

**EL DORADO COUNTY DEVELOPMENT SERVICES
ZONING ADMINISTRATOR
STAFF REPORT**



Agenda of: September 16, 2009
Item No.: 4.a.
Staff: Jason R. Hade

TENTATIVE PARCEL MAP

FILE NUMBERS: P08-0006/Ebright Parcel Map

APPLICANT: Charles Ebright

AGENT: Aspen Environmental/Mike Dill

PROPERTY OWNER: Charles Ebright

REQUEST: Tentative parcel map to create two parcels of 1.45 and 8.98 acres in size on a 10.43 acre site.

The following design waivers have been requested:

(1) Permit proposed parcel 2B to exceed the depth to width lot ratio and have no street frontage; and (2) Permit Cascade Road to remain 12 to 14 feet wide rather than be improved to 24 feet wide as required by the *El Dorado County Design and Improvement Standards Manual*.

LOCATION: On the northeast side of Cascade Road, approximately one mile north of the intersection with State Highway 89 in the South Lake Tahoe area, Supervisorial District V. (Exhibit A)

APN: 018-320-11 (Exhibit B)

ACREAGE: 10.43 acres

GENERAL PLAN: Adopted Plan (AP) Tahoe Regional Planning Agency (TRPA) Tahoe Regional Plan – Plan Area Statement 175 Cascade Properties, Residential Uses (Exhibit C)

ZONING: One-Family Residential District (TR1) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Negative Declaration

RECOMMENDATION:

Staff recommends the Zoning Administrator take the following action:

1. Deny Tentative Parcel Map application P08-0006 based on the Findings in Attachment 1.

BACKGROUND

The current parcel configuration was established in 1993 as a result of a land exchange between the U.S. Forest Service and current property owner. A boundary line adjustment (BLA05-0111) was approved by Planning Services in 2006 which further revised the parcel configuration. The current construction yard commercial use is permitted as a legal non-conforming use pursuant to TRPA and County approval in 2001. As proposed, the subject parcel map request would be a subdivision of existing structures with one existing residence on each prospective parcel. TRPA approved the request on February 15, 2006.

STAFF ANALYSIS

Staff has reviewed the project for compliance with the County's regulations and requirements. An analysis of the proposal and issues for Zoning Administrator consideration are provided in the following sections.

Project Description

Tentative parcel map to create two parcels of 1.45 and 8.98 acres in size on a 10.43 acre site. The following design waivers have been requested: (1) Permit proposed parcel 2B to exceed the depth to width lot ratio and have no street frontage; and (2) Permit Cascade Road to remain 12 to 14 feet wide rather than be improved to 24 feet wide as required by the *El Dorado County Design and Improvement Standards Manual*.

Site Description

The project site has lake frontage and is located approximately 1.5 miles west of Camp Richardson and one mile southeast of Emerald Bay in the south shore region of Lake Tahoe. The parcel is located at the end of a U-shaped bench at an elevation of 6,240 feet above mean sea level. Parcel topography is flat. The habitat type within the project area is Jeffrey pine. Improvements on the subject site consist of two residences and related accessory structures, an office building, greenhouse, storage buildings, and an operations and maintenance building. The subject site is bordered by single-family residential land uses on all sides. Proposed project access would be from an unnamed access road via Cascade Road. Public sewer service would be provided by the South Tahoe Public Utility District while public water service would be provided by the Cascade Mutual Water Company.

Adjacent Land Uses

	Zoning	General Plan	Land Use/Improvements
Site	TR1	AP	Residential/Single-family residences and accessory structures
North	TR1	AP	Residential/Lake Tahoe/Single-family residences
South	TR1	AP	Residential/Single-family residences
East	TR1	AP	Residential/Single-family residences
West	TR1	AP	Residential/Single-family residences

Access

Prior to the filing of a parcel map, the applicant must provide a parcel map guarantee, issued by a title company, showing proof of access to a State or County maintained road as defined in 16.44.120(B)(2) with referenced and retraced deeds clearly noted on the parcel map. The applicant submitted a legal opinion from an attorney, attached as Exhibit H, indicating that such legal access exists for the subject site. A proposed access plan submitted by the applicant is also attached as Exhibit F. However, the current unnamed access road appears to be a prescriptive easement intended to serve only the current parcel and not the additional proposed parcel. As of the time of preparation of this staff report, the applicant has not demonstrated through a parcel map guarantee the ability to make the required off-site fire safe road improvements discussed below because no such easement exists. Without resolution of the applicant's easement rights, fire safe access to the proposed parcels could not be achieved without the use of eminent domain by the County or waiver of the off-site fire safe road improvements under the Subdivision Map Act. Staff believes there would be no public benefit to utilizing eminent domain to create one additional parcel. Further, the applicant's inability to complete the required minimum fire safe road improvements within the easement would result in inadequate emergency access to any potential future residential structure. Because of inadequate access, staff recommends denial of the tentative parcel map.

Design Waivers

The following design waivers have been requested: (1) Permit proposed parcel 2B to exceed the depth to width lot ratio and have no street frontage; and (2) Permit Cascade Road to remain 12 to 14 feet wide rather than be improved to 24 feet wide as required by the *El Dorado County Design and Improvement Standards Manual (DISM)*.

Proposed parcel 2B has a width of 150 feet and a depth of 475 feet. Therefore, proposed parcel 2B only exceeds the maximum lot depth by 25 feet. Further, strict compliance with the DISM would prevent compliance with Chapter 20 of the TRPA Code of Ordinances. The proposed parcel line configuration would be consistent with the TRPA requirements for land coverage. As such, staff recommends approval of this design waiver request. Appropriate findings for approval are included within Attachment 1.

According to the applicant, the existing main access road, Cascade Road, is a private road that was approved by the County and paved in 2003 at 14-foot wide with turnouts. The existing and proposed access road to the subject parcels is currently 12 to 14 feet wide compacted gravel with turnouts and soft shoulders. There is currently one fire hydrant along the access road.

Comments received by the Lake Valley Fire Protection District (LVFPD) are attached as Exhibit I. As shown in their comments, the LVFPD recommends conditional approval of the project with 12 foot wide fire access roads in addition to the other recommended conditions of approval such as the installation of a fire safe turnaround and additional fire hydrant. However, revised Department of Transportation (DOT) and CAL FIRE comments, attached as Exhibits K and L respectively, would require the improvement of the current 12-foot wide gravel roadway connecting the subject site to Cascade Road to a minimum of 20 feet wide. Although the County's DISM would also require the widening of Cascade Road to 20 feet wide from State Route 89 to the current roadway connecting the subject site to Cascade Road, DOT is not recommending improvements be required for Cascade Road. Additionally, DOT is not recommending that the current roadway connecting the subject site to Cascade Road be required to be paved as required under the DISM because of the project site's elevation. While the DISM and fire safe regulations would require a 20-foot road width for the unnamed access road, DOT would permit an 18-foot road width with one-foot wide shoulders to achieve the 20-foot road width. However, the applicant's second design waiver request is to make no improvements. After numerous meetings with the applicant, including an on-site meeting with the applicant, DOT, Lake Valley Fire Protection District, and CAL FIRE representatives on June 15, 2009, the applicant is still not able or willing to make the required off-site minimum fire safe road improvements described above. Staff recommends denial of this design waiver request. Appropriate findings for denial are included within Attachment I.

Construction of the required off-site road improvements would be subject to TRPA's offsite coverage fees because new land coverage is being created in the public right-of-way. According to TRPA, the mitigation fees for new offsite land coverage are calculated by the cost-per-square foot of land coverage in the project's hydrologic area. These fees are forwarded to public agencies in each state where an equivalent amount of land coverage is purchased with the mitigation fees and permanently removed.

Fire

Project comments received from the Lake Valley Fire Protection District and CAL FIRE are attached as Exhibits I and L respectively and discussed under the design waiver section above. In a phone conversation with Gareth Harris, Lake Valley Fire Protection District Fire Marshall, on June 15 Mr. Harris noted that the limited width of Cascade Road created a "bottleneck" for emergency vehicles responding to a fire at the subject site this past winter. Staff believes approval of this project without the minimum off-site road improvements would further risk public health, safety, and welfare in future emergency situations.

Land Use Compatibility

As discussed above, the subject site is surrounded by residential uses. The proposed project would create one additional residential parcel from an existing parcel within an existing residential area. The proposed project density is consistent with surrounding residential densities. Therefore, the proposed project is compatible within the context of the surrounding land uses pursuant to General Plan Policy 2.2.5.21.

Wastewater

Public sewer service would be provided by the South Tahoe Public Utility District. As noted in a letter of January 12, 2008, the South Tahoe Public Utility District has the sewer capacity to serve this project.

Water

The Cascade Mutual Water Company provided a letter dated December 29, 2008 indicating that it has adequate water supplies to serve the project. Therefore, no new or expanded offsite water facilities would be necessary to serve the proposed project. The Environmental Management Department reviewed the documentation provided by the Cascade Mutual Water Company and issued a letter on May 12, 2009 which concurred with the recommendations subject to a pump test being satisfactorily conducted between the months of August and October 2009. Based on this information, the project would be consistent with General Plan Policy 5.2.1.4 regarding availability of reliable water supply.

GENERAL PLAN

This project is inconsistent with significant applicable policies of the adopted 2004 El Dorado County General Plan. Findings for inconsistency with the General Plan are provided in Attachment 1. The policies and issues that affect this project are discussed below.

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: As discussed above, the applicant's inability and unwillingness to make the required off-site road improvements would result in roadways which are inadequate to serve the proposed parcel map.

Policy 2.2.1.2: The County General Plan designates the subject parcel as Adopted Plan, which refers to the Tahoe Regional Planning Agency's Regional Plan. The parcel is located within TRPA Plan Area Statement (PAS) 175, Cascade Properties, which is primarily intended for residential use.

Discussion: The proposed project density and use is consistent with the density and use permitted under TRPA Plan Area Statement (PAS) 175, Cascade Properties.

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 conditioned by the El Dorado County Department of Transportation to meet the minimum State Responsibility Area (SRA) Fire Safe Regulations for road surface and road width prior to development. As outlined above, the applicant's inability to make such road improvements would result in inadequate access for fire protection.

Policy 6.2.2.2 states that the County shall preclude development in areas of high and very high fire hazard or in areas identified as "urban wildland interface communities within the vicinity of Federal lands that are a high risk for wildfire," as listed in the Federal Register of August 17, 2001, unless such development can be adequately protected from wildland fire hazard, as demonstrated in a Fire Safe Plan prepared by a Registered Professional Forester (RPF) and approved by the local Fire Protection District and/or California Department of Forestry and Fire Protection.

Discussion: The project is located within a very high fire hazard area and would require the submittal and approval of a fire safe plan subject to approval by the Lake Valley Fire Protection District and CAL FIRE. The project's location within a very high fire hazard area is further evidence that the requested design waiver to not make the required fire safe road improvements to the off-site access roadway connecting the subject site to Cascade Road is inappropriate and should be denied.

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: As discussed under the Access and Design Waiver sections above, the project would result in roadways which would be inadequate to serve the proposed parcel map.

Conclusion: As discussed above, staff finds that the parcel map, as proposed, is inconsistent with significant applicable policies of the County General Plan. Findings for inconsistency with the General Plan are provided in Attachment 1.

ZONING

The subject site is currently zoned One-Family Residential District (TR1) which permits a minimum lot area of 7,000 square feet when the lot is served with public water and a sewage system. The proposed 1.45 and 8.98 acre parcels would conform to existing zoning and the development standards in Section 17.56.040 for minimum lot width of 60 feet, minimum lot area of 7,000 square feet, building setback requirements of 20/5/15 (front/side/rear) feet from parcel boundaries and road easements, as well having the space to comply with the parking requirements of two spaces not in tandem per dwelling unit pursuant to Section 17.18.060. As proposed, the subject parcel map request would be a subdivision of existing structures with one existing residence on each prospective parcel.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Exhibit M) to assess project-related environmental impacts. Based on the Initial Study, staff has determined that there is no substantial evidence that the proposed project would have a significant effect on the environment. Therefore, a Negative Declaration has been prepared.

NOTE: This project is located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.), and was referred to the California Department of Fish and Game. In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$1,993.00 after approval, but prior to the County filing the Notice of Determination on the project. This fee plus a \$50.00 recording fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$1,993.00 is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the States fish and wildlife resources. However, staff has determined that the project would have no impact on biological resources. Potential impacts to biological resources would be further evaluated at time of development plan application submittal. As such, the applicant may request a “No Effect Determination Form” from the California Department of Fish and Game to waive payment of said fee.

SUPPORT INFORMATION

Attachments to Staff Report:

- Attachment 1 Findings

- Exhibit A Vicinity Map
- Exhibit B Assessor’s Parcel Map Page
- Exhibit C General Plan Land Use Map
- Exhibit D Zoning Map
- Exhibit E Tentative Parcel Map
- Exhibit F Applicant’s Access Plan
- Exhibit G Applicant’s Design Waiver Request
- Exhibit H Applicant’s Access Information – May 5, 2008
- Exhibit I Lake Valley Fire Protection District Comments –
May 29, 2008
- Exhibit J Department of Transportation Comments –
November 7, 2008
- Exhibit K Revised Department of Transportation Comments –
April 28, 2009
- Exhibit L CAL FIRE Comments – May 6, 2009
- Exhibit M Environmental Checklist & Discussion of Impacts

ATTACHMENT 1
FINDINGS

PARCEL MAP P08-0006

FINDINGS FOR DENIAL

1.0 CEQA Findings

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this project.
- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services located at 2850 Fairlane Court, Placerville, CA.

2.0 GENERAL PLAN FINDINGS

- 2.1 As proposed, the project is consistent with the Adopted Plan (AP) land use designation of the subject site, as defined by General Plan Policy 2.2.1.2, which refers to the Tahoe Regional Planning Agency's Regional Plan, because the parcel is located within TRPA Plan Area Statement (PAS) 175, Cascade Properties, which is primarily intended for residential use.
- 2.2 The proposal is inconsistent with significant applicable Policies of the General Plan including 2.1.1.7 (adequate infrastructure), 5.7.1.1 (fire protection), 6.2.2.2 (very high fire hazard area), and 6.2.3.2 (access). The project does not provide adequate access for emergency vehicles and is inconsistent with the General Plan policies identified above.

3.0 ZONING FINDINGS

- 3.1 The project, as proposed and conditioned, is consistent with the El Dorado County Zoning Ordinance Development Standards because the proposed parcels meet the development standards of the TR1 zone district pursuant to section 17.56.040 for minimum parcel areas and lot widths, and to permit the yard setbacks required of future residential development.

4.0 ADMINISTRATIVE FINDINGS

4.1 Tentative Parcel Map

- 4.1.1 *The proposed tentative map, including design and improvements, is consistent with the General Plan and Specific Plan, where applicable.* As proposed, the tentative map conforms to TRPA's Plan Area Statement 175 Cascade Properties, Residential Uses but does not conform to significant applicable General Plan policies concerning adequate roadways and access for emergency vehicles.
- 4.1.2 *The tentative map conforms to the applicable standards and requirements of the County's zoning regulations and Minor Land Division Ordinance.* The proposed parcel sizes of 1.45 and 8.98 acres conform to the 7,000 square foot minimum parcel size of the TR1 zone district. Additionally, the project conforms to the applicable provisions of the Minor Land Division Ordinance.
- 4.1.3 *The site is physically suitable for the proposed type and density of development.* The creation of one additional parcel at the 10.43 acre site is inappropriate due to inadequate access and lack of fire safe roadways.
- 4.1.4 *The proposed subdivision is not likely to cause substantial environmental damage.* A negative declaration was prepared for the proposed tentative parcel map. Based on the initial study, it was determined that the project would not have a significant effect on the environment.

5.0 DESIGN WAIVER APPROVAL FINDINGS

- 5.1 Permit proposed parcel 2B to exceed the depth to width lot ratio and have no street frontage.**
- 5.1.1 *There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.* Proposed parcel 2B has a width of 150 feet and a depth of 475 feet. Therefore, proposed parcel 2B only exceeds the maximum lot depth by 25 feet. The current parcel configuration was established in 1993 as a result of a land exchange between the U.S. Forest Service and current property owner. A boundary line adjustment (BLA05-0111) was approved by Planning Services in 2006 which further revised the parcel configuration. The current commercial use is permitted pursuant to TRPA approval in 2001.
- 5.1.2 *Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.* Strict compliance with the DISM would prevent compliance with Chapter 20 of the TRPA Code of Ordinances. The proposed parcel line configuration is consistent with the TRPA requirements for land coverage.
- 5.1.3 *The adjustment or waivers would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.* The waiver will not be injurious to

adjacent properties or detrimental to the health, safety, convenience and welfare of the public as proposed parcel 2B only exceeds the maximum lot depth by 25 feet.

5.1.4 *The waivers would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division.* The requested design waiver will not hinder the County's implementation of the Subdivision Map Act as outlined in Article II of Chapter 16 of County Code or any of the other applicable ordinances discussed within the staff report.

5.2 Permit Cascade Road to remain 12 to 14 feet wide rather than be improved to 24 feet wide as required by the *El Dorado County Design and Improvement Standards Manual*.

5.2.1 *There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.* According to the applicant, the existing main access road, Cascade Road, is a private road that was approved by the County and paved in 2003 at 14-feet wide with turnouts. The existing and proposed unnamed access road to the subject parcels is currently 12 to 14 feet wide compacted gravel with turnouts and soft shoulders. Lake Valley Fire Protection District reviewed the requested design waiver and had no objections. However, DOT and CAL FIRE recommend the unnamed access roadway from Cascade Road to the subject site be widened to 20 feet as required by the DISM. No improvements are recommended for Cascade Road. As such, DOT and CAL FIRE are not supportive of the design waiver request. There are not sufficient special conditions to the property which would justify the waiver of minimum fire safe requirements.

