards for ozone (O<sub>3</sub>). 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 the County's air pollution control program to comply with the State's ambient air quality standards. AQMD administers standard practices for stationary and point source air pollution control. Projected 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.
- Short-term, superficial, minor grading and excavation activities that could be associated with the finish grading to the existing roadway, but that type of construction typically would only last a few days and intermittently at that.
- Mobile emission sources such as automobiles, trucks, buses, and other internal combustion vehicles are responsible for more than 70 percent of the air pollution within the County, and more than one-half of California's air pollution. In addition to pollution generated by mobile emissions sources, additional vehicle emission pollutants are carried into the western slope portion of El Dorado County from the greater Sacramento metropolitan area by prevailing winds. Future grading would potentially emit minor, temporary and intermittent criteria air pollutant emissions from vehicle exhaust and would be subject to AQMD standards at that time. The proposed parcels are located in an asbestos review area. If the project includes the disturbance of 20 cubic yards or more of earth the project would be required to comply with AQMD Rule 223-2 Fugitive Dust-Asbestos hazard Mitigation, which includes an asbestos dust mitigation plan submittal, fugitive dust prevention, speed limits, warning signs, trackout prevention, excavated soil management and post-construction mitigation. Alternately, a California Professional Geologist could inspect the project site and provide the AQMD with a report demonstrating there is no Naturally Occurring Asbestos on the project site. If there is no naturally occurring asbestos or less than 20 cubic yards of earth is disturbed, the project would be required to comply with AQMD Rule 223-1 Fugitive Dust-Construction Activities. Impacts would be less than significant

d, e)

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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No schools, hospitals, parks, or other sensitive land uses are located within the immediate vicinity. The residential land uses associated with the project would not have the potential to create odors or expose sensitive receptors to negative impacts. Short-term heavy equipment emissions generated by the on-site and off-site road improvements would not involve the creation of significant smoke, ash, or odors based upon an approved fugitive dust mitigation plan conforming to District Rules 223 and 223.1. District Rule 224 prevents additional release of Volatile Organic Compounds (VOCs), by prohibiting the use of cutback or emulsified paving asphalt for paving, road construction or road maintenance. Adherence to rules 215 and 224 would be sufficient to ensure that emissions impacts due to the release of VOC from architectural coatings are less than significant.

**Finding:** Standard County conditions of approval have been included as part of the project permit to maintain a less than significant level of impact in the 'Air Quality' category. Impacts would be less than significant.

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.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- a) Sycamore Environmental prepared a Biological Resources Evaluation report on December 5, 2008 for the project site. The Biological Evaluation Report identified the project site area as potential habitat for four special-status plants: Big-scale balsamroot, Brandegees's clarkia, Parry's horkelia, and Oval-leaved viburnum. Fieldwork for the Biological Evaluation report was conducted on September 29, and October 14, 2008, at which time the four special-status plants may not have been evident and identifiable. A Botanical Inventory Update dated June 11, 2009, was prepared to document the results of a botanical inventory conducted during the evident and identifiable period of the special-status plants with the potential to occur in the project site area. No special-status plant species were observed in the project site area during the general biological surveys or the botanical inventory conducted during the evident and identifiable period for the special-status plants with the potential to occur in the project site area.

The Biological Resources Evaluation identifies habitat present in the project site area for potential nesting and foraging for bird of prey and other migratory birds listed under the Federal Migratory Bird Treaty Act, however, no nests were observed in the project site area. Raptor nests are protected under the Migratory Bird Treaty Act (MBTA) and Section 3503.5 of the California Fish and Game Code which makes it illegal to destroy any active raptor nest. The oak and riparian woodlands on-site provide potential foraging and nesting habitat for various raptor species. Consequently, raptors and other migratory birds are likely to forage and nest on the project site, and have a potential to occur within the site.

If these species occur on the project site, they would be impacted by construction activities including grading, road building and alterations in drainage patterns. These activities could result in lose of active bird nests. This would be a significant impact unless mitigated.

**MITIGATION MEASURE BIO-1**

If construction activities are scheduled to occur within the typical breeding season for raptors (March 1 through August 31), on-site pre-construction surveys for raptors and their nests shall be conducted by a qualified biologist no more than 30 days prior to initiation of the proposed development activities. The survey results shall be submitted to the California Department of Fish and Game (CDFG) and Planning Services prior to issuance of a grading permit. If active raptor nests are found on or immediately adjacent to the site, consultation must be initiated with CDFG to determine appropriate avoidance measures. The applicant shall follow the appropriate avoidance measures issued by CDFG, and no construction activities shall occur on the project site until the avoidance measures are issued and implemented. If no active nests are found, then no further action is required, and construction activities may proceed upon approval by Planning Services (**MM BIO-1**).

**MONITORING:** Planning Services shall verify that the above mitigation measure has been incorporated on the plans prior to issuance of a grading permit. Development Services shall coordinate with the applicant and/or biologist, assess the pertinent surveys/studies, and conduct on-site verification for conformance with this measure.