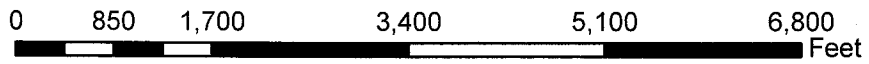
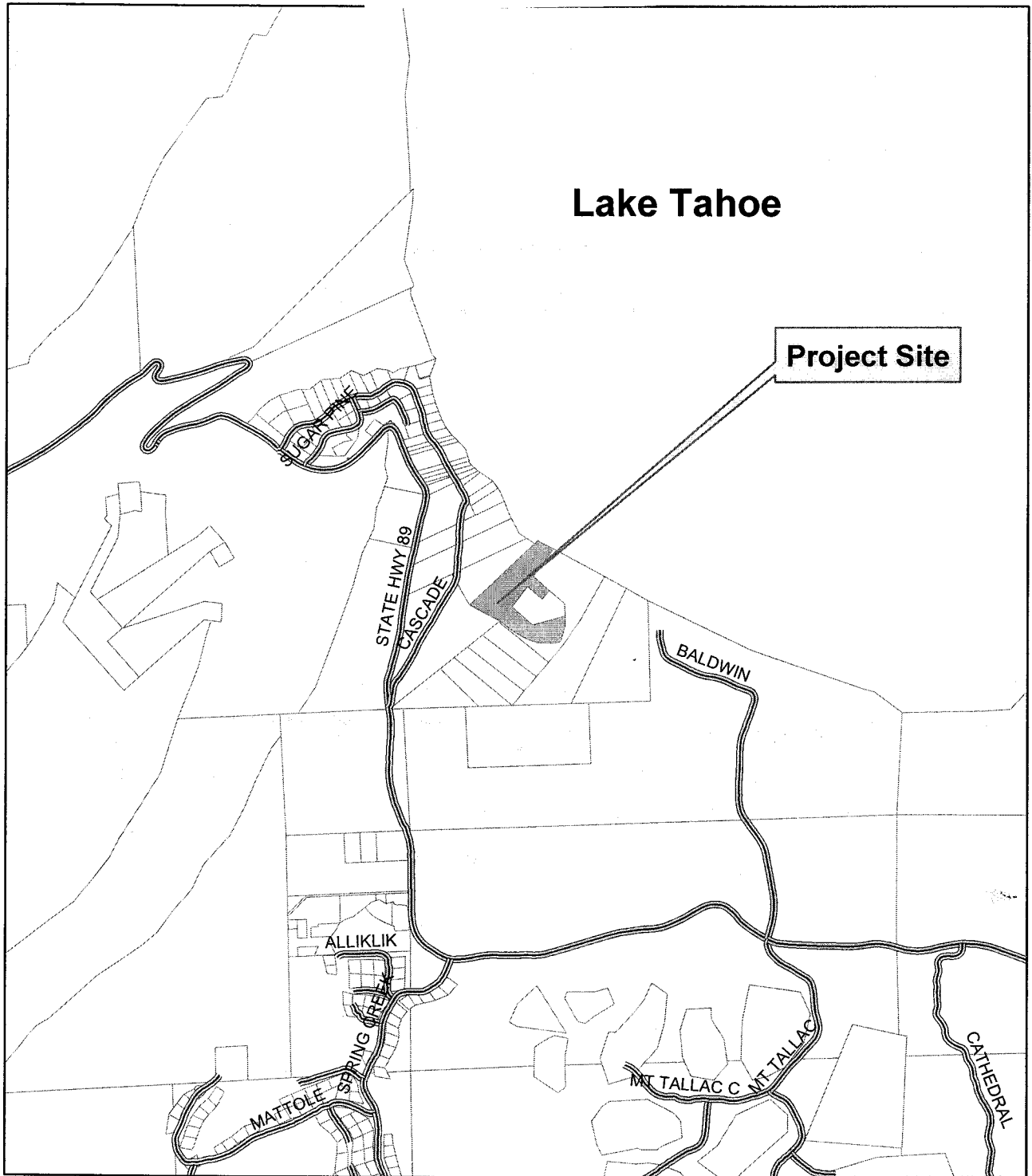
5.2.2 *Strict application of County design and improvement requirements would cause extraordinary and unnecessary hardship in developing the property.* Strict application of the DISM would not cause extraordinary and unnecessary hardship in developing the property as DOT is not requiring any improvements to Cascade Road nor that the off-site access roadway from Cascade Road to the subject site be paved, both of which could be required under the DISM. Off-site road improvements to meet minimum fire safe standards consist of widening the existing gravel access roadway from 12 feet to 18 feet wide with one-foot shoulders. If the access easement can be secured, sufficient space is available to make the required off-site road improvements.

5.2.3 *The adjustment or waivers would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public.* Both DOT and CAL FIRE reviewed the design waiver request and have concerns regarding the existing 12 to 14 foot-wide access roadway not being improved to meet minimum fire safe standards. The project site is located within a very high fire hazard area. As such, the waiver would be injurious to adjacent properties and detrimental to the health, safety, convenience and welfare of the public. As mentioned above, insufficient site access resulted in challenges for emergency vehicles responding to a fire at the subject site this past winter.

5.2.4 *The waivers would not have the effect of nullifying the objectives of Article II of Chapter 16 of the County Code or any other ordinance applicable to the division.* The requested design waiver will hinder the County's implementation of the Subdivision Map Act as outlined in Article II of Chapter 16 of County Code because the applicant does not have the easement rights to make the required off-site fire safe road improvements resulting in inadequate emergency access to any potential future residential structure without the County's use of eminent domain to acquire the land necessary for the off-site road improvements.

S:\DISCRETIONARY\2008\P08-0006\P08-0006 Staff Report.doc

EXHIBIT A



Case No. P08-0006
Vicinity Map

POR. PARS. B & C OF LOTS 3 & 4 & NW 1/4 SW 1/4 SEC. 26 &
POR. NE 1/4 SE 1/4 SEC. 27, T.13N., R.17E., M.D.M.

18:32



EXHIBIT B

Lake Tahoe

Bk 19
Pg 02

Assessor's Map Bk 018 Pg 32
County of El Dorado, CA

Rev. Aug. 31, 2007

RS 192
(7) NA
8.66 A

Bk 18 Pg 09

Adjacent to this Parcel Shown in Grey Text
Adjacent to this Parcel Shown in Black Text
Assessor's Parcel Numbers Shown in Circles

PM 45145/2
(1)
10.43 A

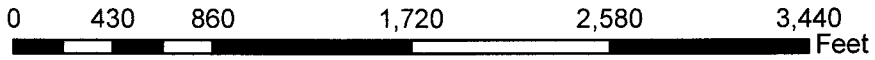
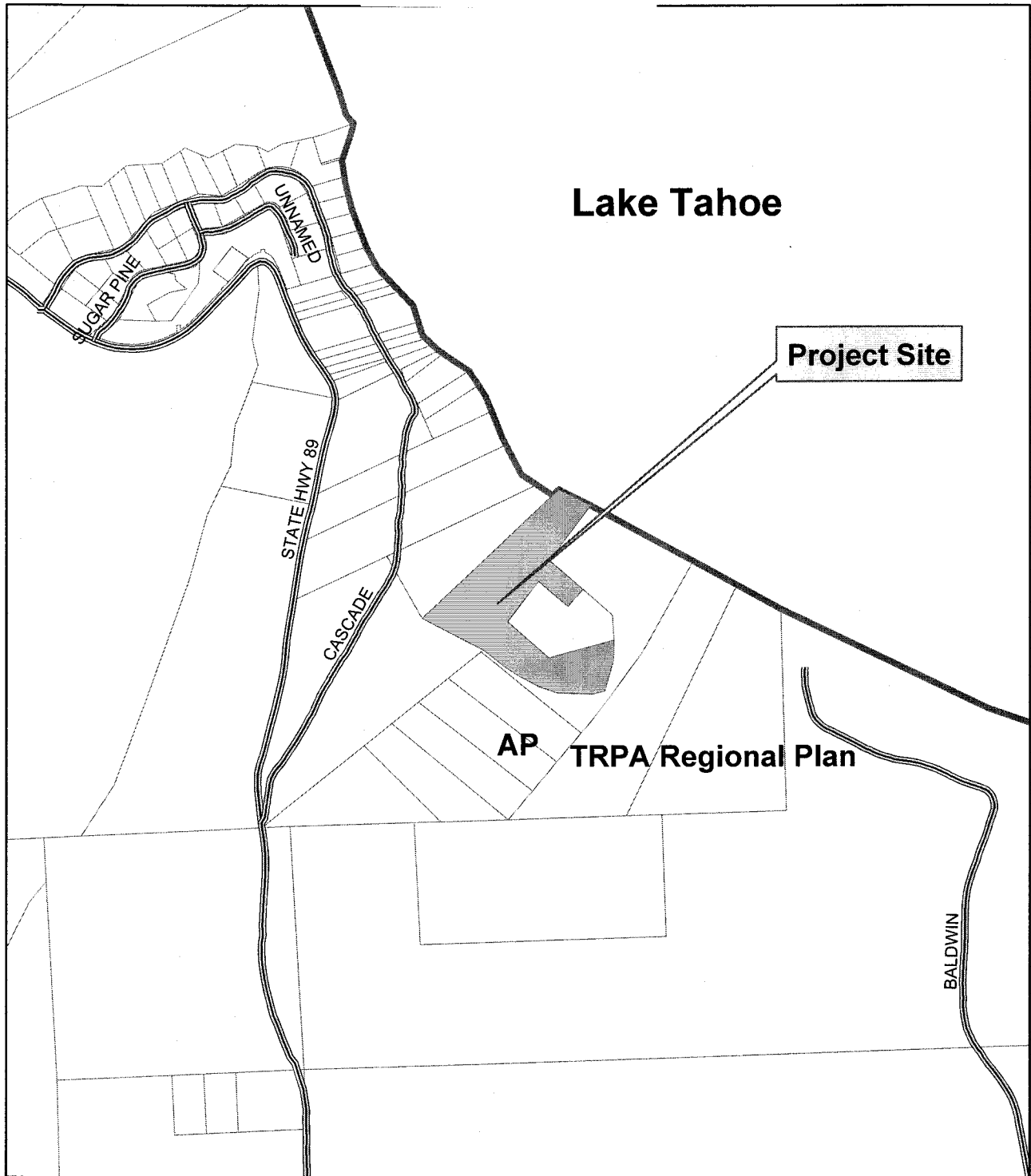
PM 45145/1
(10)
3.3 A

Bk 18 Pg 31

Accreages Are Estimates

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

EXHIBIT C

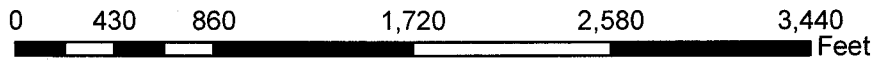
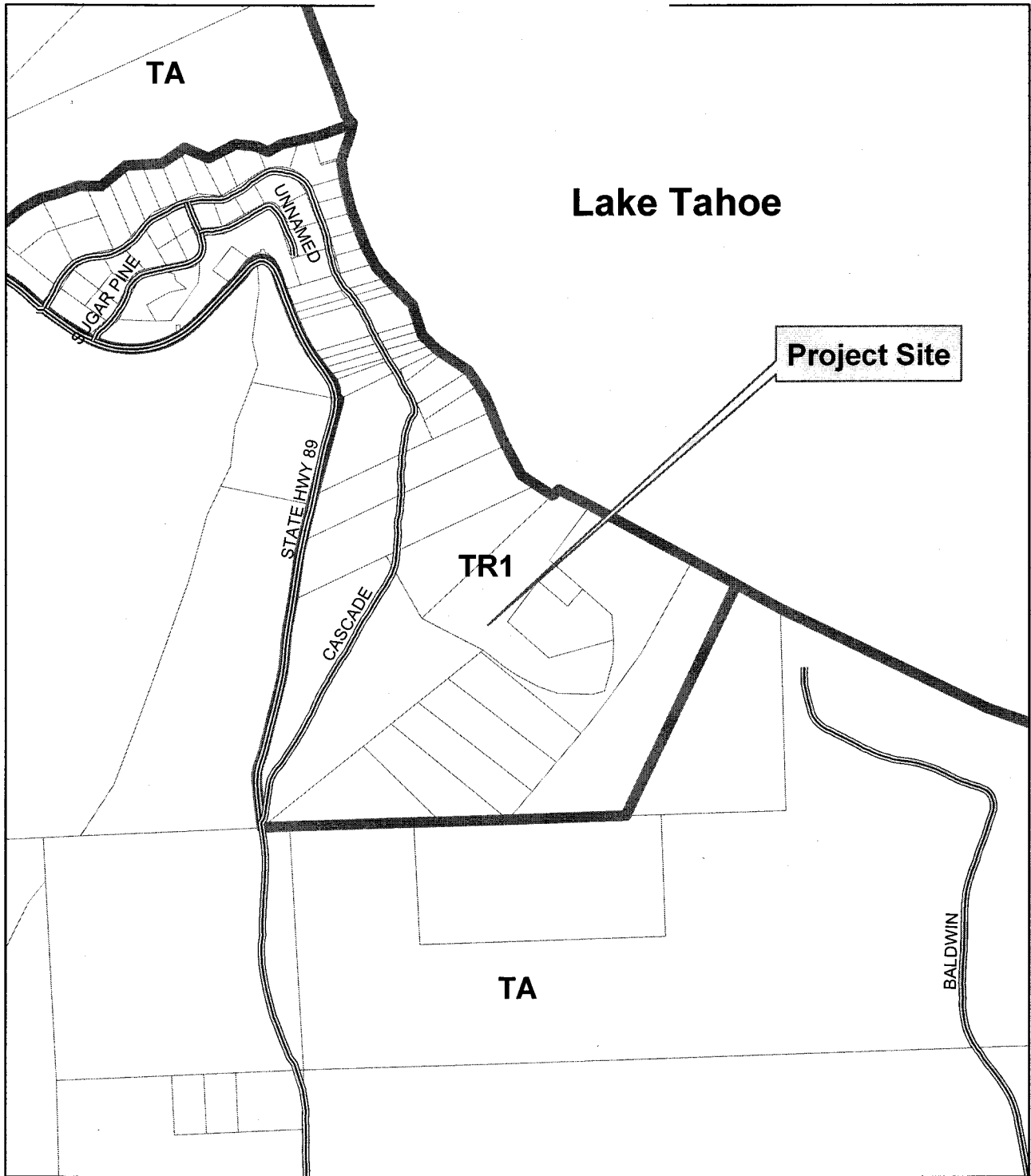


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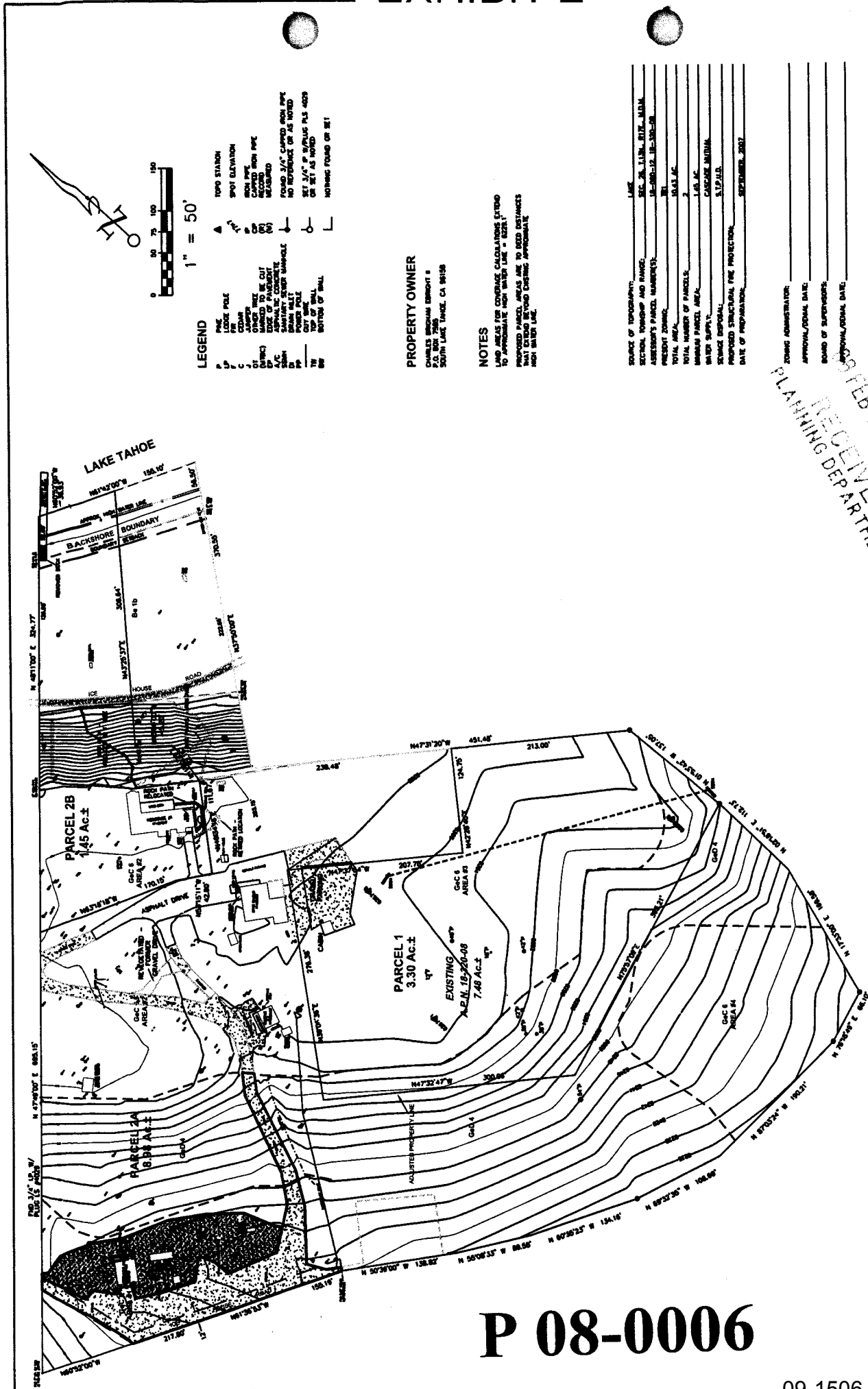
Case No. P08-0006
General Plan Land Use Map

EXHIBIT D



Case No. P08-0006
Zoning Map

EXHIBIT E



TENATIVE PARCEL MAP & SUBDIVISION OF STRUCTURES			APN'S 18-090-12 & 18-320-08		
RECEIVED FEB 11 2007 11:38 PLANNING DEPARTMENT					
CASCADE PROPERTIES EL DORADO COUNTY, CALIFORNIA					
ACAD NOTES			DATE		
FILE NAME	DESIGNER		18-090-12 &	SEP	
SCALE			18-320-08	2007	
HORIZ. 1"=60'	VERT. 1"=10'		SHEET 1 of 1		
			SUBDIVISION		
			CASCAD PROPERTIES		
			EL DORADO		

LA **LAURENCE & ASSOCIATES, INC.**
LAND SURVEYING
 1709 18th Ave
 El Dorado, CA 95762
 Tel: 530-267-7677 Fax: 530-267-3441

LEGEND

P PINK PILE
 A TOPO STATION
 T SPOT ELEVATION
 C CEDAR
 O OTHER FENCE
 M MARKED TO BE CUT
 (M) MARKED TO BE CUT
 (O) OTHER CONCRETE
 (C) CEMENT
 (M) SAND/MAGNETITE
 (S) SAND/STYROFOAM BEAD
 (S) SAND/STYROFOAM BEAD
 (S) SAND/STYROFOAM BEAD

FOUND 3/4" CAPED IRON PIP
 NO REFERENCE OR AS NOTED
 SET 3/4" P P PIP PLUS PLS 4009
 OR SET AS NOTED
 NOTHING FOUND OR SET

PROPERTY OWNER

CHARLES MICHAM EMMETT II
 P.O. BOX 7000
 3031H LAKE, LAKE, CA 96149

NOTES

LAND AREAS FOR COVERAGE CALCULATIONS EXTEND TO APPROXIMATE HIGH WATER LINE + 420R1'
 PROPOSED PARCEL AREAS ARE TO BE SET DISTANCES THAT EXTEND BEYOND EXISTING APPROXIMATE HIGH WATER LINE.

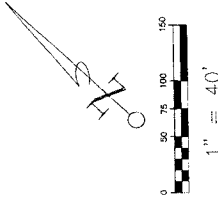
SOURCE OF TOPOGRAPHY: LAKE
 SECTION NUMBER AND RANGE: SEC. 26, T10N, R12E, 18-090-12
 ASSESSOR'S PARCEL NUMBER(S): 18-090-12, 18-320-08
 PRESENT ZONING: RL
 TOTAL AREA: 16.14 AC.
 NUMBER OF PARCELS: 3
 UNIMPAVED PARCEL AREA: 2.64 AC.
 IMPAVED PARCEL AREA: 13.50 AC.
 WATER SUPPLY: CASCADE METRIA
 SEWER DISPOSAL: 3.12 P.D.S.
 DATE OF REVISION: SEPTEMBER, 2007

ZONING ADMINISTRATOR: _____
 APPROVAL/FORMAL DATE: _____
 BOARD OF SUPERVISORS: _____
 APPROVAL/FORMAL DATE: _____

P 08-0006

EXHIBIT F

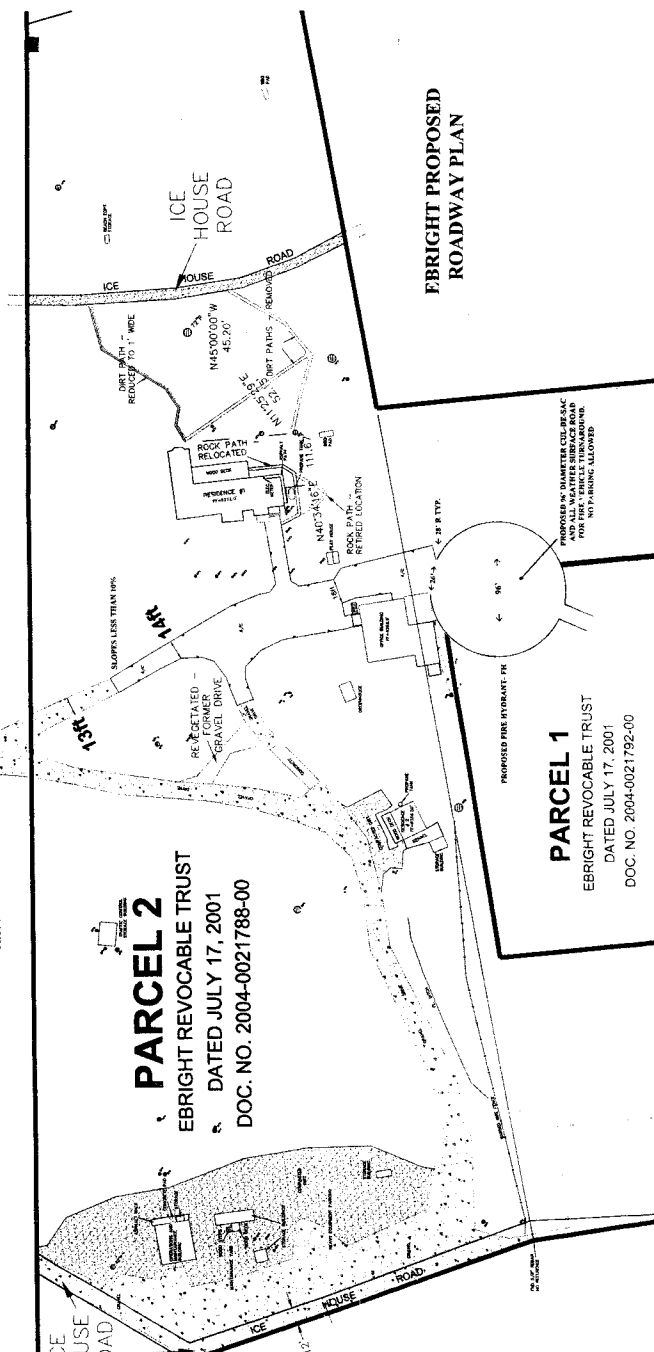
567 16 TR 440
 RECEIVED
 PLANNING DEPARTMENT



LEGEND

- IP ICE HOUSE
- PR PERMITS
- SW SWAMP
- U UTILITY
- OT OTHER
- EP EDGE OF PARCELS
- 250M 250M
- SA SANITARY SEWER MANHOLE
- PA PARKING AREA
- OW OUT WASH
- BT BOTTOM OF TRENCH
- BTW BOTTOM OF WALL
- 1000 STATION
- A 1/4" INCH
- SPOT ELEVATION

EBRIGHT 1995 TRUST ET AL
 2001-0084955



**EBRIGHT PROPOSED
 ROADWAY PLAN**

PROPERTY OWNER
 CHARLES BRIGHAM EBRIGHT II
 5000 LAKE TAMOC, CA 94758

TURNER & ASSOCIATES, INC.
 LAND SURVEYING
 (770) 588-5508
 308 DOWNS ROAD, SUITE 1000, ATLANTA, GEORGIA 30328

APN	000-12 & 18-320-08	DATE	2008
SUBDIVISION	N/A	SHEET	1
ADDRESS PROPERTIES		OF	
COUNTY	EL DORADO	SUB NO.	07718
CITY			

EXHIBIT OF A PORTION OF
A.P.N.'S 18-090-12 & 18-320-08
CASCADE PROPERTIES
 EL DORADO COUNTY, CALIFORNIA

PARCEL 1
 EBRIGHT REVOCABLE TRUST
 DATED JULY 17, 2001
 DOC. NO. 2004-0021792-00

REVISION DATE	DESCRIPTION	BY	APP'D	BENCH MARK NUMBER	MARK ELEVATION	DATUM	SCALE	HORIZ.	VERT.

ACAD NOTES:
 FILE NAME: 2008-07-17-EBRIGHT.DWG
 SCALE: 1"=40'
 HORIZ.: _____ VERT.: _____

Ebright, Proposed Subdivision
APN # 018-320-11
P08-0006

SEP 16 PM 11:39
RECEIVED
PLANNING DEPARTMENT

Request for

Design and Improvements Standards Waiver Request

For

Parcel Size and Configuration

And

Access Road

Prepared by: Mike Dill, Aspen Environmental
September 17, 2008

Project Description:

The applicant, Charles B. Ebright, is proposing to subdivide his existing parcel and structures into two parcels. The proposed parcel configuration has been determined on three factors. First, the existing lot-line configuration and layout as approved by the El Dorado County Planning Department in 2007; Second, the layout of the existing development; and finally the restrictions in place by the Tahoe Regional Planning Agency.

The existing parcel, Parcel # 2 was approved by El Dorado County Planning Department in 1993 with a land exchange between the Ebright Family and the U.S. Forest Service. The unique layout of parcel 2 was due to the fact that it bordered a wetland area, and also a recreation area. It is noted that the western perimeter of the subject parcel follows the existing Ice House Road. A boundary line adjustment also occurred in 2007 that was also approved by the El Dorado County Planning Department on August 29, 2007.

The layout of the existing development has dictated the proposed lot line between proposed parcels 2A and 2B. In order to be eligible for a subdivision in the Lake Tahoe Basin the Tahoe Regional Planning Agency requires a subdivision of existing structures. As proposed parcel 2A will have one existing residence and Parcel 2B will have the other existing residence.

The Tahoe Regional Planning Agency also has regulations that required the parcel configuration. All proposed land coverage calculations for the project area must be consistent with Chapter 20 of the TRPA Code of Ordinances. When subdividing the parcel, lands coverage, and existing uses and parking areas were taken into consideration. The proposed parcel line configuration is consistent with the TRPA requirements for land coverage.

Design and Improvements Standards Waiver Request:

The applicant requests a waiver to the Design and Improvements Manual Volume II, Section 2.B.5 and 2.B.10, concerning lot frontage and lot depth versus width.

As proposed parcel 2A has a width of 329 feet(minimum of 100 feet width required) and a depth of 975 feet. ($329 \times 3 = 987$ feet), therefore parcel 2A is consistent with the DIM Volume II. Parcel 2B as proposed has a width of 150 feet(minimum of 100 feet width required) and a depth of 475 feet. ($150 \times 3 = 450$ feet), therefore parcel 2B is 25' too deep, or 5% of the total lot depth too deep.

The applicant requests a waiver of Section 2.B.10 for Parcel 2B based on the following: Parcel 2B was configured based on the existing development, the access to the proposed parcels, and the land coverage limitations on and off the parcel. The access road to parcel 2B runs adjacent to the western property line, with onsite parking for the existing residence immediately off the access road and in front of the existing residence. The parcel depth could not be reduced otherwise the parking area would be offsite and inconsistent with the TRPA Code of Ordinances which requires two onsite parking spaces per unit.

The applicant requests a waiver to the Design and Improvements Manual Volume II, concerning the requirement for a 24' wide paved access road.

The existing access main road, Cascade Road is a private road that was approved by El Dorado County and paved in 2003 at 14' wide with turnouts. The existing and proposed access to the subject parcels is currently a 12-14 feet wide compacted gravel road with turnouts and soft shoulders. There is currently one fire hydrant along the access road.

The applicant requests that the existing access road be accepted with the Conditions Outlined in the letter from the Lake Valley Fire Department Battalion Chief Gareth Harris dated May 29, 2008. These conditions include the installation of a 96' cul-de-sac for vehicle turnaround, installing a fire hydrant in the project area, and placing signage along the access road for both turnouts and to inform people that it is a fire access road.

Design Waiver Findings:

1. *There are special conditions or circumstances peculiar to the property proposed to be divided which would justify an adjustment or waiver to the conditions.*

As discussed above there are many special conditions associated with the subject parcel including topography, existing development and impacts and concerns associated with other permitting agencies.

2. *Strict application of the design or improvements required of the minor land division ordinance or manual would cause extraordinary and unnecessary hardship in dividing the property.*

Strict application of the ordinances and required improvements would place a hardship on the property owner. The property owner cannot control the access rights over the adjoining property and they are limited to the existing roadway footprint due to TRPA coverage limitations.

3. *That the proposed adjustment or waiver would not be injurious to the adjoining parcels public health, safety, or welfare.*

The waiver will not impact adjoining properties and granting of the project approval will not be injurious to the health, safety or welfare of the neighborhood or public.

4. *The adjustment or waiver would not have the effect of nullifying the objectives of the ordinances in the Design Improvements Standards or manual noted above.*

The waiver requested will not nullify the objects of the subdivision ordinances or the Design Improvements Manual.


Prepared by:  Date: 9/17/08
Mike Dill, Aspen Environmental

EXHIBIT H

BROOKE · SHAW · ZUMPF

T. Scott Brooke
brooke@brooke-shaw.com

5 May 2008

El Dorado County
Development Services
2850 Fairlane Court, Building "C"
Placerville, CA 95667

Re: Subdivision of Structure
Assessor's Parcel Numbers 18-090-12, 18-320-08

Ladies and Gentlemen:

This office represents Charles B. Ebright and Mary S. Ebright, owners of properties in the Lake Tahoe area of El Dorado County, known as Assessor's Parcel Numbers 18-090-12 and 18-320-08. The first of these properties is the subject of a Subdivision of Structure process being processed by your department.

We have been asked to review the limited issue of access to the parcels for ingress and egress, for the purpose of emergency and fire access as well as the legal requirement. This letter will provide our opinion that such legal access exists, has been long established, and was confirmed by the Superior Court in and for the County of El Dorado, in Case No. 5957, and the Judgment therein, dated 5 May 1950, which is of record in El Dorado County. A copy of that Judgment is attached hereto.

In that Judgment, in Section 3 of the Order, Parcel D was conveyed to Kate D. Ebright; in Section 2, Parcel B was conveyed to Clarence Kumpf, et al. Pursuant to Section 5 thereof, all presently constructed roads were confirmed, and rights of use thereof for the purpose of ingress and egress were acknowledged and confirmed.

The current property, APN 18-090-12, is a portion of said Parcel D and, accordingly, is entitled to utilization of such existing and adjudicated roads for ingress and egress. The adjacent property, APN 18-320-08, was a portion of Parcel B; accordingly, it is similarly entitled to utilization of existing roads for ingress and egress. Mr. and Mrs. Ebright have succeeded to or acquired ownership of both properties, and enjoy the power to extend the preexisting access rights as they decide.

Post Office Box 2860
1590 Fourth Street, Suite 100
Minden, Nevada 89423

Attorneys at Law

Telephone: 775•782•7171
Facsimile: 775•782•3081
www.brooke-shaw.com

09-1506.D.22

El Dorado County
Development Services
5 May 2008
Page 2

The roadway and driveway to the house then existing on Parcel D, currently APN 18-090-12, was in existence at the time of the 1950 adjudication, since the records of El Dorado County Tax Assessor reveal that it was constructed in 1947. The various Assessor's maps thereafter continue to show such driveway access, which has now been in continual use for over sixty (60) years.

Accordingly, and for the present purposes of connection with the structure verification and any boundary-line adjustment map, the existing rights-of way provide the required legal access.

If you have any questions, or need any further information, please do not hesitate to contact me.

Sincerely,

BROOKE • SHAW • ZUMPFT



T. SCOTT BROOKE

TSB/mmr

FAU\IT\TSB\TSB Personal\Ebright BLA\1r El Dorado Plan 4-22-08.doc

Enclosure

cc: Charles and Mary Ebright

shl/bh

shl/bh

PARCEL MAP

OF TRACT 1 OF RECORD OF SURVEY 22-42 AND A PORTION OF THE WEST 1/2 OF SEC. 26, T.13N., R.17E., M.D.M. COUNTY OF EL DORADO STATE OF CALIFORNIA

JULY, 2007 SCALE: 1"=100'

DEVELOPMENT SERVICES DIRECTOR'S STATEMENT

THIS MAP CONFORMS WITH THE REQUIREMENTS OF SECTION 66412(C) AND 66467 OF THE SUBDIVISION MAP ACT.
DATED: 8-29-07

Peter P. Ruiz
PRINCIPAL PLANNER
DEVELOPMENT SERVICES DIRECTOR
COUNTY OF EL DORADO, CALIFORNIA

COUNTY SURVEYOR'S STATEMENT

THIS MAP WAS SUBMITTED TO THE COUNTY SURVEYOR'S OFFICE FOR REVIEW AND APPROVAL ON THE TENTATIVE MAP. THE SURVEYOR HAS REVIEWED THE MAP AND HAS DETERMINED THAT THE MAP IS IN SUBSTANTIAL COMPLIANCE WITH THE REQUIREMENTS OF CHAPTER 2 OF THE SUBDIVISION MAP ACT AND OF ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE MAP. THE SURVEYOR'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE MAP AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED THEREIN.

DATED: 8-29-07

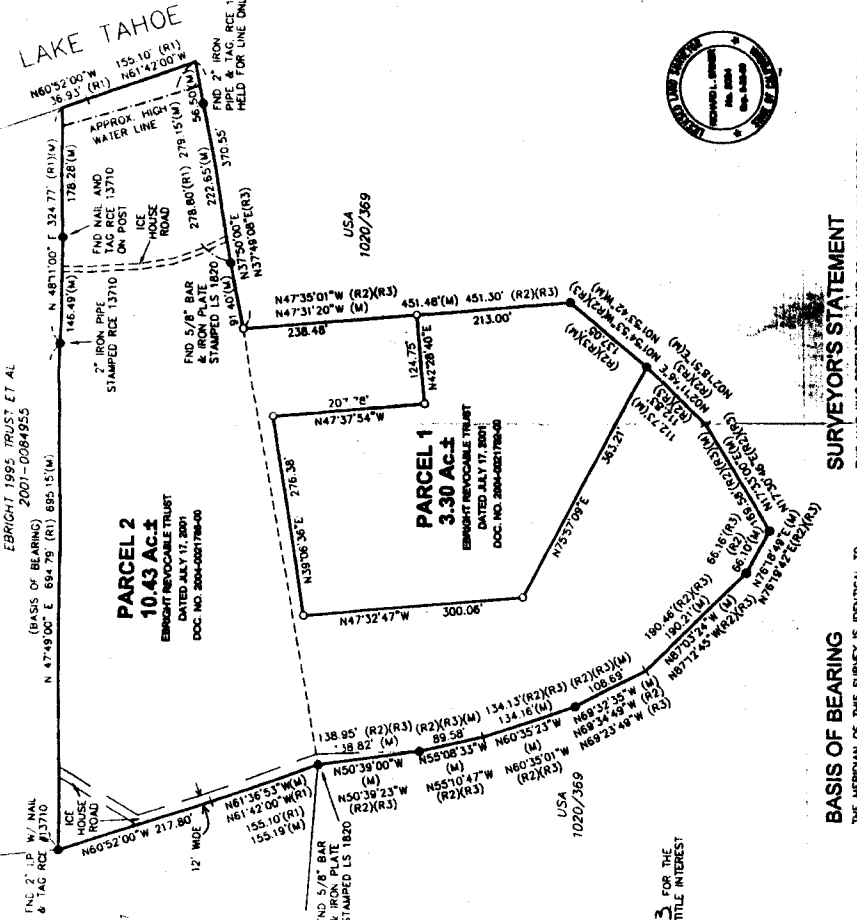
Daniel S. Russell
DANIEL S. RUSSELL
COUNTY SURVEYOR
COUNTY OF EL DORADO, CALIFORNIA

BY: *Richard L. Brewer*
RICHARD L. BREWER
COUNTY CLERK
COUNTY OF EL DORADO, CALIFORNIA

COUNTY RECORDER'S CERTIFICATE

I, WILLIAM E. SCHULTZ HEREBY CERTIFY THAT PLASER JULE DOMIZIANI, PARCEL MAP GUARANTEE NO. 2004-002788-00 WAS FILED WITH THIS OFFICE AND THAT THIS PARCEL MAP WAS ACCEPTED FOR RECORD AND FILED THIS 31 DAY OF August, 2007 AT 12:51:14 IN BOOK 49 OF PARCEL MAPS AT PAGE 100, AT THE REQUEST OF CHARLES B. EBRIGHT II.
DOCUMENT NO. 2007-56833

William E. Schultz
WILLIAM E. SCHULTZ
COUNTY RECORDER
COUNTY OF EL DORADO, CALIFORNIA
By: *Richard L. Brewer*



EBRIGHT 1985 TRUST ET AL.
(BASIS OF BEARING) 2001-0084955
N. 47°49'00" E. 694.75' (R1) 885.15' (M)

EBRIGHT 2001 TRUST ET AL.
2004-21786

RECEIVED
PLANNING DEPARTMENT
AUG 29 2007

NOTE:
EASEMENTS OF RECORD OR 94-448 OR 289-13 THE EXACT LOCATIONS & EXTENTS OF THESE EASEMENTS ARE NOT DISCLOSED OF RECORD

NOTE
REFER TO DOCUMENT NO. 07-56833 FOR THE CONSENT OF ALL PARTIES HAVING RECORD TITLE INTEREST

LEGEND

- NOTHING FOUND OR SET FOUND 3/4" CP, STAMPED LS 5/8", OR AS NOTED
- SET 3/4" IP & PLUG, PLS 4029, OR AS NOTED
- (M) MEASURED
- (R1) RECORD DATA PER DEED, DOC NO. 2004-002788-00 (BASIS OF BEARING)
- (R2) RECORD DATA PER DEED, DOC NO. 2004-002789-00
- (R3) R.O.S. 22-42

BASIS OF BEARING

THE MERIDIAN OF THIS SURVEY IS IDENTICAL TO DEED, DOCUMENT NO. 2004-002788-00, THE BEARING N47°49'00" E. AS SHOWN.