- b) The project proposes a less than significant impact to riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations by the California Department of Fish and Game. The site does not contain any water related features. Best Management Practices (BMPs) would be designed during the grading and improvement phase to limit the potential of surface run-off pre- and post-construction to meet County and Regional Water Quality Control Board (RWQCB) standards. All grading, drainage and construction activities associated with this project, including those necessary for road frontage improvements and those necessary to prepare and develop the site road access and turnaround, would be required to implement proper BMPs. The proposed project would impact oak woodland habitat, which pursuant to **Policy 7.4.4.4** requires retention and replacement of the affected habitat. The



Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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project would result in varying degrees of disturbance to oaks and other woodland, depending on the scope of future improvements such as building pads and driveways. The applicant has only analyzed potential impacts to oak trees as a result of the construction of a proposed dead end on-site road. The project Arborist Report dated January 21, 2009 states that of the 2-acre project site, healthy oak canopy covers 1.55-acres (77.5 percent). The proposed on-site development design would require the removal of approximately 0.08-acres of oak canopy from the project site. The removal of 0.08-acres of canopy would reduce the oak canopy on the parcel by 5.2 percent. The total on-site oak canopy to remain would be approximately 1.47-acres or 94.8 percent. For a project site of 2-acres and 1.55-acres of oak canopy area to qualify for Option A of Policy 7.4.4.4, 70 percent of the existing oak canopy must remain. Under option A, the project would be required to replace woodland habitat at a 1:1 ratio. As a result, the project would reduce any potential impacts within this category to a level that is less than significant.

- c) The project does not propose impacts to 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. The project site does not contain any water related features. There would be a less than significant impact from the project within this category.
- d) Review of the Department of Fish and Games Migratory Deer Herd maps and General Plan DEIR Exhibit V-8-4 indicate no mapped deer mitigation corridors exist on the project site. The project would not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with any established native resident or migratory wildlife corridors, or impede the sue of wildlife nursery sites in any manner that does not currently exist. There would be on impact.
- e) The arborist report prepared by Philip R. Mosbacher, Certified Arborist, dated January 21, 2009 identified approximately 1.55-acres of native oak canopy, which, pursuant to General Plan Policy 7.4.4.4 requires retention and replacement. The proposed project would require the removal of 0.08-acres or 5.2 percent of the on-site canopy. Because the project would be consistent with the retention and replacement requirements of Option A of the County's Oak Woodland Management Plan (OWMP), the proposed project would be required to participate in off-site replacement or payment of the mitigation fee established in Option A.

A condition has been included in Attachment 1 of the Conditions of Approval requiring the applicant to participate in on-site replacement or provide an off-site conservation easement or payment of the mitigation fee required under Option A of the OWMP. The impact would be less than significant.

- f) The project site is not located in an area identified as critical habitat for the Red-legged Frog (*Rana aurora draytonii*), or for the Gabbro soil rare plants which are subject to the draft Recovery / Habitat Conservation Plans proposed by the U.S. Fish and Wildlife Service. The impact would be less than significant.

**Finding:** Potentially significant impacts relating to Biological resources include impacts to protected animal species. Implementation of Mitigation Measures **BIO-1** would require the project pre-construction surveys to reduce impacts to protected animal species. There would be no impact to recognized or defined jurisdictional waters of the US, wetlands, or watercourses. Appropriate buffers and project conditions to address surface run-off by incorporating proper BMPs would ensure the drainage channel would not significantly be affected by this project. The project would be consistent with the retention and replacement requirements of Option A of the County's Oak Woodland Management Plan (OWMP), the proposed project would be required to participate in off-site replacement or payment of the mitigation fee established in Option A. The project would comply with General Plan Policy 7.4.4.4 percentage canopy retention requirements. For this "Biological Resources" 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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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, b & d)

The applicant submitted a "Archaeological Inventory Survey" prepared by Sean M. Jensen, M.A, dated December 26, 2005 that reported there were no significant prehistoric and historic-period cultural resources sites, artifacts, historic buildings, structures or objects found. Because of the possibility in the future that ground disturbances could discover significant cultural resources, the project would require standard conditions that would reduce the impacts to less than significant.

- c) No paleontological resources or unique geological features were identified on the project site. The County 2004 General Plan states that paleontological resources are unlikely to be encountered in El Dorado County. Paleontological remains are found in sedimentary rock formations, which are virtually nonexistent in the County. The impacts would be less than significant.

**Finding:** The project site would be located outside of a designated cemetery and the potential to find historic, archaeological, prehistoric, and/or human remains would not be likely. By implementing typical discovery procedures as conditions in the project permit, any chance of an accidental discovery would be accounted for during grading and/or improvement activities and impacts to the 'Cultural Resources' category would be less than significant.