SURVEYOR'S STATEMENT

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 AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THIS PARCEL MAP. THE SURVEYOR'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE MAP AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED THEREIN.

Ronald W. Turner
RONALD W. TURNER
LS 4029



TURNER & ASSOCIATES, INC.
PLANNING & ENGINEERING
17700 BARKLEY BLVD.
FAYETTEVILLE, CA 95750
P.O. BOX 2007 • STATELEAK, CA 95750
JOB NO. 02354

EXISTING A.P.N.'S: 018-320-05, 018-090-12

49/145

shl/bh

shl/bh

PARCEL MAP

OF TRACT 1 OF RECORD OF SURVEY 22-42 AND A PORTION OF THE WEST 1/2 OF SEC. 26, T.13N., R.17E., M.D.M. COUNTY OF EL DORADO STATE OF CALIFORNIA

SCALE: 1"=100'

JULY, 2007

DEVELOPMENT SERVICES DIRECTOR'S STATEMENT

THIS MAP CONFORMS WITH THE REQUIREMENTS OF SECTION 66426(C) AND 66467 OF THE SUBDIVISION MAP ACT.

DATED: 8-27-07

GREGORY L. FUZ
DEVELOPMENT SERVICES DIRECTOR
COUNTY OF EL DORADO, CALIFORNIA

COUNTY SURVEYOR'S STATEMENT

I HAVE EXAMINED THE MAP, THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS APPEARED ON THE TENTATIVE MAP, IF REQUIRED, AND ANY APPROVED ALTERATIONS THEREOF. ALL PROVISIONS OF CHAPTER 2 OF THE SUBDIVISION MAP ACT AND OF ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THIS MAP IS TECHNICALLY CORRECT.

DATED: 8-27-07

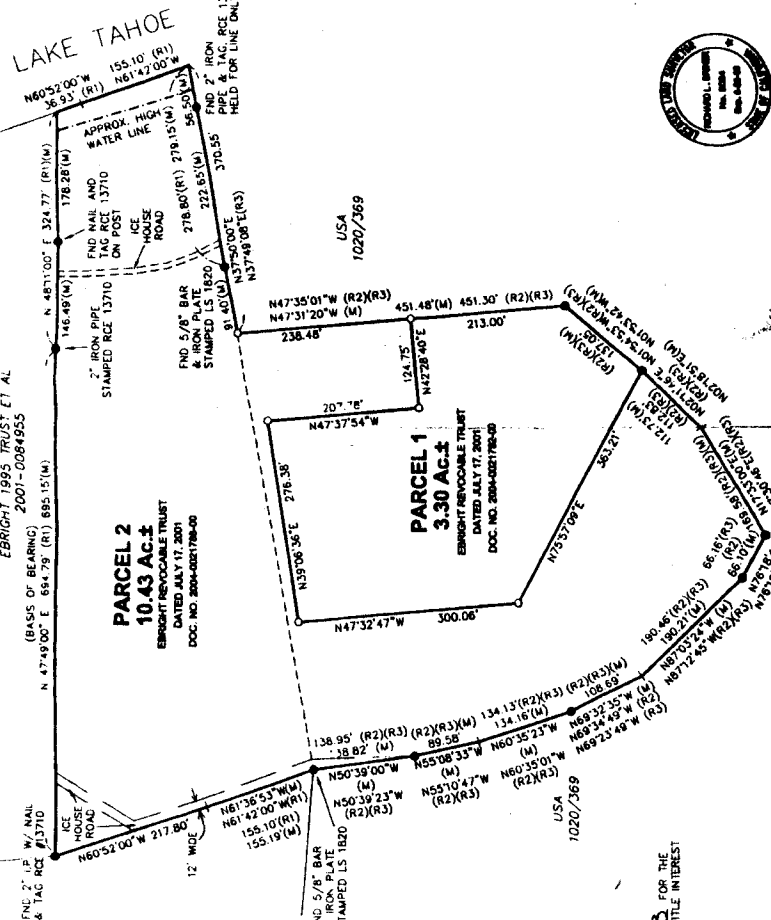
DANIEL S. RUSSELL
COUNTY SURVEYOR
COUNTY OF EL DORADO, CALIFORNIA

COUNTY RECORDER'S CERTIFICATE

I, WILLIAM E. SCHULTZ HEREBY CERTIFY THAT ELAHER TITLE COMPANY, PARCEL MAP GUARANTEE NO. 2004-0021788-00 WAS FILED WITH THIS OFFICE AND THAT THIS PARCEL MAP WAS ACCEPTED FOR RECORD AND FILED THIS 31 DAY OF August, 2007 AT 12:51:16 IN BOOK 49 OF PARCEL MAPS AT PAGE 100 AT THE REQUEST OF CHARLES B. EBRIGHT II.

DOCUMENT NO. 2007-56833

WILLIAM E. SCHULTZ
COUNTY RECORDER, CLERK
COUNTY OF EL DORADO, CALIFORNIA



SURVEYOR'S STATEMENT

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 AND LOCAL ORDINANCES. I HAVE DETERMINED THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY. ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED AND ARE SUFFICIENT TO DEFINE THE SURVEY TO BE RE-TRACED.

DANIEL S. RUSSELL
COUNTY SURVEYOR, L.S. 4025

BASIS OF BEARING

THE MERIDIAN OF THIS SURVEY IS IDENTICAL TO DEED, DOCUMENT NO. 2004-0021788-00, THE BEARING N47°49'00"E, AS SHOWN.

NOTE: REFER TO DOCUMENT NO. 07-56833 FOR THE CONSENT OF ALL PARTIES HAVING RECORD TITLE INTEREST

LEGEND

- NOTHING FOUND OR SET
- FOUND 3/4" CP, STAMPED LS 5781, OR AS NOTED
- SET 3/4" P & PLUG, PLS 4028, OR AS NOTED
- (M) MEASURED
- (R1) RECORD DATA PER DEED, DOC. NO. 2004-0021788-00 (BASIS OF BEARING)
- (R2) RECORD DATA PER DEED, DOC. NO. 2004-0021782-00
- (R3) R.O.S. 22-42

NOTE: EASEMENTS OF RECORD OR 94-449 OR 288-13. THE EXACT LOCATIONS & EXTENTS OF THESE EASEMENTS ARE NOT DISCLOSED OF RECORD

TURNER & ASSOCIATES, INC.
LAND SURVEYING
155 908th ST., SUITE 100
P.O. BOX 2007 - STERLING, WY 82444-0207
TEL: (307) 384-2194
FAX: (307) 384-2194
WWW.TAASSOCIATES.COM

EXISTING A.P.N.'s: 018-320-08, 018-090-12

Ua line

49/145

I hereby certify that the foregoing is a full, true and correct copy of the order made in the above-entitled matter, as the same now remains of record and on file in my office.

Dated: 5/12/50

EVAN J. HUGHES
Referee in Bankruptcy

Filed for Record at the Request of INTER COUNTY TITLE CO. July 6, A. D. 1950 at 8 min. past 3 o'clock P.M.

NO. 2795
Fee \$5.60
ml

JAMES W. SWEENEY
Recorder of El Dorado County

COMPARED

Endorsed-Filed
May 4, 1950

Arthur J. Koletzke, Clerk
McAnnally, Deputy

SEE VOLUME 380 OF OFFICIAL RECORDS PAGE 300

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF EL DORADO

CLARENCE SELBY KEMPF, JR.,
CHARLES BRIGHAM KEMPF,
KATHERINE DUER KEMPF and
ELEANOR KEMPF OVERTON,

Plaintiffs,

v.

KATE DUER EBRIGHT,

Defendant.

SEE VOLUME 312 OF OFFICIAL RECORDS PAGE 474

NO. 5957

JUDGMENT CONFIRMING REPORT
OF REFEREES AND FOR PARTITION
OF REAL PROPERTY

SEE VOLUME 312 OF OFFICIAL RECORDS PAGE 474

This cause came on regularly to be heard and was heard on May 4th, 1950, before the above entitled Court, Honorable George H. Thompson, Judge thereof, presiding, sitting without a jury upon the complaint of the plaintiffs and the answer of the defendant and upon the report of J. L. Haskins and Edwin A. Mueller, Referees in Partition, heretofore duly appointed and empowered, plaintiffs appearing by Messrs. Wright, Thomas, Dorman & Fox, by Charles Fox, Jr., Esq., their attorneys, and defendant appearing by Messrs. McCutchen, Thomas, Matthew, Griffith & Greene, by Morris M. Doyle, Esq., her attorneys. After hearing the evidence and considering the same, the Court, being fully advised does hereby make its findings of fact as follows, to wit:

1. That this cause was duly commenced on the 26th day of February, 1947, by the filing herein of a verified complaint. That summons was thereupon duly issued, stating the nature and object of the action and containing a description of the real property affected thereby, and was served on defendant in this action in the County of Marin, State of California, on the 7th day of March, 1947. That on the 26th day of February, 1947, a notice of the pendency of said action was recorded in the office of the County Recorder of the County of El Dorado, State of California, the county in which said real property is situated, in Book H of Lis Pendens at page 494. That said notice of the pendency of said action contained the names of the parties thereto, the object of the action and a description of the property to be affected thereby.
2. That an interlocutory decree of partition was made and entered in the above entitled action on November 12, 1947, wherein it was ordered, adjudged and decreed that all of the property described in plaintiffs' complaint be partitioned between plaintiffs and the defendant according to their respective interests as ascertained, declared and established by said interlocutory decree, and wherein J. L. Haskins, Edwin A. Mueller and Don H. Goodrich were appointed Referees in Partition to divide the property described in plaintiffs' complaint, and to report their proceedings to this court, specifying the manner in which they have executed their trust and describing the property divided and the shares allotted to each party with particular description of each share.
3. That said J. L. Haskins and Edwin A. Mueller, Referees appointed by said interlocutory decree, have made partition of all of the real property described in plaintiffs' complaint and in said interlocutory decree, and have divided the said property and allotted the several portions thereof to the respective parties, quality and quantity relatively ascertained,

according to the respective rights of said parties as determined by the court in said interlocutory decree. That the report of said Referees dated March 1, 1950 was approved by plaintiffs and defendant and was filed herein on April 12, 1950. That Don H. Goodrich, appointed as a Referee in said interlocutory decree, died August 25, 1949, and prior to the signing of the Referees' report. That the parties hereto by written stipulation on file herein have waived any right to object to said report because of the death of said Don H. Goodrich, and have waived any right to apply for or demand that a successor Referee or new Referees be appointed. Said Referees J. L. Haskins and Edwin A. Mueller have caused said premises to be surveyed and have caused a map of said survey to be prepared, designating the several portions so allotted by them, and have caused separate descriptions of each parcel so allotted to be incorporated as a part of said report. That said map is attached to and made a part of said Referees' report, being marked "Exhibit 1." Said descriptions are attached to and made a part of said Referees' report, being marked "Exhibits 2 to 11, inclusive". That said Referees have proceeded in all respects as by said interlocutory decree declared.

4. That reasonable sums to be allowed as Referees fees and expenses in these proceedings are to Don H. Goodrich, the sum of \$2,500.00, to J. L. Haskins the sum of \$5,114.00, and to Edwin A. Mueller, the sum of \$5,732.00; that Wright, Thomas, Dorman & Fox have acted as attorneys for plaintiffs since the inception of these proceedings and that \$15,000.00 is a reasonable sum to be allowed for their services; that McCutchen, Thomas, Matthew, Griffiths & Greens have acted as attorneys for defendant since the inception of these proceedings and that \$15,000.00 is a reasonable sum to be allowed for their services; that no objection or exception has been made by any of the parties to the above entitled action, to said report of the said Referees, but upon the contrary that all of said parties by said written stipulation filed herein have requested and stipulated that said Referees' report be confirmed and have consented that final judgment in partition be entered thereon.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

(1) That said report of said Referees in Partition be and the same is hereby in all respects confirmed, and that the partition of said premises and the allotments made by said Referees to the respective parties hereto be and the same are hereby declared to be effectual forever; and that all of the real property mentioned and described in said report and in the interlocutory decree heretofore made and entered in this action be and the same is hereby partitioned in the manner set out in said report.

(2) That all that real property situated in the County of El Dorado, State of California, described in said Referees' report as Parcels "B", "C", "F", "H", "I", "J", and "K", and more particularly described in Exhibits 3, 5, 7, 8, 9 and 10 attached hereto and hereby made a part of this judgment be and the same is hereby allotted, assigned and set over to the plaintiffs, Clarence Selby Kempff, Jr., Charles Brigham Kempff, Katherine Duer Kempff and Eleanor Kempff Overton, in fee simple as joint tenants, and that the said plaintiffs hold the same severally and absolutely free from any and all claims, interest, possession or right of possession of the defendant, Kate Duer Ebright, except as set forth hereinafter in paragraph (5) of this judgment.

(3) That all that real property situated in the County of El Dorado, State of California, described in said Referees' report as Parcels "A", "D", "E", "G", and "L", and more particularly described in Exhibits 2, 4, 6 and 11, attached hereto and hereby made a part of this judgment, be and the same is hereby allotted, assigned and set over to the defendant, Kate Duer Ebright, in fee simple and that the said defendant hold the same severally and absolutely free from any and all claims, interest, possession or right of possession of the plaintiffs, Clarence Selby Kempff, Jr., Charles Brigham Kempff, Katherine Duer Kempff and Eleanor Kempff Overton, or any of them, except as set forth hereinafter in paragraph (5) of this judgment.

(4) That a copy of the map attached to said Referees' report and marked Exhibit 1 hereto,

upon which the several parcels allotted to the parties hereto are mapped, is attached hereto as Exhibit 1 and is hereby made a part of this judgment and decree.

(5) That the lands allotted herein to the respective parties hereto shall be and remain entitled to all water rights which they had prior to such allotment, provided however, that the lands herein allotted to plaintiffs shall be entitled to the use of the waters of Cascade Lake for reasonable and necessary domestic purposes only in an amount not to exceed one-half (1/2) of the usual, ordinary and natural outflow from said lake, determined without regard to any diversion or use of the water thereof made by either party.

That all presently constructed roads on said premises (other than the state highway running through said premises) shall be and remain private roads. Rights of way in and on all presently constructed roads, as the same are now located, are hereby allotted to each party, their heirs and assigns, over the lands allotted to the other for purposes of ingress and egress to and from the lands respectively allotted to each party, and in addition thereto in and along the course of all presently constructed water lines, electric power lines and telephone lines for purposes of the maintenance and use thereof. Rights of way for ingress and egress and for construction, maintenance and use of water lines, electric power lines and telephone lines shall be granted in the future to each party by the other in accordance with the reasonable and necessary needs of the respective parcels herein allotted to each party, such rights of way to be located at such places and in such manner as to do the least possible damage to the servient property consistent with ordinary use and practices.

(6) That Referees' fees and expenses be and they are hereby allowed and apportioned as follows:

To: Don H. Goodrich	82,500.00
J. L. Haskins	5,314.00
Edwin A. Mueller	5,732.00

and that said Referees' fees and expenses be paid one-half by plaintiffs and one-half by defendant.

That attorneys' fees in this proceeding be and they are hereby allowed and apportioned as follows:

To: Wright, Thomas, Dorman & Fox, attorneys for plaintiffs, the sum of 315,000.00

To: McCutchen, Thomas, Matthew, Griffiths & Greene, attorneys for defendant, the sum of 315,000.00,

and that the fees allowed plaintiffs' attorneys be paid by plaintiffs and the fees allowed defendant's attorneys be paid by defendant.

(7) That the property allotted herein to plaintiffs shall, in order to secure the payment of plaintiffs' share of the fees hereinabove allowed, be subject to the following liens in favor of the persons named below in the amounts set opposite their names:

Don F. Goodrich, \$1,250.00 J. L. Haskins, 2,657.00 Edwin A. Mueller, 2,866.00
 Wright, Thomas, Dorman & Fox, 15,000.00

(8) That the property allotted herein to defendant shall, in order to secure the payment of defendant's share of the fees hereinabove allowed, be subject to the following liens in favor of the persons named below in the amounts set opposite their names:

Don H. Goodrich, \$1,250.00 J. L. Haskins, 2,657.00 Edwin A. Mueller, 2,866.00
 McCutchen, Thomas, Matthew, Griffiths & Greene 15,000.00

Bonds in Open Court this 14th day of May, 1951.

GEORGE H. WICKHAM
Judge of the Superior Court.

SEAL OF CALIFORNIA)
County of El Dorado) ss:

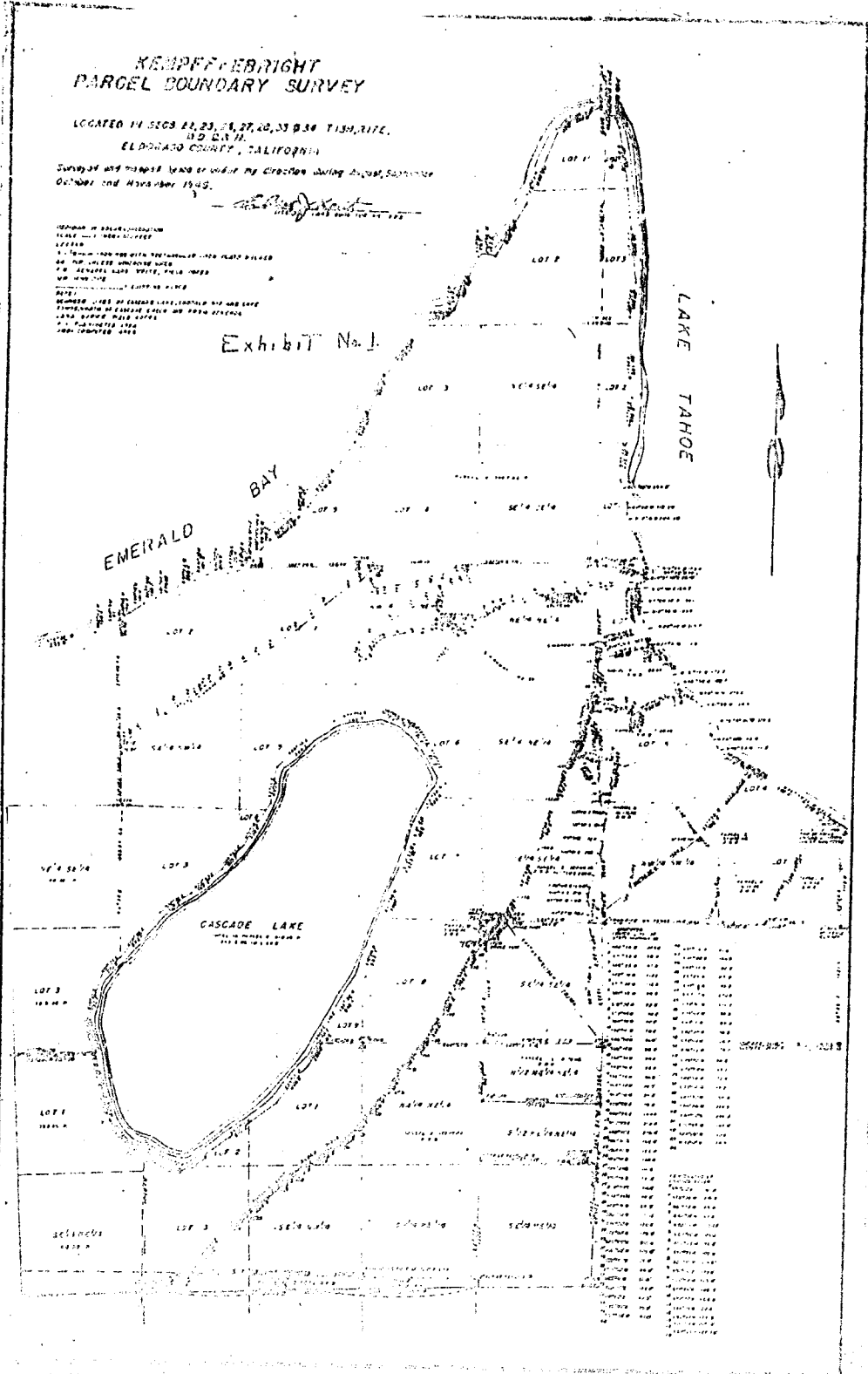
I, MARION J. KOSMICH, County Clerk and ex-officio Clerk of the Superior Court in and for the County of El Dorado, State of California, do hereby certify that I have compared the foregoing copy of CERTAIN CERTAINING ORDER BY PARAGRAPHS AND THE PARTITION OF ESTATE OF DON F. GOODRICH

In re: CLARENCE SELBY KEMPF, JR., CHARLES TRICHAM KEMPF, MATHERINE DUER KEMPF and ELEANOR KEMPF OYENFON, Plaintiffs, vs. FATE DUER HERRICK, Defendant No. 5957 with the original records of the same in my office, and that the same is a correct transcript therefrom and of the whole of said original records, as the same appear on file in my office.