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			X	

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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VI. GEOLOGY AND SOILS. <i>Would the project:</i>			
for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			
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
  - 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) There are no Earthquake Fault Zones subject to the Alquist-Priolo Earthquake Fault Zoning Act (formerly Special Studies Zone Act) in El Dorado County. No other active or potentially active faults have been mapped at or adjacent to the project site where near-field effects could occur. There would be no impact related to fault rupture. There are no known faults on the project site; 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. (California Department of Conservation, California Geological Survey, Mineral Land Classification of El Dorado County, California, CGS Open-File Report 2000-03, 2001). 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, c)

All grading activities exceeding 50-cubic yards of graded material or grading completed for the purpose of supporting a structure must comply with the provisions contained in the *County of El Dorado - Grading, Erosion, and Sediment Control Ordinance* Adopted by the County of El Dorado Board of Supervisors, 3-13-07 (Ordinance #4719). This ordinance is designed to limit erosion, control the loss of topsoil and sediment, limit surface runoff, and ensure stable soil and site conditions for the intended use in compliance with the El Dorado County General Plan. During future site grading and construction of foundations and other site improvements, there is potential for erosion, changes in topography, and unstable soil conditions. The issuance of a grading permit would address potential impacts. Impacts would be less than significant.

- d) Expansive soils are those that greatly increase in volume when they absorb water and shrink when they dry out. The central half of the County has a moderate expansiveness rating while the eastern and western portions are rated low. These boundaries are very similar to those indicating erosion potential. When buildings are placed on expansive soils, foundations may rise each wet season and fall each dry season. This movement may result in cracking foundations, distortion of structures, and warping of doors and windows. Pursuant to the U.S.D.A. Soil Report for El Dorado County, the site is located on Auburn very rocky silt (AxD) loam, 2 to 30 percent slopes. This soil is gently sloping to moderately steep. Outcrops of bedrock cover 5 to 25 percent of the surface. Included in the mapping are small areas of Argonaut very rocky loam, Boomer very rocky loam, and Sobrante very rocky silt loam. Table 18-1-B of the Uniform Building Code establishes a numerical expansion index for soil types ranging from very low to very high. Impacts would be less than significant.
- e) Waste discharge area analysis was completed and was reviewed and approved by the El Dorado County Environmental Management Department, Environmental Health Division. The project would be served by public water and sewer. The Facility Improvement Letter (FIL) issued by the El Dorado Irrigation District (EID) determined that the existing 6-inch sewer line located in Altair Way has adequate capacity at this time. Impacts would be less than significant.

**Finding:** Based on the review of information about the on-site soil conditions, a less than significant level of impact would result from any geological or seismic conditions that could have the potential to affect this property. Review of grading, building, and/or construction plans would include grading design and shall address BMPs and UBC Seismic IV construction standards in order to address any potential impacts in the 'Geology and Soils' category. As such, impacts within this category would be less than significant.

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

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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VII. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i>			
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			X
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		X	
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?		X	

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

- 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) The project may involve transportation, use, and disposal of hazardous materials such as construction materials, paints, fuels, landscaping materials, and household cleaning supplies. The use of these hazardous materials would only occur during construction, and household use of hazardous materials would be sporadic, temporary, and their potential for impact would be limited and unlikely. Any uses of hazardous materials would be required to comply with all applicable federal, state, and local standards associated with the handling and storage of hazardous materials. With existing regulations, the impact would be less than significant. Any hazardous materials used at the project site would need to comply with the El Dorado County Hazardous Waste Management Plan. Impacts would be less than significant.
  - b) No significant amount of hazardous materials would be used for the project. The project would not result in any reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. There would be no impacts.
  - c) As proposed, the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. There are no schools located within the quarter mile radius. There would be no impacts.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- d) The project site has not been identified on any list that has been compiled pursuant to California Government Code 65962.5 which identifies hazardous material sites near this project site. There would be no impact from hazardous material at this location. There would be no impacts.
- e) The nearest airport would be the Cameron Airpark Airport, located approximately 3.5 miles to the northwest of the project site. The project would be not located within the airport's land use plan, nor would it be within two miles of the airport. There would be no impact.
- f) The project would not be within the vicinity of a private airstrip. There would be no impact.
- g) The project would not be expected to interfere or negatively affect any adopted emergency response or evacuation plan. Plans for the proposed project indicate that it would not block access or significantly decrease access to any roadways or evacuation routes. Instead, the project could improve emergency response as the project would upgrade some existing roadways to the property, thus improving circulation. Improved circulation can improve emergency response times and facilitate evacuations. The impact would be less than significant.
- h) The Department of Forestry and Fire Protection reviewed the project and found that the project, with the recommended conditions implemented, which includes that a wildland fire safe plan is to be prepared subject to review and approval by the El Dorado Fire Protection District and Cal Fire would not expose people to a significant risk of loss, injury or death involving wildland fires or wildland fires adjacent to or located in an urbanized area. Impacts would be less than significant.

**Finding:** The proposed project would not expose people and property to hazards associated with the use, storage, transport and disposal of hazardous materials, and/or would not expose people and property to risks associated with wildland fires. For the 'Hazards and Hazardous Materials' category, as conditioned, any potential impacts experienced by this project would be less than significant.

<b>VIII. 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			X	

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<b>VIII. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i></b>			
sources of polluted runoff?			
f. Otherwise substantially degrade water quality?		X	
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X
j. Inundation by seiche, tsunami, or mudflow?			X

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

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

a) The project would create two, one acre parcels which would be required to connect to public water. The project would be served by public water and sewer. The Facility Improvement Letter (FIL) issued by the El Dorado Irrigation District (EID) provides the required fire flow and water service to the project site. The project would be required to construct a water line extension connecting to the 10-inch waterline located in French Creek road. This impact would be less than significant.

b) The project would connect to public water and would not utilize any groundwater as part of the project. Construction activities may have a short-term impact as a result of groundwater discharge; however, adherence to the El Dorado County Grading Erosion and Sediment Control Ordinance would ensure that impacts would be less than significant.

The project would not significantly degrade groundwater in the project vicinity. Impacts would be less than significant.

c) There is no evidence that the grading and ground disturbances associated with the project would substantially alter the existing drainage patterns on or off the site. The El Dorado County Grading Erosion and Sediment Control Ordinance contain specific requirements that limit the impacts to a drainage system. The standards apply to this project. The impact would be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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d & e)

In this case, the project would include a moderate amount of grading that would result in a flat building pad. An erosion control plan would be required to reduce erosion and sediment discharge off-site to a less than significant level.

- f) The project would not result in substantial degradation of water quality in either surface or sub-surface water bodies in the vicinity of the project area. All storm-water and sediment control methods contained in the *Grading, Erosion, and Sediment Control Ordinance* must be met during all construction activities, as well as the required development of any permanent storm drainage facilities and erosion control measures on the project site. The impact would be less than significant.
- g) The FEMA Flood Insurance Rate Map, (Panel No. 060040-0725C, revised September 26, 2008) for the project area establishes that the project site is not within a mapped 100-year floodplain. There would be no impact.
- h) The closest dam and levees to the project site is Folsom Lake. This project site would be nine miles east and at a higher elevation than Folsom Dam. There would be no impact.

(i, j)

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

**Finding:** Any future development plans submitted for a building and/or grading permit would be analyzed to address erosion and sediment control. No significant hydrological impacts would occur with the project. For this "Hydrology" category, impacts would be less than significant.

IX. LAND USE PLANNING. <i>Would the project:</i>				
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.



Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- a) The project would not result in the physical division of an established community. The request for a tentative parcel map would be consistent with the policies established by the General Plan and would be consistent with the established land use pattern of the neighboring area. Impacts would be less than significant.
- b) As proposed, the project would be consistent with specific, fundamental, and mandatory land use goals, objectives, and policies of the adopted 2004 General Plan. The creation of the two new parcels takes into consideration the required development standards of the One-Acre Residential (R1A) zone district. The two Design Waiver requests would allow:
  - a) Reduce the County Design and Improvement Standard Manual (DISM) 101B requirements to a roadway width of 20-feet and 2-foot shoulders on each side for an overall roadway width of 24-feet and omit curbs, gutters and sidewalks;
  - b) Reduce the right-of-way from 40-feet to 35-feet. Any future residential development on either of the two new parcels would be required to be designed to comply with the requirements of the El Dorado County Zoning Ordinance and local subdivision policies. The project would comply with the land use objectives that have been established by the County. Impacts would be less than significant.
- c) As discussed in Section IV 'Biological Resources', this project would have a less than significant impact on biological resources, and the proposal would not conflict with any applicable habitat conservation plan or natural community conservation plan. Impacts would be less than significant.

**Finding:** For the 'Land Use Planning' category, project related impacts associated to the Tentative Parcel Map application would be less than significant.

<b>X. 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) 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 2004 El Dorado County General Plan. There would be no impact.
- b) 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 has been 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. There would be no impact.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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**Finding:** No impacts to any known mineral resources would occur as a result of the project and the 'Mineral Resources' category would not be affected, therefore there would be no impact.

XI. NOISE. <i>Would the project result in:</i>			
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise level?			X
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			X

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

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

(a – d)

The on-site site road improvements would generate temporary construction noise from the large heavy equipment, trucks, bulldozer) at a potentially significant level (greater than 60 dB  $L_{eq}$  and 70 dB  $L_{max}$  between 7:00 a.m. to 7:00 p.m. (2004 GP table 6-5 for maximum allowable noise exposure for non transportation noise sources in rural regions- construction noise). A condition of approval for construction operations for road improvements would require adherence to General Plan Policy 6.5.11. Construction activities would be limited to 7a.m. to 7p.m. during weekdays and 8a.m. to 5p.m. on weekends and federally recognized holidays. Short-term noise impacts would therefore be less than significant. The long-term noise impacts would be related to current vehicle traffic along the French Creek Road which would be under the maximum noise level thresholds in the 2004 General Plan Table 6-1 of 60 dB  $L_{dn}$ /CNEL or less. Short-term and long-term impacts would be less than significant.

- e) General Plan Policy 6.5.2.1 requires that all projects, including single-family residential development, within the 55 dB/CNEL contour of a County airport shall be evaluated against the noise guidelines and policies in the applicable

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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Comprehensive Land Use Plan (CLUP). In this case, the project site would not be located within the defined 55dB/CNEL noise contour of a County owned/operated airport facility. There would be no impact.