In witness whereof, I have hereunto set my hand and affixed the Seal of the Superior Court aforesaid, this 9th day of June, 1950.

(SEAL) (SEAL)

ARTHUR J. KOLEIZKE, Clerk
By RUTH LANG, Deputy



November 19, 1949

PARCEL "A"

EXHIBIT #2

All of that portion of Lot 3 of Section 26, T. 13 N. R. 17 E., M.D.M., El Dorado County, California described as follows:

Beginning at the SE corner of the parcel of land herein described, a 2 inch diameter iron pipe near fence corner, from which the South $1/4$ corner of said Section 26, bears $S 0^{\circ} 25'$ East, 1321.5 feet; thence from said point of beginning, along an existing fence line $N 0^{\circ} 20'$ West, 1010.0 feet to a $1\frac{1}{2}$ inch square bar, 36 inches above ground, at North end of iron fence; thence continuing $N 0^{\circ} 20'$ West, 81.7 feet to the approximate shore line of Lake Tahoe; thence along said shore line $N 59^{\circ} 50' 30''$ West, 270.9 feet to a $3/4$ inch diameter pipe 6 inches below the surface; thence leaving said shore line $S 26^{\circ} 43'$ West, 56.55 feet to a $5/8$ inch iron rod with rectangular iron plate welded on top and stamped "Parcel 1" and "Parcel B" and set flush with the ground; thence continuing $S 26^{\circ} 43'$ West, 1328.65 feet to a $3/4$ inch diameter capped iron pipe; thence $N. 89^{\circ} 22'$ East, 863.3 feet to the point of beginning. Containing 15.15 acres.

Together with all lands lying Northerly of the parcel of land herein described and the ordinary low water line of said Lake Tahoe and bounded on the East by the direct extension, Northerly of the Easterly boundary of said parcel and on the West by the direct extension Northeasterly of the Westerly boundary of said Parcel.

BIMER J KENT
L. S. 1320

November 19, 1949

PARCELS "B" & "C"

EXHIBIT NO. 3.

All that portion of Lots 3 and 4, the $NE\frac{1}{4}$ of the $SW\frac{1}{4}$ of Section 26 and the $NE\frac{1}{4}$ of the $SE\frac{1}{4}$ of Section 27, T. 13 N., R. 17 East, M.D.S.&M., El Dorado County, California, described as follows:

Beginning at a point in the center line of State Highway No. 89 at its intersection with the South line of the $NE\frac{1}{4}$ of the $SE\frac{1}{4}$ of said Section 27 as fenced, from which the SE corner of said Section 27 bears $S 8^{\circ} 41' 30''$ East, 1333.9 feet; thence from said point of beginning, $N. 52^{\circ} 22' 30''$ East, 1534.3 feet to a point in the center line of a private road known as the "Ice House Road", marked by a $5/8$ inch bar with a rectangular iron plate welded on top and stamped "Parcel C" and "Parcel D" and set 4 inches below the surface; thence $N. 37^{\circ} 50'$ East, 697.6 feet to a similar monument; thence continuing $N 37^{\circ} 50'$ East; 236.8 feet, a similar monument; thence continuing $N 37^{\circ} 50'$ E., 42.0 feet to a point on the approximate shore line of Lake Tahoe; thence along said shore line $S 61^{\circ} 42'$ East, 142.2 feet; thence $S 59^{\circ} 50' 30''$ East 483.4 feet to a similar monument stamped "Parcel B" and "Parcel C", and set 6 inches below the surface; thence continuing $S 59^{\circ} 50' 30''$ East, 270.9 feet to a $3/4$ inch diameter iron pipe set 6 inches below the surface; thence leaving said shore line $S 26^{\circ} 43'$ West, 56.55 feet to a $5/8$ inch iron rod with a rectangular iron plate welded on top, stamped "Parcel A" and "Parcel B" and set flush with the ground; thence continuing $S 26^{\circ} 43'$ West, 1328.65 feet, to a $3/4$ inch diameter capped iron pipe on an existing fence line, thence along said fence line $S 89^{\circ} 22'$ West, 1785.4 feet and $S 89^{\circ} 24'$ West, 157.8 feet to the point of beginning. Containing 48.242 acres.

Together with all lands lying between the Northeasterly boundary (described as approximate shore line) of the parcel herein described and the ordinary low water line of said Lake Tahoe and bounded on the Southeast by the direct extension northeasterly of the southeasterly boundary of said parcel of land and on the Northwest by the direct extension northeasterly of the northeasterly boundary of said parcel.

BIMER J. KENT
L. S. 1320

November 19, 1949

EXHIBIT NO. 4

PARCELS "D" & "E"

All of that portion of Lots 4 and 5, and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of section 26, and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 27, T. 13 N., R. 17 East, M.D.B. & M., El Dorado County, California, described as follows:

Beginning at a point in the center line of State Highway No. 89 at its intersection with the South line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 27 as fenced, from which the SW corner of said Section 27, bears S 8° 41' 30" East, 1333.9 feet; thence from said point of beginning and along the center line of said Highway as follows: N 3° 03' West, 179.1 feet; thence N. 7° 00' West, 110.0 feet; thence N 1° 15' East, 40.0 feet; thence N 22° 00' East, 104.0 feet; thence N 13° 30' East 235.0 feet; thence N 16° 01' East, 205.1 feet; thence N 5° 59' East 172.7 feet; thence N 8° 30' East, 100.0 feet; thence N 10° 42' East, 369.0 feet; thence N 14° 26' East, 256.0 feet; thence leaving said center line of Highway, N 77° 13' West, 499.61 feet to a point on the center line of the ridge between Cascade Lake and Lake Tahoe, marked by a 5/8 inch iron rod with a rectangular iron plate welded, set flush with the ground in a mound of rocks and stamped "Parcel I" and "Parcel E"; thence along said center line of ridge N 26° 49' 30" East, 123.3 feet; thence N 7° 18' East, 220.8 feet; thence N 22° 52' East, 150.3 feet N 21° 02' East, 100.6 feet to a similar monument stamped "Parcel E" and "Parcel F"; thence leaving said center line of ridge S 77° 51' East, 428.0 feet to a 3/4 inch diameter iron pipe; thence continuing S 77° 51' East, 50.8 feet to a 30 penny spike in a 8 inch square guard post on the outer edge of said Highway No. 89; thence N 64° 54' 30" East, 434.33 feet to a 5/8 inch iron bar with rectangular iron plate welded on top and stamped "Parcel E" and "Parcel F"; thence continuing N 64° 54' 30" East, 111.65 feet to a similar monument; thence continuing N 64° 54' 30" East, 55.8 feet to a point on the approximate shore line of Lake Tahoe; thence along said shore line S 54° 51' East, 193.7 feet; thence S 31° 50' East, 164.5 feet; thence S 20° 47' 30" East, 238.5 feet to a 5/8 inch iron rod with a rectangular iron plate welded on top and stamped "Parcel D" and "Parcel E"; thence continuing along said shore line S 26° 08' East, 146.4 feet; thence S 48° 53' East 111.3 feet; thence S 60° 52' East 217.8 feet; thence S 61° 42' East 155.1 feet; thence leaving said shore line S 37° 50' West, 42.0 feet to a 5/8 inch iron bar with a rectangular iron plate welded on top and stamped "Parcel C" and "Parcel D"; thence continuing S. 37° 50' West, 236.8 feet to a similar monument; thence continuing S 37° 50' West, 697.6 feet to a point in the center line of a private road known as the "Ice House Road", and marked by a similar monument set 6 inches below the surface; thence S 52° 22' 30" West, 1534.3 feet to the point of beginning. Containing 58.866 acres.

Together with all lands lying between the Northeasterly boundary (described as approximate shore line) of the parcel herein described and the ordinary low water line of Lake Tahoe, and bounded on North and East by the direct extension Northeasterly of the Northeasterly boundary of said parcel and on the South and East by the direct extension Northeasterly of the South-easterly boundary of said parcel.

BILMER J. KENT
L. S. 1820

November 19, 1949

"PARCEL F"

EXHIBIT NO. 5

All that portion of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 27 and of Lots 5 and 6 of Section 26, T. 13 N., R. 17 E., M.D.B. & M. El Dorado County, California described as follows:

Beginning at a point on the center line of ridge between Cascade Lake and Lake Tahoe, marked by a 5/8 inch iron rod, with a rectangular iron plate welded on top and stamped "Parcel E" and "Parcel F", set in a mound of rocks, and from which the East N $\frac{1}{4}$ corner of said Section 27 bears S 5° 39' 30" East, 1093.0 feet; thence from said point of beginning and along the center line of said ridge N 21° 02' East, 751.2 feet; N 0° 58' E, 124.8 feet; thence N 4° 07'

East 272.0 feet thence N 1° 46' East, 210.3 feet to a point in the center line of State Highway No. 89; thence along said center line of Highway; S 87° 21' East 42.9 feet; thence S 43° 27' East, 41.1 feet; thence S 20° 25' East, 153.5 feet; thence leaving said center line of Highway N 75° 12' East 406.3 feet to a 5/8 inch iron bar with a rectangular iron plate welded on top and stamped "Parcel F" and "Parcel G"; thence continuing N 75° 12' East, 73.53 feet to a similar monument; thence continuing N 75° 12' East, 37.67 feet to a point on the approximate shore line of Lake Tahoe; thence along said shore line S 27° 01' East, 31.5 feet; thence S 42° 31' 30" East, 275.2 feet; thence S 16° 35' East, 172.0 feet; thence S 43° 50' East, 102.7 ft. th S 4° 51' E, 15.3 ft; th leaving sd shore line S 64° 54' 30" West, 55.82 feet to a 5/8 inch iron bar with a rectangular iron plate welded on top and stamped "Parcel E" and "Parcel F", thence continuing S 64° 54' 30" West, 111.65 feet to a similar monument; thence continuing S 64° 54' 30" W., 434.33 feet to 30 penny spike in a 8 inch square guard post on outer edge of said Highway No. 89; thence N 77° 51' West, 50.8 feet to a 3/4 inch diameter iron pipe; thence continuing N 77° 51' West, 428.0 feet to the point of beginning. Containing 11.86 acres.

Together with all lands lying Easterly of the Easterly boundary (described as approximate shore line) of the Parcel of land herein described and the ordinary low water line of Lake Tahoe and bounded on the Northeast by the direct extension of the Northeasterly boundary of said parcel and on the southeast by the direct extension northeasterly of southeasterly boundary of said parcel.

ELMER J. KENT
L. S. 1820

November 19, 1949

"PARCEL G"

EXHIBIT NO. 6

Lot 3 and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 28, containing 72.5 acres more or less; Also Lot 1 and the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 33; containing 73.0 acres, more or less; also all of that portion of Section 26, 27 and 34, all in T. 13 N., R. 17 East, M.D.B. & N., El Dorado County, California, described as follows:

Beginning at the 1/4 section corner common to above described sections 33 and 34; thence along the East-west center line of said Section 34, N. 87° 41' East, 402.2 feet to a point on the center line of ridge between Cascade Lake and Lake Tahoe; thence along said center line of ridge E. 35° 33' East, 238.0 feet to a 5/8 inch iron rod with a rectangular iron plate stamped "Parcel G" and "Parcel J"; thence continuing along said center line of ridge N 40° 53' E., 712.4 feet to a similar monument stamped "119" at the head of a small valley between two ridges; thence along the center line of said Valley N 60° 48' East, 162.7 feet; thence N 48° 43' 30" E., 504.2 feet; thence N. 48° 28' East, 181.8 feet; thence N 56° 37' East, 332.2 feet; thence N 56° 22' East, 291.9 feet; thence N 50° 09' East, 199.35 feet to a similar monument stamped "125"; thence N 37° 06' East, 294.2 feet to a similar monument stamped "126"; thence N 42° 07' East, 299.1 feet; thence N 27° 05' 30" East, 304.1 feet; thence N 42° 45' East, 225.1 feet; thence N 43° 10' 30" East, 201.7 feet; thence N 28° 46' East 344.4 feet; thence N 23° 56' East, 295.3 feet; thence N 26° 59' 30" East, 262.2 feet; thence N 28° 01' East, 159.6 feet; thence N. 33° 34' East, 242.7 feet to an iron brace post in the West line of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 27 as fenced; thence along said fence line N 1° 46' West, 192.7 feet to the NW corner of said SE $\frac{1}{4}$ of SE $\frac{1}{4}$ as fenced; thence along the North line thereof as fenced N 89° 10' East, 161.95 feet to an iron brace post; thence leaving said fence line, N 24° 00' East 303.0 feet to the approximate end of above described small valley; thence along the Easterly slope of end of the center line of the above described center line of ridge N 21° 50' E., 577.5 feet; thence N 20° 55' 30" East, 601.5 feet; thence N. 16° 34' 30" East, 370.0 feet to a 5/8 inch iron bar with a rectangular iron plate welded on top and stamped "Parcel K" thence N 26° 49' 30" East, 154.8 feet to a similar monument stamped "Parcel L" and "Parcel M", from which the SE $\frac{1}{4}$ corner of said Section 27 bears S 28° 31' East, 531.9 feet;

thence continuing N 26° 49' 30" E., 123.3 feet; thence N 7° 18' East, 220.8 feet; thence N 23° 52' E., 150.3 feet; thence N 21° 02' East, 100.6 feet to a similar monument stamped "Parcel E" and "Parcel F"; thence continuing N 21° 02' East, 75.2 feet; thence N 0° 58' East, 124.8 feet; thence N 4° 07' East 272.0 feet; thence N 1° 46' East 210.3 feet to a point in the center line of State Highway No. 89; thence along said center line S 87° 21' East, 42.9 feet S 41° 27' East 41.1 feet; thence S 20° 25' East, 153.5 feet; thence leaving said center line N 73° 12' East, 406.3 feet to a 5/8 inch iron bolt with a rectangular iron plate welded on top and stamped "Parcel F" and "Parcel G"; thence continuing N 75° 12' East, 73.53 feet to a similar monument; thence continuing N 75° 12' East, 37.67 feet to a point on the approximate shore line of Lake Tahoe; thence along said shore line, N 27° 01' West, 96.6 feet; thence N 20° 02' West, 215.7 feet; thence N 12° 59' West, 145.5 feet; thence N 7° 09' 30" West, 130.1 feet; thence N 19° 46' East, 154.0 feet; thence N 14° 37' 30" East, 55.12 feet to the intersection of said shore line with the center line of Cascade Creek; from which the NW corner of said Section 26 bears N 73° 44' West, 592.8 feet and a 5/8 inch iron bar with a rectangular iron plate welded on top and stamped "39" bears S 56° 18' West, 119.1 feet; and S. 58° 27' West, 113.1 feet to a similar monument stamped "40"; thence from said intersection of shore line and its intersection with the center line of Cascade Creek, and following said center line of Creek, S 71° 00' West, 186.00 feet; thence S 78° 30' West, 216.0 feet; thence S 61° 30' West, 85.0 feet; thence S 62° 30' West, 68.0 feet; thence N 83° 08' West, 115.89 feet; thence S 64° 00' West, 165.0 feet; thence N 65° 00' West, 140.0 feet; thence S 57° 00' West, 152.0 feet, to a point from which a 5/8 inch rod with a rectangular iron plate welded on top and stamped "49" bears S 59° 05' West, 71.0 feet, and S 84° 14' East, 72.1 feet to a similar monument stamped "48"; thence continuing along said center line of Cascade Creek, S 87° 30' West, 195.0 feet; thence S 51° 00' West, 173.0 feet; thence N 88° 10' West, 122.0 feet; thence S 71° 00' West, 108.0 feet; thence S 75° 15' West, 105.0 feet; thence S 62° 15' West, 120.0 feet; thence S 51° 30' West, 144.0 feet; thence S 39° 30' West, 137.0 feet; thence S 50° 56' West, 107.56 feet to the intersection of the center line of State Highway No. 89 from which 5/8 inch diameter iron bar with a rectangular iron plate welded on top and stamped "155" bears N 60° 11' 30" West, 276.9 feet; and N 9° 12' East, 133.2 feet to a similar monument; thence from said intersection of the center line of Cascade Creek and the center line of Highway, along said center line of Highway as follows: N 62° 00' West, 209.0 feet; thence N 71° 30' West, 58.0 feet; thence S 83° 20' West, 57.0 feet; thence S 63° 00' West, 110.0 feet; thence S 71° 30' West, 113.0 feet; thence S 82° 45' West, 95.0 feet; thence S 76° 30' West, 82.0 feet; thence S 73° 45' West, 154.0 feet; thence S 64° 30' West, 50.0 feet; thence S 55° 15' West, 50.0 feet; thence S 36° 30' West, 50.0 feet; thence S 26° 15' West, 50.0 feet; thence S 37° 30' West, 50.0 feet; thence S 55° 00' West, 50.0 feet; thence S 82° 30' West, 50.0 feet; thence N 58° 30' West 30.0 feet; thence N 13° 30' West 30.0 feet; thence N 26° 00' East, 40.0 feet; thence N 40° 22' East, 195.0 feet; thence N 50° 33' East, 290.0 feet; thence N 58° 25' East 276.0 feet; thence N 61° 30' East, 182.0 feet; thence N 59° 35' East, 183.0 feet; thence N. 53° 57' East, 138.0 feet; thence N 63° 24' East, 111.8 feet; thence N 51° 30' East, 73.0 feet; thence N 10° 00' East, 40.0 feet; N 58° 00' West 40.0 feet; thence S 83° 15' W. 80.0 feet, thence S 81° 20' West, 153.0 feet; thence S 71° 20' West, 130.4 feet; thence S 72° 00' West, 178.0 feet; thence S 76° 00' West, 230.0 feet; thence S 80° 00' West, 143.0 feet; thence S 82° 00' West, 76.0 feet; thence N 78° 30' West, 44.0 feet; thence N 28° 15' West 35.0 feet; thence N 36° 00' East, 130.0 feet; thence N 7° 45' East 40.0 feet; thence N 33° 30' West, 40.0 feet; thence S 87° 00' East 40.0 feet; thence S 57° 00' West, 40.0 feet; thence S 45° 00' West, 164.5 feet; thence S 60° 39' West, 162.0 feet; S 51° 29' West 115.3 feet; thence S 42° 14' West, 193.2 feet; S 51° 07' West, 230.8 feet; thence S 54° 30' West, 336.5 feet; thence S 59° 02' West, 153.0 feet; thence S 40° 10' West, 180.0 feet; thence S 68° 00' West, 178.0 feet; thence S 39° 44' West, 106.7 feet; thence S 55° 15' West, 176.0

feet; thence S 49° 30' West, 66.0 feet; thence S 39° 30' West, 63.0 feet; thence S 48° 30' West, 72.0 feet; thence S 65° 24' West 79.2 feet; thence S 65° 30' West 180.5 feet; thence S 54° 30' West, 225.5 feet; thence S 53° 00' West, 255.0 feet; thence S 48° 57' West, 142.0 feet; thence S 63° 25' West, 90.0 feet; thence N 83° 10' West, 30.5 feet more or less to the West boundary of said Section 27; thence S 1° 29' East 69.12 feet to a 5/8 inch iron bar with a rectangular iron plate welded on top and stamped S 27 and S 28; thence continuing S 1° 29' East 72.91 feet to a similar monument; thence continuing S 1° 29' East, 577.97 feet to the 1/4 Section corner common to said Sections 27 and 28; thence continuing along said Section line S 0° 22' East, 1665.84 feet to the shore line of Cascade Lake; thence along said shore line S 44° 35' West, 269.9 feet; thence S 16° 18' West, 493.7 feet; thence S 10° 22' East 179.52 feet; thence S 18° 34' E., 182.2 feet; thence S 11° 39' East, 487.1 feet; thence S 15° 12' East, 266.6 feet; thence S. 36° 17' East, 421.7 feet and S 69° 56' East, 153.8 feet to the Section line between said sections 33 and 34; thence along said section line South 1473.8 feet to the 1/4 Section corner common to said Section 33 and 34 and being the point of beginning of this survey. Containing 610.0 acres, more or less.

Together with all lands lying Easterly of the most Easterly boundary (described as approximate shore line) of the parcel herein described and the ordinary low water line of Lake Tahoe and bounded on the North by the direct extension of the Northerly boundary of said parcel and on the South by the direct extension of the Southerly boundary of said Parcel. NOTE: The bearing and distances from the 1/4 section corner common to Sections 27 and 28 Southerly to the 1/4 section corner common to Sections 33 and 34 are taken from the field notes of the Department of Interior, General Land Office, dependant resurvey of T. 13 N. R. 17 E., M.D.B.& M. accepted September 29, 1932, and does not constitute a part of this survey.

MINER J. KENT
L. S. 1820

November 19, 1949

"PARCEL H"

EXHIBIT NO. 7

Lots 1, 2, 3, 4 and 5 and E½ of SE¼ of Section 22, T. 13 N., R. 17 East, M.D.B.& M. Lots 1, 2, 3 and 4 of Section 23, T. 13 N. R. 17 E., M.D.B.& M. and all of that portion of Lot 6, of Section 26, and the NE¼, of the NE¼, the NW¼ of the NE¼ and the SW¼ of the NW¼ and Lots 1 and 2 of Section 27, T. 13 N. R. 17 E., M.D.B.& M., El Dorado County, California, lying North-erly of the center line of Cascade Creek from its intersection with the center line of State Highway No. 89, Easterly to its intersection with the shore line of Lake Tahoe, and Northerly of, or the Lake Tahoe and Emerald Bay, side of the center line of said Highway No. 89 as it exists, of this date; said lines being described as follows:

Center line of Cascade Creek: Beginning at the intersection of the approximate shore line of Lake Tahoe with its intersection with the center line of Cascade Creek from which the NW corner of Section 26, bears N 73° 44' West, 592.8 feet, and a 5/8 inch iron rod with a rectangular iron plate welded on top and stamped "39" bears S 56° 18' West, 119.1 feet; and S 58° 27' West, 124.1 feet to a similar monument stamped "40"; thence from said intersection of shore line and center line of Cascade Creek, and following said center line of Creek as follows: S 71° 00' West, 186.0 feet; thence S 78° 30' West, 216.0 feet; thence S 61° 30' West, 85.0 feet; thence N 62° 30' West, 68.0 feet; thence N 83° 09' West, 115.89 feet; thence S 64° 00' West, 165.00 feet; thence N 65° 00' West, 140.0 feet; thence S 57° 00' West, 152.0 feet to a pt. from which a 5/8 inch iron rod with a rectangular iron plate welded on top and stamped "41" bears S 99° 05' West, 71.0 feet; and S 84° 14' East, 72.1 feet to a similar monument stamped "42"; thence continuing along the center line of Cascade Creek S 97° 30' West, 195.0 feet; thence S 61° 00' W, 173.0 feet; thence N 88° 10' West 122.0 feet; thence S 71° 00' West 108.0 feet; thence S 75° 15' West, 105.0 feet; thence S 62° 15' West, 120.0 feet; thence S 51° 30' West, 124.0 feet; thence S 10° 30' West 137.0 feet; thence S 90° 56' West, 167.16 feet to the

intersection of the above described center line of Cascade Creek and the intersection of the center line of said Highway, from which a 5/8 inch diameter iron bar with a rectangular iron plate welded on top and stamped "135" bears N 60° 11' 30" West 276.9 feet; and N 9° 12' East, 133.2 feet to a similar monument; thence from said intersection of the center line of Cascade Creek and the center line of Highway, along said center line of Highway as follows: N 62° 00' West, 209.0 feet; thence N 71° 30' West 58.0 feet; thence S 33° 20' West, 57.0 feet; thence S 63° 00' West 110.0 feet; thence S 71° 30' West, 113.0 feet; thence S 82° 45' West 95.0 feet; S 76° 30' West, 82.0 feet; thence S 73° 45' West 195.0 feet; thence S 64° 30' West, 50.0 feet; thence S 55° 15' West, 50.0 feet; thence S 36° 30' West, 50.0 feet; thence S 26° 15' West, 50.0 feet; thence S 37° 30' West, 50.0; thence S 55° 00' West, 50.0 feet; thence S 22° 30' West, 50.0 feet; thence N 58° 30' West, 30.0 feet; thence N 13° 30' West, 30.0 feet; thence N 26° 00' East 40.0 feet; thence N 40° 22' East 195.0 feet; thence N 50° 33' East 290.0 feet; thence N 58° 25' East, 276.0 feet; thence N 61° 30' East 182.0 feet; thence N 59° 35' East 183.0 feet; thence N 53° 57' East, 138.0 feet; thence N 63° 24' East, 111.8 feet; thence N 51° 30' East, 73.0 feet; thence N 10° 00' East, 40.0 feet; thence N 58° 00' West, 40.0 feet; thence S 83° 15' West, 80.0 feet; thence S 81° 20' West, 153.0 feet; thence S 71° 20' West, 130.4 feet; thence S 72° 00' West, 178.0 feet; thence S 76° 00' West, 230.0 feet; thence S 80° 00' West, 143.0 feet; thence S 82° 00' West, 76.0 feet; thence N 78° 30' West, 44.0 feet; thence N 28° 15' West, 35.00 feet; thence N 36° 00' East, 130.0 feet; thence N 7° 45' East 40.0 feet; thence N 33° 30' West, 40.0 feet; thence S 87° 00' West, 40.0 feet; thence S 57° 00' West 40.0 feet; thence S 45° 08' West, 164.5 feet; thence S 60° 39' West, 162.0 feet; thence S 51° 29' West, 315.8 feet; thence S 42° 14' West, 193.2 feet; thence S 51° 07' West 230.8 feet; thence S 51° 30' West, 336.5 feet; thence S 59° 02' West 158.0 feet; thence S 60° 10' West, 189.0 feet; thence S 62° 00' West 158.0 feet; thence S 59° 44' West, 106.7 feet; thence S 55° 15' West, 176.0 feet; thence S 49° 30' West, 66.0 feet; thence S 39° 30' West, 63.0 feet; thence S 48° 30' West, 72.0 feet; thence S 65° 24' West, 79.2 feet; thence S 65° 30' West 180.5 feet; thence S 54° 30' West, 225.5 feet; thence S 53° 00' West, 255.0 feet; thence S 48° 57' West 142.0 feet; thence S 63° 25' West 90.0 feet; thence N 83° 10' West, 30.5 feet more or less to the West line of said Section 27, from which the West 1/4 corner of said Section 27 bears S 1° 29' East, 720.0 feet.

The acreage of the above described tract of land is 346.7 acres, more or less.

ELMER J. KENT
L. S. 1820

November 19, 1949

"PARCEL I"

EXHIBIT NO. 8

All of that portion of Lot 5 and of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 26 and of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and of NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 27, T. 13 N., R. 17 E., M.D.B. & M., El Dorado County, California, described as follows:

Beginning at a point in the center line of State Highway No. 89 at its intersection with the South line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 27 as fenced, from which the SE corner of said Section 27 bears S 8° 41' 30" East, 1313.9 feet; thence from said point of beginning and along said fence line S 89° 24' West 965.9 feet to an iron brace post; thence leaving said fence line N 24° 00' East, 303.0 feet; thence N 21° 50' East, 577.5 feet; thence N 20° 55' East 601.5 feet; thence N 16° 34' 30" East, 370.0 feet to a 5/8 inch iron bar with a rectangular plate welded on top and stamped "143A" thence N 26° 59' 30" East, 174.8 feet to a similar monument stamped "Parcel I" and "Parcel B"; thence S 77° 13' West, 499.51 feet to a point in the center line of said Highway; thence along said center line S 14° 26' West 206.0 feet; thence S 10° 48' West, 250.0 feet; thence S 8° 30' West, 130.0 feet; thence S 5° 59' West, 172.7 feet;

thence S 16° 01' West, 205.1 feet; thence S 13° 30' West, 235.0 feet; thence S 22° 00' West 104.0 feet; thence S 14° 15' West, 40.0 feet; thence S 7° 00' East, 110.0 feet; thence S 3° 03' East, 179.1 feet to the point of beginning. Containing 28.044 acres.

ELMER J. KENT
L. S. 1820

NOVEMBER 19, 1949

"PARCEL J"

EXHIBIT NO. 9

All of that portion of Sections 27 and 34, T. 13 N., R. 17 E., M.D.B. & M., El Dorado County, California, described as follows:

Beginning at a point on the centerline of ridge between Cascade Lake and Lake Tahoe, marked by a 5/8 inch iron bar with a rectangular iron plate welded on top and stamped "Parcel G" and "Parcel J" from which the NE 1/4 corner of said Section 34 bears S 68° 45' West, 579.6 feet; thence from said point of beginning N 40° 53' East, 712.4 feet to a similar monument stamped "119" at the head of a small valley between two ridges; thence along the center of said Valley N 60° 48' East, 162.7 feet; thence N 48° 43' 30" East, 504.2 feet; thence N 48° 28' East 181.8 feet; thence N 56° 37' East, 332.2 feet; thence N 56° 22' East, 291.9 feet thence N 50° 09' East 199.35 feet to a 5/8 inch iron bar with a rectangular iron plate welded on top and stamped "125"; thence N 37° 06' East, 294.2 feet to a similar monument stamped "126" thence N 42° 07' East, 299.1 feet; thence N 27° 05' 30" East, 304.1 feet; thence N 42° 45' East, 225.1 feet; thence N 43° 10' 30" East, 201.7 feet; thence N 28° 46' East 344.4 feet; thence N 23° 56' East, 295.8 feet; thence N 26° 59' 30" East, 262.2 feet; thence N 28° 01' East, 159.6 feet; thence N 38° 34' East, 242.7 feet to an iron brace post in the West line of the SE 1/4 of the SE 1/4 of said Section 27 as fenced; thence along said fence line; S 0° 14' East, 111.8 feet to the NW corner of the NE 1/4 of the NE 1/4 of said Section 34; thence S 0° 25' 30" West, 651.7 feet to a 3/4 inch diameter iron on the West line of said NE 1/4 of NE 1/4; thence along the East-West center line of said NE 1/4 of NE 1/4, S 89° 55' East, 1291.35 feet to a 3/4 inch diameter capped iron pipe located on the Westerly fence line of State Highway No. 89; thence continuing S 89° 55' East, 23.0 feet to a point in the East line of said NE 1/4 of NE 1/4 from which the NE corner of said 34 bears N 0° 47' 30" East, 654.2 feet; thence S 0° 47' 30" West, 654.2 feet to the SE corner of said NE 1/4 of NE 1/4 as fenced; thence N 89° 49' West, 1310.2 feet to a 1 inch diameter iron pipe at fence corner, thence continuing along an existing fence S 0° 27' West, 1305.1 feet to a 2 inch iron pipe at fence corner, thence continuing along said fence N 89° 56' West, 1297.2 feet ^{to} end of said fence; thence continuing on the line of the last mentioned fence extended; N 89° 56' West, 1922.5 feet to the point of beginning. Containing 139.03 acres, more or less.

ELMER J. KENT
L. S. 1820

November 19, 1949

"PARCEL K"

EXHIBIT NO. 10

A portion of the NE 1/4 of Section 34, T. 13 N., R. 17 E., M.D.B. & M., El Dorado County, California, lying South of the Zalgrin fence and the Westerly extension thereof.

Beginning at a point on the center line of ridge between Cascade Lake and Lake Tahoe and being on the East-West center line of said Section 34, from which the West 1/4 corner thereof bears S 87° 41' West 402.2 feet; thence from said point of beginning and along said East-West, center line of Section 34 N 87° 41' East, 3360.5 feet to its intersection with the East line of the SW 1/4 of the NE 1/4 of said Section 34 as fenced; thence N 0° 27' East, 94.2 feet to a 2 inch iron pipe at corner of fence thence along said fence and the Westerly extension thereof N 89° 56' West 3419.7 feet; thence S 35° 33' West, 238.0 feet to the point of beginning. Containing 9.26 acres.

ELMER J. KENT
L. S. 1820

November 19, 1949

"PARCEL 1"

EXHIBIT NO. 11

The North $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 34, T. 13 N. R. 17 East, M.D.B.&M.
El Dorado County, California.

Containing 19.70 acres.

ETHEL J. KENT
L. S. 1826

Filed for Record at the Request of WRIGHT, THOMAS, DORMAN & FOX July 7 A.D. 1950 at 11 min.
past 10 o'clock A. M.

NO. 2797
Fee \$11.20
ml

JAMES W. SWENEY
Recorder of El Dorado County

COMPARED

(ENDORSED)
F I L E D
Jul 7 1950
ARTHUR J. KOLETZKE, Clerk
A. McAnnally, Deputy

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF EL DORADO

In the Matter of the Petition of)
EVERETT C. WREN to Establish the)
death of ELEITA L. WREN, to)
Terminate Joint Tenancy, and to)
Determine Taxability of Certain)
property held in Joint Tenancy)

NO. 3257

DECREE TERMINATING JOINT TENANCY

The petition of EVERETT C. WREN to establish the death of ELEITA L. WREN and termination of joint tenancy came on regularly for hearing on the 7th day of July, 1950, and it appearing to the satisfaction of the Court that due notice of the said hearing was given for a period of at least ten days before the hearing at the Courthouse in the City of Placerville, County of El Dorado, State of California, where the said Superior Court is held; and no person having appeared to contest or oppose the said petition, the Court, after taking evidence in support of said petition and upon all the issues raised, finds that all of the allegations of said petition are true, and that the prayer thereof ought to be granted;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Court that the said ELEITA L. WREN died on the 24th day of March, 1949, and that the joint tenancy under which the said deceased and said EVERETT C. WREN held the property described in Exhibit "A" and the joint tenancy under which the said deceased and said EVERETT C. WREN held the property described in Exhibit "B" have, by reason of the death of said ELEITA L. WREN, absolutely terminated; that by reason of the death of ELEITA L. WREN there is vested in the said EVERETT C. WREN title in fee to that certain real property described as follows:

PARCEL 1: All that certain lot, piece or parcel of land situate, lying and being in the County of El Dorado, State of California, particularly described as follows:

Lot 1, Block C, as said lot and block are delineated and so described on that certain map entitled SIERRA PINES, in Section 3, Township 10 North, Range 12 East, M.D.B.& M., El Dorado County, California, and recorded February 4, 1936, in Map Book Vol. A, at page 22, El Dorado County Records.

RESTRICTIONS AND RESERVATIONS:

1. The Seller hereto reserves the right to lay buried water pipe lines across this property as needed.
2. The Buyer agrees to install a septic tank to be of an approved type and of sufficient depth and dimensions so as to care for all domestic needs.
3. The Buyer agrees to pay a pro rata charge, not to exceed \$25.00 for the privilege of connecting with the main water line when said line is laid and water available.
4. The Buyer agrees to erect all buildings of a permanent nature. The studding to be of 2" x 4" dimensions, and said building is not to cost less than \$500.00.

EXHIBIT I
LAKE VALLEY FIRE PROTECTION DISTRICT

"Serving the Community Since 1947"

Jeff Michael, Fire Chief



RECEIVED
PLANNING DEPARTMENT
MAY 29 10 11 AM '08

May 29, 2008

Brig and Mary Ebright
PO Box 7585
South Lake Tahoe CA 96158

Dear Mr. and Mrs. Ebright,

After reviewing plans for **fire department access** associated with a building permit (County of El Dorado Permit Number: 186582) to construct a new single-family residence at 2291 Cascade Road, APN: 018-320-10 in unincorporated South Lake Tahoe, California. I offer the following comments/conditions, which will be applied to your project:

Your **fire department access** plans have been **conditionally approved** subject to the following conditions completed prior to a final inspection by the fire district. Please contact the fire district if you have any questions or do not understand any of the following project conditions.

1. In a letter dated May 23, 2008, from Mike Dill from Aspen Environmental, special approval was requested due to the fact that the fire access road for this project is 860 feet long. Special approval is granted subject to the following conditions:
2. The minimum width of the fire access road is 12 feet at all points.
3. The surface of the access road is maintained as all weather and certified by an appropriate engineer as having a load bearing capacity of 50,000 pounds.
4. No gates will be installed across the fire access road without special approval by the fire district and will include the installation of a Knox keyed switch if approved.
5. Signage along the fire access road and within the fire apparatus turn-around shall be in accordance with section D103.6 of the 2007 California Fire Code.
6. The installation of a fire district approved fire hydrant shall be within 200 feet of the residence along the fire apparatus access road.

LAKE VALLEY FIRE PROTECTION DISTRICT

"Serving the Community Since 1947"

Jeff Michael, Fire Chief

Our review is not construed as encompassing the structural integrity of the facility nor abrogating more restrictive requirements by other agencies having responsibility. Final acceptance is subject to field inspection and necessary tests.