- f) The proposed project would not be located adjacent to or in the vicinity of a private airstrip. As such, the project would not be subjected to excessive noise from a private airport. There would be no impact.

**Finding:** For the 'Noise' category impacts would be less than significant.

XII. POPULATION AND HOUSING. <i>Would the project:</i>			
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) The proposed project would have a minimal growth-inducing impact. All future residential development such as second-residential units would be required to comply with County development standards and would pay project related impact fees. These include traffic related impacts fees, park and public facilities impacts fees, school impact fees, and other fees, as required by the County's Building Services and affected County agencies. Any future development must comply with comprehensive County policies and regulations before grading and/or building permits could be issued. The project does not include school or large scale employment centers. Impacts would be less than significant.
- b) No existing housing stock would be displaced by this project and no replacement housing would be necessary with the approval of the Tentative Parcel Map. There would be no impact.
- c) No persons would be displaced by approving the Tentative Parcel Map and construction of replacement housing would not be required for this project. There would be no impact.

**Finding:** The project would not displace any individuals and would not remove existing housing. The project would not directly or indirectly induce a substantial growth in population by process of a two-parcel subdivision of land. For this 'Population and Housing' 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>XIII. 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>			
a. Fire protection?			X
b. Police protection?			X
c. Schools?			X
d. Parks?			X
e. Other government services?			X

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

- Substantially increase or expand the demand for fire protection and emergency medical services without increasing staffing and equipment to comply with 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 El Dorado County Fire Protection District currently provide fire protection services to the project area. The Department was solicited for comments to determine compliance with fire standards, El Dorado County General Plan, State Fire Safe Regulations as adopted by El Dorado County and the California Uniform Fire Code. The Department did not respond with any concerns that the level of service would fall below the minimum requirements as a result of the proposed Parcel Map. The 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 percent 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. The creation of two parcels where one currently exists would not significantly impact current Sheriff's response times to the project area. The impacts would be less than significant.
- c) Schools: The State allows school districts to directly levy fees on new residential and commercial/industrial development. These fees are collected at the time of building permit submittal and are designed to provide funds to acquire and construct additional facility space within impacted school districts. The project proposal would not directly generate the need for additional school facilities and would not impact school enrollment, as the project would not result in a dominant residential component. The impacts would be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- d) Parks: Section 16.12.090 of the County Code establishes the method to calculate the required amount of land for parkland dedication and the in-lieu fee. Provisions to provide parkland were not included as part of the proposal in accordance with Section 16.12.090 of County Code. The proposed project would be required to pay an in-lieu fee in accordance with Section 16.12.090 payable to El Dorado County. The impacts would be less than significant.
- e) Other Facilities: No other public facilities or services would be directly impacted by the project. The impacts would be less than significant.

**Finding:** As discussed above, no significant impacts would occur with the project either directly or indirectly. For this "Public Services" category, impacts would be less than significant.

XIV. RECREATION.			
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X

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

- Substantially increase the local population without dedicating a minimum of 5 acres of developed parklands for every 1,000 residents; or
  - Substantially increase the use of neighborhood or regional parks in the area such that substantial physical deterioration of the facility would occur.
- a) By creating two parcels where one currently exists, no significant increase or effects in the use of area wide neighborhood or regional parks would be experienced by approving this project. There would be no potential for a substantial physical deterioration of neighboring or regional recreational facilities. Impacts would be less than significant.
- b) The project does not propose any on-site recreation facilities and would not require to construct any new facilities or expand any existing recreation facilities with the scope of this project. In lieu fees for the acquisition of parklands would be assessed during the process of the final Parcel Map. Impacts would be less than significant.

**Finding:** No impacts to recreation or open space would result from the project. For the 'Recreation' category, the there would be a less than significant impacts.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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<b>XV. TRANSPORTATION/TRAFFIC. <i>Would the project:</i></b>			
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X
e. Result in inadequate emergency access?			X
f. Result in inadequate parking capacity?			X
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			X

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

- Result in an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system;
  - Generate traffic volumes which cause violations of adopted level of service standards (project and cumulative); or
  - Result in, or worsen, Level of Service "F" traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county as a result of a residential development project of 5 or more units.
- a) The El Dorado County Department of Transportation (DOT) has reviewed the proposed project and has determined that the project would not exceed the thresholds established in the 2004 General Plan. The number of vehicles associated with the project would not change current vehicle trip rates and would not measurably affect traffic volumes or levels of service on a permanent basis such that County standards would be exceeded. A traffic study was not required as the project would generate less than 100 ADT or less than 10 peak hour trips. The impacts would be less than significant.
  - b) Approval of the Tentative Parcel Map would accommodate the allowed density. The proposed density would not have a significant traffic and/or circulation impact to French Creek Road, or the surrounding road circulation system. Impacts would be less than significant.
  - c) The project would not result in a major change in established air traffic patterns for publicly or privately operated airports or landing field in the project vicinity. There would be no impact.
  - d) There would be no design features, such as sharp curves or dangerous intersections added or changed on French Creek Road. Impacts would be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- e) The proposed project site would receive access off of French Creek Road. On-site road improvements would be required by DOT, the El Dorado County Fire Protection District and Cal Fire to provide the road width and emergency vehicle load ratings pursuant to the fire safe regulations that are being placed upon the conditions of approvals for the project prior to filing of the Parcel Map. Based upon the required road improvements there would be no disruption of emergency access to and from the existing residences or those on surrounding parcels. The impact would be less than significant.
- f) Future development would be required to comply with on-site parking identified by use and the Zoning Ordinance. Section 17.18.060, of the Zoning Ordinance, regulates the parking provisions and all on-site uses would include, and identify required parking. Future requests for building permits would be reviewed for conformance with parking during the review process. There would be no impact.
- g) The proposed project would not conflict with the adopted General Plan policies, and adopted plans, or programs supporting alternative transportation. There would be no impact.