If you have any questions regarding the above conditions, please call the administration office during normal working hours.

Respectfully,



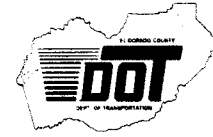
Gareth S. Harris
Battalion Chief / Fire Marshal
Lake Valley Fire Protection District

cc: Olly Kaluz, El Dorado County Building Department
File

EXHIBIT J




COUNTY OF EL DORADO DEPARTMENT OF TRANSPORTATION



INTER-OFFICE MEMORANDUM

Date: November 7, 2008

To: Jason Hade, Project Planner, Planning Services
El Dorado Planning Services

From: Steve Kooyman 

Subject: P 08-0006 – Ebright Parcel

The El Dorado County Department of Transportation (EDOT) has received and reviewed the above mentioned application.

Since subject application involves no El Dorado County Department of Transportation – Tahoe Engineering Division encroachment or County Right-of-Way issues there is no comment from our office.

If you have any further questions or concerns, please don't hesitate to contact me at 530-573-7910.

pc: Richard Shepard, Director of Transportation
Robert Slater, Deputy Director – Tahoe Engineering
Tom Halvorson - DOT Maintenance

RECEIVED
PLANNING DEPARTMENT
08 NOV 14 PM 4:38

EXHIBIT K



COUNTY OF EL DORADO DEPARTMENT OF TRANSPORTATION



INTEROFFICE MEMORANDUM

Date: April 28, 2009
To: Jason Hade, Project Planner
From: Adam Baughman, DOT Transportation Planning
Subject: P 08-0006
Project: Ebright PM
Location: Cascade Road, South Lake Tahoe Area
APN: 018-320-11

Project Description: Parcel map to create two lots.

Grading & Drainage: Grading and drainage improvements associated with the project appears to be only those associated with the required infrastructure improvements, which includes all site development and roadway to access this site.

Traffic: This project will not trip the threshold of the General Plan requirement for completion of a Traffic Study. Cascade Road is a private roadway. State Route 89 is a State-maintained roadway.

Design waiver: One design waiver pertaining to DOT was submitted:

1. Request to allow the required offsite access roadway to remain 12-14ft in width rather than increasing the road to County Standards.

DOT Response: The project parcel takes access via a 900ft long, 12ft wide gravel driveway/roadway connecting to Cascade Road, which is paved to a width of 14ft. Cascade Road connects to SR 89 after a length of 0.3 miles. Cascade Road is a through road and loops back to SR 89. The minimum County Road standard 101C is 18ft wide. However, this is less than the minimum required by the 2007 CA Fire Code, which is a 20ft wide roadway capable of sustaining 75,000lbs. Therefore, the Fire Code minimum of 20ft applies.

DOT is not supportive of the design waiver request. DOT will condition the project to provide a 20ft wide gravel roadway consistent with the CA Fire Code to the connection with Cascade Road (approximately 900ft). DOT will not require improvement to Cascade Road.

Please note the Fire Department and/or CalFIRE may have additional requirements and conditions.

PROJECT-SPECIFIC CONDITIONS

1. **On-site Access Improvements:** The applicant shall widen the on-site portion of the driveway to a roadway standard, a 20-ft wide road capable of supporting 75,000lbs of weight, consistent with the 2007 CA Fire Code. This improvement must be made up until the accessway only serves one parcel, at which point it becomes a driveway and can be built to driveway width of 12-ft. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.
2. **Off-site Access Improvements:** The applicant shall construct and /or verify that the off-site portion of the driveway project boundary to Cascade Road, meets the standard of a 20-ft wide road capable of supporting 75,000lbs of weight, consistent with the 2007 CA Fire Code. The applicant shall provide an exhibit to the DOT, Planning, and the Fire Agency that shows that Peace Trail complies with the DISM and Fire Safe Regulations. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.
3. **Turnaround:** The applicant shall provide a turn around at the end of the roadway to the provisions of County Standard Plan 114 or approved equivalent. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.

DOT STANDARD CONDITIONS

4. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.
5. **Road & Public Utility Easements:** The applicant shall provide a 50 foot wide non-exclusive road and public utility easement for the on-site access roadway prior to the filing of the parcel map.
6. **Maintenance Entity:** The proposed project must form an entity for the maintenance of any private roads, parking facilities, landscaping, signs and drainage facilities. If there is an existing entity, the property owner shall modify the document if the current document does not sufficiently address maintenance of the roads, parking facilities, landscaping, signs, and drainage facilities of the current project. DOT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the parcel map.
7. **Parcel Map Improvement Agreement & Security:** If the required improvements are not completed prior to filing of the map, the developer shall

enter into a Parcel Map Improvement Agreement (PMIA) with the Department of Transportation for onsite roadway, drainage infrastructure, grading, etc. The developer shall also provide a security to guarantee performance of the PMIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the map. The improvements shall be installed to the satisfaction of DOT prior to filing of the map. This condition shall appear as a note on the recorded parcel map.

8. **Off-site Improvements (Security):** Prior to the filing of a parcel map, the applicant shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required offsite improvements, including the full costs of acquiring any real property interests necessary to complete the required improvements. In addition to the agreement, the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in the amount sufficient to pay such costs, including legal costs, subject to the approval of County Counsel.

9. **Off-site Improvements (Acquisition):** As specified in the Conditions of Approval, the applicant is required to perform off-site improvements. If it is determined that the applicant does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County may, at the applicant's expense and within 120 days of filing the Final Map, acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceedings for immediate possession of the property. In such cases, prior to filing of any final map or parcel map, the applicant shall submit the following to the Department of Transportation Right of Way Unit, and enter into an agreement pursuant to Government Code Section 66462.5 and provide acceptable security to complete the offsite improvements, including costs of acquiring real property interest to complete the required improvements, construction surveying, construction management and a 20% contingency:
 - a. A legal description and plat, of the land necessary to be acquired to complete the offsite improvements, prepared by a civil engineer or land surveyor.
 - b. Approved improvement plans and specifications of the required off-site improvements, prepared by a civil engineer.
 - c. An appraisal prepared by a certified appraiser of the cost of land necessary to complete the off-site improvements.

In addition to the agreement the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County Counsel.

10. **Off-site Access Easements:** The applicant shall provide proof of access to the project site from a State or County maintained road. Said proof shall be provided

by and through a "Parcel Map Guarantee" which shall be submitted to the County Surveyor's Office with the first map check for the parcel map.

11. **Electronic Documentation:** Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
12. **TIM Fees:** The applicant shall pay the traffic impact mitigation fees in effect at the time a building permit is deemed complete.

\\Dotadmin\DATA\USERS\COMMON\Development Services\Discretionary Project Processing\P - Parcel Maps\2008 P's\P08-0006 Ebright PM, SLT\P 08-0006 Ebright Conditions.doc

EXHIBIT L



DEPARTMENT OF FORESTRY AND FIRE PROTECTION

2840 Mount Danaher Road
Camino, CA 95709
(530) 644-2345
Website: www.fire.ca.gov



May 6, 2009

To: El Dorado County Development Services Department
Jason Hade, Project Planner
Technical Advisory Committee
2580 Fairlane Court
Placerville, CA 95667

Subject: Ebright PM
PROJECT # P 08-0006

Item #1- The access road between Cascade Road and the parcel split shall be a minimum road width of 20 feet per the California Fire Code unless increased road width is required by DOT (2007 California Fire Code, Appendix D). The driveway for each parcel would begin at the point at which the road no longer serves two or more parcels.

Item #2- The access road shall 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).

Item #3- Dead end roads shall have 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).

Item #4- A street sign meeting El Dorado County design standards needs to be placed at the intersection of Cascade Road and the access road. The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" sign as required by the Department of Transportation prior to the filing of the parcel map.

Item #5- A sign identifying the dead-end road shall be placed at the intersection preceding the traffic access limitation (Article 3. Signing and Building Numbering, Section 1274.06 of the Fire Safe Regulations).

Item #6- All parcels 1 acre and larger shall provide a minimum 30 foot setback for all new buildings and accessory buildings from all property lines and/or the center of the road (Article 5. Fuel Modification Standards, Section 1276.01(a) of the Fire Safe Regulations).

CONSERVATION IS WISE-KEEP CALIFORNIA GREEN AND GOLDEN

PLEASE REMEMBER TO CONSERVE ENERGY. FOR TIPS AND INFORMATION, VISIT "FLEX YOUR POWER" AT WWW.CA.GOV.

09-1506.D.45

Item #7- CAL FIRE requires a Wildland Fire Safe Plan be developed by a qualified consultant to address mitigations that need to be developed to ensure that the safety of the public and firefighters who may be called upon to respond to wildland fires and other emergencies within the project area.

More restrictive standards may be proposed by the local Fire Protection District or the County of El Dorado and should in no way be construed to be in conflict with the above recommendations.

If you have any questions regarding this matter, feel free to contact me for additional information.

Sincerely,

/s/ Chris

Anthony

Chris Anthony
Battalion Chief
Fire Prevention

Cc: Adam Baughman, DOT

EXHIBIT M



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

**ENVIRONMENTAL CHECKLIST FORM
AND DISCUSSION OF IMPACTS**

Project Title: Tentative Parcel Map P08-0006 / Ebright Parcel Map

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

Contact Person: Jason R. Hade, AICP, Senior Planner

Phone Number: (530) 621-5355

Project Owner's Name and Address: Charles Ebright, P.O. Box 7585, South Lake Tahoe, CA 96158

Project Applicant's Name and Address: Mike Dill, 2409 Lupine Trail, South Lake Tahoe, CA 96150

Project Location: The subject property is located on the northeast side of Cascade Road approximately one mile north of the intersection with State Highway 89 in the South Lake Tahoe area.

Assessor s Parcel No(s): 018-320-11 **Parcel Size:** 10.43 acres

Zoning: One-Family Residential District (TR1)

Section: 27 **T:** 13N **R:** 17E

General Plan Designation: Adopted Plan (AP) Tahoe Regional Planning Agency (TRPA) Regional Plan – Plan Area Statement 175 Cascade Properties, Residential Uses

Description of Project: Tentative parcel map to create two parcels of 1.45 and 8.98 acres in size on a 10.43 acre site. The following design waivers have been requested: (1) Permit proposed parcel 2B to exceed the depth to width lot ratio and have no street frontage; and (2) Permit Cascade Road to remain 12 to 14 feet wide rather than be improved to 24 feet wide as required by the *El Dorado County Design and Improvement Standards Manual*. The project would also include the widening of the off-site access roadway connecting the subject site to Cascade Road from 12 feet to 20 feet wide if the second design waiver identified above is not approved.

Surrounding Land Uses and Setting:

	<u>Zoning</u>	<u>General Plan</u>	<u>Land Use</u> (e.g., Single Family Residences, Grazing, Park, School)
North:	TR1	AP	Residential/Lake Tahoe
East:	TR1	AP	Residential
South:	TR1	AP	Residential
West:	TR1	AP	Residential

Briefly Describe the environmental setting: The project site is located approximately 1.5 miles west of Camp Richardson and one mile southeast of Emerald Bay in the south shore region of Lake Tahoe. The parcel is located at the end of a U-shaped bench at an elevation of 6,240 feet above mean sea level. Parcel topography is flat. The habitat type within the project area is Jeffrey pine. Improvements on the subject site consist of two residences and related accessory structures, an office building, greenhouse, storage buildings, and an operations and maintenance building. The subject site is bordered by single-family residential land uses on all sides. Proposed project access would be via Cascade Road. Public sewer service would be provided by the South Tahoe Public Utility District while public water service would be provided by the Cascade Mutual Water Company.

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

Air Quality Management District: Fugitive Dust Plan

Lake Valley Fire Protection District/CAL FIRE: Fire Safe Plan

Tahoe Regional Planning Agency: Parcel Map

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. The environmental factors checked below contain mitigation measures which reduce any potential impacts to a less than significant level.

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

DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and 2) has been addressed by mitigation measures based on the earlier analysis as described in attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects: a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION**, pursuant to applicable standards; and b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: Jason R. Hade Date: 6/16/09

Printed Name: Jason R. Hade, AICP For: El Dorado County

Signature: Pierre Rivas Date: 7-13-09

Printed Name: Pierre Rivas For: El Dorado County

EVALUATION OF ENVIRONMENTAL IMPACTS

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

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

I. AESTHETICS. <i>Would the project:</i>			
a. Have a substantial adverse effect on a scenic vista?			X
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?		X	
c. Substantially degrade the existing visual character quality of the site and its surroundings?		X	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X	

Discussion:

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

- a) No identified public scenic vistas or designated scenic highway would be affected by this project. No impacts would occur.
- b) The proposed project would have a less than significant impact on existing scenic resources including, but not limited to, trees, rock outcroppings, and historic resources as the project is not located within a corridor defined as a State scenic highway.
- c) The proposed project would not substantially degrade the visual character or quality of the site and its surroundings. No tree removal is proposed. Impacts would be less than significant.
- d) The proposed two parcels would not have a significant effect or adversely affect day or nighttime views adjacent to the project site. All outdoor lighting would conform to Section 17.14.170 of County Code. As such, impacts would be less than significant.

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

II. AGRICULTURE RESOURCES. <i>Would the project:</i>			
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Locally Important Farmland (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X
b. Conflict with existing zoning for agricultural use, or a Williamson Act			X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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II. AGRICULTURE RESOURCES. <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) Review of the Important Farmland GIS map layer for El Dorado County developed under the Farmland Mapping and Monitoring Program indicates that no areas of Prime, Unique, or Farmland of Statewide Importance would be affected by the project. In addition, El Dorado County has established the Agricultural (-A) General Plan land use map for the project and included this overlay on the General Plan Land Use Maps. Review of the General Plan land use map for the project area indicates that there are no areas of "Prime Farmland" or properties designated as being within the Agricultural (-A) General Plan land use overlay district area adjacent to the project site. The project would not result in the conversion of farmland to non-agricultural uses.
- b) The proposed project would not conflict with existing agricultural zoning in the project vicinity and would not adversely impact any properties currently under a Williamson Act Contract.
- c) No existing agricultural land would be converted to non-agricultural use as a result of the proposed project.

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

III. AIR QUALITY. <i>Would the project:</i>			
a. Conflict with or obstruct implementation of the applicable air quality plan?			X
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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III. AIR QUALITY. *Would the project:*

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_x, will result in construction or operation emissions greater than 82lbs/day (See Table 5.2, of the El Dorado County Air Pollution Control District – CEQA Guide);
- Emissions of PM₁₀, CO, SO₂ and No_x, as a result of construction or operation emissions, will result in ambient pollutant concentrations in excess of the applicable National or State Ambient Air Quality Standard (AAQS). Special standards for ozone, CO, and visibility apply in the Lake Tahoe Air Basin portion of the County; or
- Emissions of toxic air contaminants cause cancer risk greater than 1 in 1 million (10 in 1 million if best available control technology for toxics is used) or a non-cancer Hazard Index greater than 1. In addition, the project must demonstrate compliance with all applicable District, State and U.S. EPA regulations governing toxic and hazardous emissions.

a) El Dorado County has adopted the *Rules and Regulations of the El Dorado County Air Pollution Control District* (February 15, 2000) establishing rules and standards for the reduction of stationary source air pollutants (ROG/VOC, NO_x, and O₃). Activities related to the implementation of this parcel map would create a less than significant impact for air quality as minimal project grading is proposed.

b & c)

The El Dorado County Air Quality Management District (AQMD) reviewed the project and determined that potential air quality impacts would be less than significant as minimal grading is proposed. Standard conditions of approval were provided in their agency comments to address potential impacts from grading, road construction, and parcel development.

d) The El Dorado County AQMD reviewed the project and identified that no sensitive receptors exist in the area and would not be affected by this project. As such, the proposed project would not expose sensitive receptors to substantial pollutant concentrations. Impacts would be less than significant.

e) Residential development is not classified as an odor generating facility within Table 3.1 of the El Dorado County Air Quality Management District CEQA Guide. The proposed parcel map would not result in significant impacts resulting from odors. Impacts would be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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FINDING: It was determined that a less than significant impact would result from the project in that no sensitive receptors would be adversely impacted, no objectionable odors would be created and the project would not obstruct the implementation of the El Dorado County California Clean Air Act Plan. As such, no significant adverse environmental effects would result from the project.

IV. BIOLOGICAL RESOURCES. <i>Would the project:</i>			
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X

Discussion:

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

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

- a) The project proposes no impacts to 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. 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) The project proposes no impacts to riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Impacts would be 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 as no such water resources are located on the project site. Although no development is proposed at this time, any future development would be subject to a 100-foot setback from Lake Tahoe. No impacts would occur.
- d) Review of the Planning Services GIS *Deer Ranges Map* (January 2002) indicates that there are no mapped deer migration corridors within the project site. Impacts would be less than significant.
- e) The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. No tree removal is proposed. Impacts would be less than significant.
- f) The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or state habitat conservation plan. Impacts would be less than significant.

FINDING: There would be no significant impacts to biological resources because the project consists of the subdivision of existing structures. No construction is proposed. As such, the impacts in the 'Biological Resources' category would be less than significant for this project.

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.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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a & b)

The applicant submitted "A Cultural Resource Inventory of the Proposed Ebright Subdivision South Lake Tahoe El Dorado County, California" prepared by William W. Bloomer and Susan Lindström, September 2008. According to the study, "this heritage resource survey disclosed no significant prehistoric or historic sites, features, or artifacts." (*A Cultural Resource Inventory of the Proposed Ebright Subdivision South Lake Tahoe El Dorado County, California. William W. Bloomer and Susan Lindström, September 2008*) No further cultural resource study is recommended. In the event sub-surface historical, cultural or archeological sites or materials are disturbed during earth disturbances and grading activities on the site, standard conditions of approval are included within Attachment 1 of the staff report to reduce any potential impacts to a less than significant level.

- c) A unique paleontological site would include a known area of fossil bearing rock strata. The project site does not contain any known paleontological sites or know fossil locales. Impacts would be less than significant.
- d) Due to the size and scope of the project, there is a potential to discover human remains outside of a dedicated cemetery. In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the standard conditions of approval within Attachment 1 shall be implemented immediately.

FINDING: Although the project has the potential to impact sub-surface cultural or historic resources, or disturb human remains located outside of a designated cemetery, the application of the standard conditions of approval identified in Attachment 1 of the staff report address such impacts. Established thresholds of significance would not be exceeded within the "Cultural Resources" category.

VI. GEOLOGY AND SOILS. <i>Would the project:</i>			
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X
ii) Strong seismic ground shaking?			X
iii) Seismic-related ground failure, including liquefaction?			X
iv) Landslides?			X
b. Result in substantial soil erosion or the loss of topsoil?			X
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) creating substantial risks to life or property?			X
e. Have soils incapable of adequately supporting the use of septic tanks or			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>			
alternative waste water disposal systems where sewers are not available for the disposal of waste water?			

Discussion:

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

- Allow substantial development of structures or features in areas susceptible to seismically induced hazards such as groundshaking, liquefaction, seiche, and/or slope failure where the risk to people and property resulting from earthquakes could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards;
 - Allow substantial development in areas subject to landslides, slope failure, erosion, subsidence, settlement, and/or expansive soils where the risk to people and property resulting from such geologic hazards could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards; or
 - Allow substantial grading and construction activities in areas of known soil instability, steep slopes, or shallow depth to bedrock where such activities could result in accelerated erosion and sedimentation or exposure of people, property, and/or wildlife to hazardous conditions (e.g., blasting) that could not be mitigated through engineering and construction measures in accordance with regulations, codes, and professional standards.
- a) According to the Fault Activity Map of California and Adjacent Areas (Jennings, 1994) and the Peak Acceleration from Maximum Credible Earthquakes in California (CDMG, 1992), no active faults or Earthquake Fault Zones (Special Studies Zones) are located on the project site. The impacts from fault ruptures, seismically induced ground shaking, or seismic ground failure or liquefaction are considered to be less than significant. Any potential impact caused by locating structures in the project area would be offset by the compliance with the Uniform Building Code earthquake standards. The project is not located in an area with significant topographic variation in slope. Therefore, the potential for mudslides or landslides is less than significant.
 - b) Minimal project grading for fire safe improvements and no parcel development is proposed. All future grading for individual parcel development must be in compliance with the El Dorado County Grading, Erosion, and Sediment Control Ordinance which would reduce any potentially significant impact to a less than significant level.
 - c) As stated in the *Soil Survey of Tahoe Basin Area, California and Nevada, 1974*, the soil on the project site is primarily gravelly loamy coarse sand (Gefo) with two to nine percent slopes. All grading must be in compliance with the El Dorado County Grading, Erosion, and Sediment Control Ordinance which would reduce any potentially significant impact to a less than significant level.
 - d) According to the *Soil Survey of Tahoe Basin Area, California and Nevada, 1974*, surface runoff and erosion hazards issues would be moderate. Based upon this information, the impact from expansive soils would be less than significant.
 - e) Public sewer service would be provided by the South Tahoe Public Utility District. As noted in a letter of January 12, 2008, the South Tahoe Public Utility District has the sewer capacity to serve this project. Impacts would be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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FINDING: No significant impacts would result from geological or seismological anomalies on the project site. The site does not contain expansive soils or other characteristics that would result in significant impacts. For the "Geology and Soils" category, established thresholds would not be exceeded by development of the project and no significant adverse environmental effects would result from the project.

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
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.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- a) No significant amount of hazardous materials would be transported, used, or disposed of for the project. Impacts would be less than significant.
- b) No significant amount of hazardous materials would be utilized for the project. Current County records indicate the subject site is not located within the Asbestos Review Area. Impacts would be less than significant.
- 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.
- d) The project site is not identified on any list compiled pursuant to California Government Code 65962.5 identifying any hazardous material sites in the project vicinity. As such, there would be a less than significant impact from hazardous material sites.
- e) *The San Francisco Sectional Aeronautical Chart*, last updated March 22, 2001, was reviewed and the project site is not located within two miles of a public airport. As such, the project would not be subject to any land use limitations contained within any adopted Comprehensive Land Use Plan. There would be no impacts to the project site resulting from public airport operations and the over-flight of aircraft in the vicinity of the project.
- f) *The San Francisco Sectional Aeronautical Chart*, last updated March 22, 2001, was reviewed and the project site is not located within two miles of a privately owned airstrip. As such, there is no significant safety hazard resulting from private airport operations and aircraft overflights in the vicinity of the project site. No impacts would occur.
- g) The proposed project would not physically interfere with the implementation of the County adopted emergency response and/or evacuation plan for the County. This is based upon the location of the nearest fire station, site access, availability of water for fire suppression, and provisions within the County emergency response plan. The County emergency response plan is located within the County Office of Emergency Services in the El Dorado County Government Center complex in Placerville. Impacts would be less than significant.
- h) The Lake Valley Fire Protection District reviewed the project proposal and had no objections. However, the Department of Transportation and CAL FIRE reviewed the proposal and would require that the off-site access roadway connecting the subject site to Cascade Road be improved from 12 feet to 20 feet wide to meet minimum fire safe standards. This requirement is indicated in the conditions of approval included within Attachment 1 of the staff report. The project 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 with the implementation of the conditions of approval included in Attachment 1 of the staff report. 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 expose people and property to risks associated with wild land fires. For this "Hazards and Hazardous Materials" category, the thresholds of significance would not be exceeded by the proposed project with the implementation of standard conditions of approval included within Attachment 1 of the staff report.

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

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- Cause degradation of groundwater quality in the vicinity of the project site.
- a) Public sewer service would be provided by the South Tahoe Public Utility District. As noted in a letter of January 12, 2008, the South Tahoe Public Utility District has the sewer capacity to serve this project. (*Facility Improvement Letter*. South Tahoe Public Utility District, January 12, 2008) Impacts would be less than significant.
 - b) There is no evidence that the project would substantially reduce or alter the quantity of groundwater in the vicinity, or materially interfere with groundwater recharge in the area of the proposed project. The proposed project would connect to public water. (*Facility Improvement Letter*. Cascade Mutual Water Company, December 29, 2008) Impacts would be less than significant.
 - c) Proposed grading and ground disturbances associated with the project would not substantially alter the existing drainage patterns on or off the site. The *Grading Erosion and Sediment Control Ordinance* contains specific requirements that limit the impacts to a drainage system (Section 15.14.440 & Section 15.14.590). The standards apply to this project. As such, impacts would be less than significant.
- d & e)
- The proposed minimal grading for project fire safe improvements and future parcel development would have a minimal impact on all storm water drainage in the immediate vicinity. Surface runoff and erosion hazard for the soils located at the subject site is moderate. Therefore, substantial drainage pattern alteration or runoff would not occur. Impacts would be less than significant.
- 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 stormwater 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 project would be served by public sewer service provided by the South Tahoe Public Utility District. As such, impacts would be less than significant.
- g & h)
- The Flood Insurance Rate Map (Panel 060040 0355B) for the project area establishes that the project site is partially located within a mapped 100-year floodplain. However, no development is proposed as the project consists of the subdivision of existing structures. Further, any future development, if proposed, would be subject to a minimum setback of 100 feet from Lake Tahoe. Sufficient buildable area also exists on site that is not located within the floodplain. Impacts would be less than significant.
- i) The subject property within the South Lake Tahoe area is not located adjacent to or downstream from a dam or levee that has the potential to fail and inundate the project site with floodwaters. Impacts would be less than significant.
 - j) The proposed project is not located near a coastal area, and therefore, the project site would not be susceptible to tsunamis. No volcanoes or other active volcanic features are near the project site and, therefore, the project site would not be susceptible to mudflows. No impacts would occur.

FINDING: No significant hydrological impacts would result from development of the project. For the "Hydrology and Water Quality" section, it has been determined the project would not exceed the identified thresholds of significance and no significant adverse environmental effects would result from the project.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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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.
- a) The project would not result in the physical division of an established community. As proposed, the project is compatible with the surrounding residential land uses and would not create land use conflicts with surrounding properties. Impacts would be less than significant.
- b) As proposed, the project is inconsistent with significant applicable policies of the 2004 General Plan. However, adherence to the conditions of approval within Attachment 1 of the staff report regarding off-site fire safe roadway improvements would result in the project being consistent with the General Plan. The parcel map is consistent with the development standards contained within the El Dorado County Zoning Ordinance. Future development must meet the standards established by the One-Family Residential District (TR1) zone district. This project meets the land use objectives established for the property. As no conflict exists between the project and applicable land use policies with adherence to the conditions of approval in Attachment 1, potential environmental impacts would be considered to be less than significant.
- c) The project site is not within the boundaries of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or any other conservation plan. This condition precludes the possibility of the proposed project conflicting with an adopted conservation plan. No impact would occur.

FINDING: For the “Land Use Planning” section, the project would not exceed the identified thresholds of significance.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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X. MINERAL RESOURCES. <i>Would the project:</i>			
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 El Dorado County General Plan. No impact would occur.
- 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 is considered to contain mineral resources of known economic importance to the County and/or State. Review of the mapped areas of the County indicates that the subject property does not contain any mineral resources of known local or statewide economic value. No impact would occur.

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

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	

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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XI. NOISE. <i>Would the project result in:</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 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 & c)

The project would not result in a substantial increase in existing ambient noise levels in the project vicinity. The project would not generate noise levels exceeding the performance standards contained in Table 6-1 and Table 6-2 within the General Plan as it involves the creation of one additional parcel and related residential noise. Other than temporary noise generated from construction equipment, no significant noise would be expected from the development of the project. As such, impacts would be less than significant.

b & d)

Persons adjacent to the project vicinity would not be subjected to long-term excessive ground borne noise or ground borne vibration as a result of minor grading and improvement activities or upon completion of the project. Impacts would be less than significant.

e) The proposed project is not located adjacent to or in the vicinity of a public airport and is not subject to any noise standards contained within a Comprehensive Land Use Plan. As such, the project would not be subjected to excessive noise from a public airport. No impacts would occur.

f) The proposed project is not 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. No impacts would occur.

FINDING: For the “Noise” category, there are no significant effects that would be created with the approval of the tentative parcel map and the impacts within this category would remain at a less than significant level.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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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 has been determined to have a minimal growth-inducing impact as the project includes the creation of two parcels where one currently exists. No residential development is proposed with the parcel map and all future development would be required to meet established County development standards. Any future development must meet comprehensive County policies and regulations before building permits can be issued. The project does not include any school or large scale employment centers that would lead to indirect growth. Impacts would be less than significant.
- b. No existing housing stock would be displaced by the proposed project. No impacts would occur.
- c) No persons would be displaced necessitating the construction of replacement housing elsewhere. No impacts would occur.

FINDING: The project would not displace any existing or proposed housing. The project would not directly or indirectly induce significant growth by extending or expanding infrastructure to support such growth. For the “Population and Housing” section, the thresholds of significance have not been exceeded and no significant environmental impacts would result from the project.

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

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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XIII. PUBLIC SERVICES. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

d. Parks?			X	
e. Other government services?			X	

Discussion:

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

- Substantially increase or expand the demand for fire protection and emergency medical services without increasing staffing and equipment to meet the Department’s/District’s goal of 1.5 firefighters per 1,000 residents and 2 firefighters per 1,000 residents, respectively;
- Substantially increase or expand the demand for public law enforcement protection without increasing staffing and equipment to maintain the Sheriff’s Department goal of one sworn officer per 1,000 residents;
- Substantially increase the public school student population exceeding current school capacity without also including provisions to adequately accommodate the increased demand in services;
- Place a demand for library services in excess of available resources;
- Substantially increase the local population without dedicating a minimum of 5 acres of developed parklands for every 1,000 residents; or
- Be inconsistent with County adopted goals, objectives or policies.

- a) **Fire Protection:** The Lake Valley Fire Protection District and CAL FIRE currently provide fire protection services to the project area. Development of the project would result in a minor increase in the demand for fire protection services, but would not prevent the Fire District from meeting its response times for the project or its designated service area. The Lake Valley Fire Protection District and CAL FIRE would review the project improvement plans and final map filing submittal for condition conformance prior to approval. Impacts would be less than significant.
- b) **Police Protection:** The project site would be served by the El Dorado County Sheriff’s Department with a response time depending on the location of the nearest patrol vehicle. The minimum Sheriff’s Department service standard is an 8-minute response to 80% of the population within Community Regions. No specific minimum level of service or response time was established for Rural Centers and Rural Regions. The Sheriff’s Department stated goal is to achieve a ratio of one sworn officer per 1,000 residents. The addition of one residential parcel would not significantly impact current response times to the project area. Impacts would be less than significant.
- c) **Schools:** The project site is located within the Lake Tahoe Unified School District. The affected school district was contacted as part of the initial consultation process and no specific comments or mitigation measures were received. Impacts would be less than significant.
- d) **Parks:** The proposed project would not substantially increase the local population necessitating the development of new park facilities. Section 16.12.090 of County Code establishes the method to calculate the required amount of land for dedication for parkland or the in-lieu fee amount for residential projects. In this case, the tentative parcel map would be conditioned to require the payment of a \$150 flat park fee consistent with the procedures outlined within Section 16.12.090. 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) No other public facilities or services would be substantially impacted by the project. Impacts would be less than significant.

FINDING: Adequate public services are available to serve the project. Therefore, there is no potential for a significant impact due to the creation of one additional residential parcel at the subject site, either directly or indirectly. No significant public service impacts are expected. For this "Public Services" category, the thresholds of significance have not been exceeded.

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 five 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) Because the project would only include the creation of one additional residential parcel, it would not substantially increase the use of neighborhood or regional parks in the area such that substantial physical deterioration of the facility would occur. Impacts would be less than significant.
- b) The project does not propose any on-site recreation facilities and would not be required to construct any new facilities or expand any existing recreation facilities with the scope of this project. No impacts would occur.

FINDING: No significant impacts to recreation or open space will result from the project. For this "Recreation" section, 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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XV. TRANSPORTATION/TRAFFIC. <i>Would the project:</i>			
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 & b)

The Department of Transportation (DOT) reviewed the proposed project and determined it would not trip the traffic impact threshold within the General Plan. Proposed project access would be via Cascade Road. Impacts would be less than significant.

The 2004 General Plan Policies TC-Xe and TX-Xf (which incorporate Measure Y) require that projects that “worsen” traffic by 2%, or 10 peak hour trips, or 100 average daily trips must construct (or ensure funding and programming) of any improvements required to meet Level of Service standards in the General Plan Transportation and Circulation Element. DOT reviewed the proposed project and determined that it would not trigger the threshold described above because of its limited size.

- c) The project would not result in a change in established air traffic patterns for publicly or privately operated airports or landing field in the project vicinity. No impacts would occur.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- d) The project would be required to make fire safe improvements consistent with the conditions of approval included within Attachment 1 of the staff report. As such, the proposed project would not include any design features, such as sharp curves or dangerous intersections, or incompatible uses that would substantially increase hazards. No traffic hazards would result from the project design. Impacts would be less than significant.
- e) The Lake Valley Fire Protection District, DOT, and CAL FIRE reviewed the project proposal and concluded that the project would not result in inadequate emergency access to any potential residential structure with the implementation of the conditions of approval included in Attachment 1 of the staff report. Impacts would be less than significant.
- f) Future development would be required to meet on-site parking requirements identified by use within the Zoning Ordinance. Future requests for building permits would be reviewed for conformance with parking standards during the review process. Parking requirements for conventional single-family detached homes are two spaces not in tandem. Sufficient space is available on each proposed parcel to accommodate this parking requirement. Impacts would be less than significant.
- g) The proposed project does not conflict with the adopted General Plan policies, and adopted plans, or programs supporting alternative transportation. No impacts would occur.

FINDING: No significant traffic impacts are expected for the project and mitigation is not required. For the "Transportation/Traffic" category, the identified thresholds of significance have not been exceeded.

XVI. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i>			
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:

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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A substantial adverse effect on Utilities and Service Systems would occur if the implementation of the project would:

- Breach published national, state, or local standards relating to solid waste or litter control;
 - Substantially increase the demand for potable water in excess of available supplies or distribution capacity without also including provisions to adequately accommodate the increased demand, or is unable to provide an adequate on-site water supply, including treatment, storage and distribution;
 - Substantially increase the demand for the public collection, treatment, and disposal of wastewater without also including provisions to adequately accommodate the increased demand, or is unable to provide for adequate on-site wastewater system; or
 - Result in demand for expansion of power or telecommunications service facilities without also including provisions to adequately accommodate the increased or expanded demand.
- a) Public sewer service would be provided by the South Tahoe Public Utility District. As noted in a letter of January 12, 2008, the South Tahoe Public Utility District has the sewer capacity to serve this project. Therefore, the proposed project would not exceed water quality standards. Impacts would be less than significant.
- b) The Cascade Mutual Water Company provided a letter dated December 29, 2008 indicating that it has adequate water supplies to serve the project. The Environmental Management Department reviewed the documentation provided by the Cascade Mutual Water Company and issued a letter on May 12, 2009 which concurred with the recommendations subject to a pump test being satisfactorily conducted between the months of August and October 2009. As noted in a letter of January 12, 2008, the South Tahoe Public Utility District has the sewer capacity to serve this project. Therefore, no new or expanded off-site water or wastewater facilities would be necessary to serve the proposed project. Impacts would be less than significant.
- c) The proposed minimal grading for project fire safe improvements and future parcel development would have a minimal impact on all storm water drainage in the immediate vicinity. Surface runoff and the erosion hazard for the soils located at the subject site are moderate. Therefore, substantial drainage pattern alteration or runoff would not occur. Impacts would be less than significant.
- d) The Cascade Mutual Water Company provided a letter dated December 29, 2008 indicating that it has adequate water supplies to serve the project. The Environmental Management Department reviewed the documentation provided by the Cascade Mutual Water Company and issued a letter on May 12, 2009 which concurred with the recommendations subject to a pump test being satisfactorily conducted between the months of August and October 2009. Potential impacts from connecting to an existing water line within the project area would be less than significant.
- e) As stated above, the South Tahoe Public Utility District has the sewer capacity to serve this project. Impacts would be less than significant.
- 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.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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After July of 2006, El Dorado Disposal began distributing municipal solid waste to Forward Landfill in Stockton and Kiefer Landfill in Sacramento. Pursuant to El Dorado County Environmental Management Solid Waste Division staff, both facilities have sufficient capacity to serve the County. Recyclable materials are distributed to a facility in Benicia and green wastes are sent to a processing facility in Sacramento. Impacts would be less than significant.

- g) 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 parcels would be handled through the local waste management contractor. Adequate space would be available at the site for solid waste collection. Impacts would be less than significant.

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.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:			
a. Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			X
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X

Discussion:

- a) Subsurface earthwork activities may expose previously undiscovered buried resources. Standard construction cultural resource conditions of approval are incorporated into the project as conditions of approval within Attachment 1 of the staff report. This would ensure that impacts on cultural resources are less than significant. In summary, all potentially significant effects on cultural resources can be reduced to a level of less than significant.
- b) All cumulative impacts related to air quality, biological resources, and transportation/traffic are less than significant and do not require mitigation. Therefore, the proposed project would not result in cumulatively considerable impacts on these areas. Impacts are less than significant.
- c) All impacts identified in this Negative Declaration are less than significant and do not require mitigation. Therefore, the proposed project would not result in environmental effects that cause substantial adverse effects on human beings either directly or indirectly. Impacts would be less than significant.

SUPPORTING INFORMATION SOURCE LIST

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

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

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

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

El Dorado County General Plan - Volume II - Background Information

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

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

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

County of El Dorado Grading, Erosion and Sediment Control Ordinance (Ordinance No. 3883, amended Ordinance Nos. 4061, 4167, 4170, 4719)

El Dorado County Design and Improvement Standards

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

Soil Survey of Tahoe Basin Area, California and Nevada

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

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

PROJECT SPECIFIC REPORTS AND SUPPORTING INFORMATION

A Cultural Resource Inventory of the Proposed Ebright Subdivision South Lake Tahoe El Dorado County, California. William W. Bloomer and Susan Lindström, September 2008.

Facility Improvement Letter. Cascade Mutual Water Company, December 29, 2008.

Facility Improvement Letter. South Tahoe Public Utility District, January 12, 2008.

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