**Finding:** For the 'Transportation/Traffic' category, the project would have a less than significant impact on traffic and transportation. Impacts would be less than significant.

<b>XVI. 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;

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- Substantially increase the demand for potable water in excess of available supplies or distribution capacity without also including provisions to adequately accommodate the increased demand, or is unable to provide an adequate on-site water supply, including treatment, storage and distribution;
- Substantially increase the demand for the public collection, treatment, and disposal of wastewater without also including provisions to adequately accommodate the increased demand, or is unable to provide for adequate on-site wastewater system; or
- Result in demand for expansion of power or telecommunications service facilities without also including provisions to adequately accommodate the increased or expanded demand.

a & b)

The project would be served by public water and sewer. The Facility Improvement Letter (FIL) issued by the El Dorado Irrigation District (EID) provides the required fire flow and water service to the project site. The project would be required to construct a water line extension connecting to the 10-inch waterline located in French Creek road. This impact would be less than significant.

- c) All required drainage facilities for the project shall be constructed in conformance with the standards contained in the County of El Dorado Drainage Manual, as determined by the Department of Transportation. The impact would be less than significant.
- d) As referenced above, public water service for the project site would be provided by El Dorado Irrigation District. The Facility Improvement Letter (FIL) issued by the El Dorado Irrigation District (EID) provides the required fire flow and water service to the project site. The project would be required to construct a water line extension connecting to the 10-inch waterline located in French Creek road. This impact would be less than significant.
- e) The project site would be served by public sewer service. As such, the current system has adequate capacity to serve the proposed commercial development and no adverse impacts would be expected.
- f) In December of 1996, direct public disposal into the Union Mine Disposal Site was discontinued and the Material Recovery Facility / Transfer Station was opened. Only certain inert waste materials (e.g., concrete, asphalt, etc.) may be dumped at the Union Mine Waste Disposal Site. All other materials that cannot be recycled are exported to the Lockwood Regional Landfill near Sparks, Nevada. In 1997, El Dorado County signed a 30-year contract with the Lockwood Landfill Facility for continued waste disposal services. The Lockwood Landfill has a remaining capacity of 43 million tons over the 655-acre site. Approximately six million tons of waste was deposited between 1979 and 1993. This equates to approximately 46,000 tons of waste per year for this period. This facility has more than sufficient capacity to serve the County for the next 30 years. The impact would be less than significant.
- g) 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. There would be no impact.

**FINDING:** No significant impacts would result to utility and service systems from development of the project. For the "Utilities and Service Systems" section, the thresholds of significance have not been exceeded and no significant environmental effects would result from the project.



Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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<b>XVII. 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 would cause substantial adverse effects on human beings, either directly or indirectly?			X

**Discussion:**

- a) The proposed project has the potential to result in adverse impacts to biological resources. Potential impacts to biological resources include the alteration of habitat and or direct impacts to candidate, sensitive or special status species. This impact would be mitigated by **MM BIO-1** which would require on-site pre-construction surveys for raptors and their nests conducted by a qualified biologist.
- b) Cumulative impacts are defined in Section 15355 of the California Environmental Quality Act (CEQA) Guidelines as "two or more individual effects, which when considered together, would be considerable or which would compound or increase other environmental impacts." Based on the analysis in this study, it has been determined that the project would have a less than significant impact based on the issue of cumulative impacts.
- c) As outlined and discussed in this document, this project proposes a less than significant chance of having project-related environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly. Impacts would be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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### **SUPPORTING INFORMATION SOURCE LIST**

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

El Dorado County 2004 General Plan Draft Environmental Impact Report

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, Adopted February 5, 2007

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.)

#### **Additional References:**

*Biological Resources Evaluation for the Kovach Parcel Map, prepared by Sycamore Environmental Consultants, Inc. (December, 2008)*

*Biological Inventory Update for the Kovach Parcel Map, prepared by Sycamore Environmental Consultants, Inc. (June 11, 2009)*

Arborist Report for Kovach Parcel Map, prepared by Philip R. Mosbacher, Certified Arborist, WE-7351A

Archaeological Inventory Survey, Shingle Creek Development Project, 20 acres, El Dorado County, prepared for Foothill Associates, Inc, prepared by Sean M Jensen, M.A. (December, 2005)

Preliminary Drainage and Grading Plan included on Kovach Tentative Parcel Map , prepared by Gene E. Thorne & Associates, Inc. (January, 2009)

El Dorado County Air Pollution Control District. CEQA Guide First Edition. (February 2002)

El Dorado County Development Services Department --- Planning Services. Parcel Data Information System.

El Dorado Irrigation District Facility Improvement Letter dated July 2, 2008

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George W. Osborne - President  
Division 1

George A. Wheeldon - Vice - President  
Division 4



John P. Fraser - Director  
Division 2

Bill George - Director  
Division 3

**El Dorado Irrigation District** RECEIVED  
Mary Morris - Director  
Division 5

In Reply Refer To: FIL0708-051

JUL 08 2008

Date: July 2, 2008

**GENE E. THORNE  
& ASSOCIATES**

Richard J. Kovach  
P.O. Box 1068  
Placerville, CA 95667

Subject: Facility Improvement Letter (FIL), Kovach Parcel Map  
Assessor's Parcel No. 090-290-46 (Shingle Springs)

RECEIVED  
PLANNING DEPARTMENT  
JUL 10 AM 11:16

Dear Mr. Kovach:

This letter is in response to your request dated May 19, 2008. This letter is valid for a period of two years. If facility improvement plans for your project have not been submitted to El Dorado Irrigation District (District) within two years of the date of this letter, a new Facility Improvement Letter will be required.

Design drawings for your project must be in conformance with the District's *Water, Sewer and Recycled Water Design and Construction Standards*.

This project is a 2-lot parcel split on 2 acres. Water service, sewer service, and fire hydrants are requested. The property is within the District boundary.

**Water Supply**

This letter is not a commitment to serve, but does address the location and approximate capacity of existing facilities that may be available to serve your project. In terms of water supply, as of January 1, 2007, there were 2426 equivalent dwelling units (EDUs) available in the Western/Eastern Water Supply Region. Your project as proposed on this date would require two EDUs of water supply.

**Water Facilities**

The El Dorado County Fire Protection District has determined that the minimum fire flow for this project is 1000 GPM for a two-hour duration while maintaining a 20-psi residual pressure. According to the District's hydraulic model, the existing system can deliver the required fire flow. In order to provide this fire flow and receive service, you must construct a water line extension connecting to the 10-inch waterline located in French Creek Road. The hydraulic grade line for

**A 09-0001 Z 09-0001/P 09-0002  
EXHIBIT J**

2890 Mosquit

09-1269.D.51



the existing water distribution facilities is 1675 feet above mean sea level at static conditions and 1619 feet above mean sea level during fire flow and maximum day demands.

The flow predicted above was developed using a computer model and is not an actual field flow test.

### **Sewer Facilities**

There is a 6-inch sewer line located in Altair Way. This sewer line has adequate capacity at this time. In order to receive service from this line, an extension of facilities of adequate size must be constructed.

### **Easement Requirements**

Proposed water lines, sewer lines and related facilities must be located within an easement accessible by conventional maintenance vehicles. When the water lines or sewer lines are within streets, they shall be located within the paved section of the roadway. No structures will be permitted within the easements of any existing or proposed facilities. The District must have unobstructed access to these easements at all times, and does not generally allow water or sewer facilities along lot lines.

Easements for any new District facilities constructed by this project must be granted to the District prior to District approval of water and/or sewer improvement plans, whether onsite or offsite. In addition, due to either nonexistent or prescriptive easements for some older facilities, any existing onsite District facilities that will remain in place after the development of this property must also have an easement granted to the District.

### **Environmental**

The County is the lead agency for environmental review of this project per Section 15051 of the California Environmental Quality Act Guidelines (CEQA). The County's environmental document should include a review of both offsite and onsite water and sewer facilities that may be constructed by this project. You may be requested to submit a copy of the County's environmental document to the District if your project involves significant off-site facilities. If the County's environmental document does not address all water and sewer facilities and they are not exempt from environmental review, a supplemental environmental document will be required. This document would be prepared by a consultant. It could require several months to prepare and you would be responsible for its cost.

### **Summary**

Service to this proposed development is contingent upon the following:

Letter No.: FIL0708-051  
To: Richard J. Kovach



July 2, 2008  
Page 3 of 3

- ◆ The future availability of water supply
- ◆ Approval of the County's environmental document by the District (if requested)
- ◆ Approval of an extension of facilities application by the District
- ◆ Approval of facility improvement plans by the District
- ◆ Construction by the developer of all onsite and offsite proposed water and sewer facilities
- ◆ Acceptance of these facilities by the District
- ◆ Payment of all District connection costs

Services shall be provided in accordance with El Dorado Irrigation District Board Policies and Administrative Regulations, as amended from time-to-time. As they relate to conditions of and fees for extension of service, District Administrative Regulations will apply as of the date of a fully executed Extension of Facilities Agreement.

If you have any questions, please contact me at (530) 642-4137.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Samsam', with a long horizontal flourish extending to the right.

Kevan Samsam, P.E.  
Co-Manager  
Customer and Development Services

KS/MM:sk

Enclosures: System Map

cc: Mark A. Johnson, Fire Marshal, El Dorado County Fire Protection District,  
P.O. Box 807, Camino, CA 95709

Gene E. Thorne & Associates, Inc.,  
4080 Plaza Goldorado Circle, Cameron Park, CA 95682

**PARCEL MAP**  
 A PORTION OF THE SW 1/4 SEC. 6  
 T9N-R10 E-MDM.  
 BEING PARCEL 1, PM 5-13  
 COUNTY OF EL DORADO, CALIF  
 DECEMBER, 1974  
 SCALE 1" = 100'

**SURVEYOR'S CERTIFICATE:**  
 THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AT THE REQUEST OF HARVEY L. BUTLER, KOVACH IN SEPTEMBER, 1974. I HEREBY CERTIFY THAT IT CONFORMS TO THE APPROVED TENTATIVE MAP AND THE CONDITIONS OF APPLICABLE STATE LAW AND LOCAL ORDINANCES HAVE BEEN COMPLIED WITH.



Harvey L. Butler,  
 HARVEY L. BUTLER,  
 LICENSED LAND SURVEYOR  
 No. 2725  
 STATE OF CALIFORNIA

**COUNTY SURVEYOR'S CERTIFICATE:**  
 THIS MAP HAS BEEN EXAMINED THIS 10<sup>th</sup> DAY OF DECEMBER, 1974 FOR CONFORMANCE WITH THE REQUIREMENTS OF SECTION 11575 OF THE SUBDIVISION MAP ACT.



Fred G. DeBerry  
 FRED G. DEBERRY, L.S. 2403  
 COUNTY SURVEYOR  
 COUNTY OF EL DORADO, CALIF

**COUNTY RECORDER'S CERTIFICATE:**  
 FILED THIS 10<sup>th</sup> DAY OF DECEMBER, 1974 AT 10:30 A.M. IN BOOK 1 OF PARCEL MAPS AT PAGE 12 AT THE REQUEST OF HARVEY L. BUTLER.

Document No. 3299

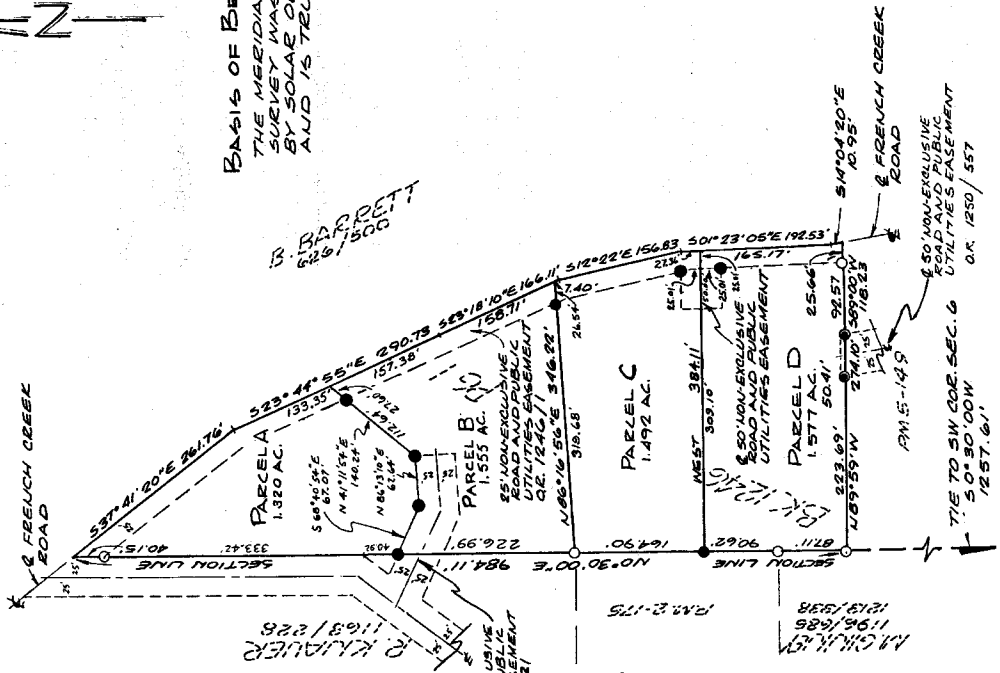
JAMES W. SWEENEY  
 JAMES W. SWEENEY  
 COUNTY RECORDER  
 COUNTY OF EL DORADO, CALIF

BY: Beverly Carr

TENTATIVE MAP NO. 74-280 APPROVED DECEMBER 9, 1974



**BASIS OF BEARINGS:**  
 THE MERIDIAN OF THIS SURVEY WAS DETERMINED BY SOLAR OBSERVATION AND IS TRUE NORTH



- LEGEND:**
- FD 3/4 C.I.R STAMPED L.S. 2725-1973
  - FD 3/4 C.I.R STAMPED L.S. 2725-1974
  - SET 3/4 C.I.R STAMPED L.S. 2725-1975

**REFERENCE:**

- PM 5-13
- PM 2-175
- PM 5-149

NOTE:  
 PARCELA THRU D ARE A DIVISION OF PARCEL 1 OF PARCEL MAP 5-13