

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



**Agenda of:** January 28, 2010  
**Item No.:** 7  
**Staff:** Tom Dougherty

**GENERAL PLAN AMENDMENT**

**FILE NUMBER:** A09-0002/Paye  
**APPLICANTS:** John and Mark Paye  
**ENGINEER:** Dundas and Dundas  
**REQUEST:** Amend the land use designation from Open Space (OS) to Low Density Residential (LDR).  
**LOCATION:** Both sides of Wentworth Springs Road, at the intersection with Fox Run Road in the Georgetown area, Supervisorial District IV. (Exhibit A)  
**APN:** 061-071-26 (Exhibit B)  
**ACREAGE:** 105 acres  
**GENERAL PLAN:** Open Space (OS) (Exhibit C1)  
**ZONING:** Estate Residential Ten-Acre (RE-10) (Exhibit D)  
**ENVIRONMENTAL DOCUMENT:** Negative Declaration

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

1. Adopt the Negative Declaration based on the Initial Study prepared by staff;
2. Approve General Plan Amendment A09-0002 subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2.

**BACKGROUND:** The applicant acquired the parcel in 1998 from the U.S. Bureau of Land Management (BLM) in a land exchange. It was previously U.S. government land administered by the BLM. The applicant received a patent (title), after the transfer. The parcel was one of many that were sold to the public by BLM in order to generate revenue to purchase recreational and watershed lands along the American River.

A Certificate of Compliance is required to recognize a 105-acre parcel identified by Assessor's Parcel Number 061-071-26 which was created when the U.S. Bureau of Land Management established a government patent for the parcel on August 3, 1998. The issuance of a Certificate of Compliance would acknowledge the County's acceptance of the parcel as legally created in accordance with the Subdivision Map Act and local subdivision ordinances, and would allow development of the property consistent with the Estate Residential Ten-Acre Zone District (RE-10). The applicants submitted an application for Conditional Certificate of Compliance COC09-0012 on June 11, 2009. That application shares the related Environmental Checklist, Discussion of Impacts with the subject General Plan Amendment and that document is included as Exhibit K.

Without the Certificate of Compliance the County cannot issue development permits, including building permits on the site. In this instance, the parcel would be issued a Conditional Certificate of Compliance requiring specific conditions be completed prior to the issuance of an unconditional or *clear* Certificate of Compliance. The parcel cannot be developed until such time as a *clear* Certificate of Compliance is recorded.

Upon fulfillment of the Conditions of Approval and subsequent recordation of a clear Certificate of Compliance, no residential development could occur without amending the current General Plan land use designation of OS which does not allow for residential development. Upon approval of an amendment to the General Plan to change the land use to LDR, the applicants would then have the ability to construct a single-family dwelling with a building permit.

Along with the approval of a Clear Certificate of Compliance, the project would directly allow the development of one primary and one secondary single-family dwelling, however, an approved General Plan amendment to LDR could potentially allow for a future subdivision of up to 21, 5-acre lots. That process would require the submittal of either a parcel or subdivision map application, and a rezone application to change the zoning to Estate Residential Five-Acre (RE-5). Those applications would require an environmental document to be prepared to examine the potential environmental impacts at that time of those specific project proposals. The potential environmental impacts are discussed in more detail in the Environmental Checklist, Discussion of Impacts included as Exhibit L.

**STAFF ANALYSIS**

**Project Description:** Amend the land use designation from Open Space (OS) to Low Density Residential (LDR). No development proposal accompanies this amendment request. The project site details are shown in Exhibit E.

**Site Description:** The project site consists of 105 acres and is located in the Georgetown area at approximate elevations between the 2,800 and 3,000-foot above mean sea level (Exhibit G). The primary on-site biological communities include annual grasses, and montaine hardwood conifer. Oak woodland canopy currently covers approximately five percent of the project site. The project site soils consist of Mariposa very rocky silt loam (MbE) 3 to 50 percent slopes, Mariposa very rocky silt loam (MbF) 50 to 70 percent slopes, Mariposa-Josephine very rocky loams loam (McE) 15 to 50 percent slopes, and Josephine silt loam (JtD) 15 to 30 percent slopes (Exhibit F). Approximately 10 percent of the site contains slopes in excess of 30 percent, as shown in Exhibit H. There has been substantial disturbance to the ground service throughout the parcel as a result of past mining activity, placement of electrical distribution and water lines, and extensive access road grading for past logging/timber harvest plan activities. The site contains scattered shallow trenches, pits tailings and waste rock from previous mining activities. There is one unnamed ephemeral stream course present within the northern portion of the parcel.

**Adjacent Land Uses:**

	Zoning	General Plan	Land Use/Improvements
Site	RE-10	OS	Open Space-resource management/Vacant
North	RE-10/RA-20	LDR	Residential/Single family residences, tree farm northeast
South	RE-5	LDR	Residential/Single family residences
East	RE-5	LDR	Residential/Single family residences
West	RE-10/RE-5	LDR	Residential/Single family residences

Discussion: The surrounding parcels have residential uses or are designated for residential uses by the General Plan. There is one 114-acre parcel adjoining the northeast corner that is agriculturally zoned and has an active Christmas tree farm. The proposed residential use would be compatible with the surrounding residential development, and would be a compatible use within an area planned for residential land use, (see Exhibits J-1, J-2, K-1 and K-2).

**Access and Circulation:** The General Plan use designation amendment project does not require preparation of a traffic study. However, future development of single family lots exceeding 9 lots would require preparation of a traffic study. Site access is provided via Wentworth Springs Road, which is a county maintained road and Fox Run Road, Fox Kit Court, and Raintree Road which are non-county maintained roadways. A single-family dwelling would require driveway improvements to Georgetown Fire Code standards. A future parcel or subdivision map would require dedications and widening of right-of-ways and road improvements to County and

Georgetown Fire Code Standards. Depending on the scale of a single family development proposed on the site in the future, a traffic study may or may not be required and DOT would determine a proposed project's potential impacts. Depending on the results of a traffic study, additional offsite improvements or mitigations may be necessary at that time. A future development would be required to obtain encroachment permits from DOT for all encroachments to a County road.

**General Plan:** The subject property is designated as Open Space (OS) on the General Plan Land Use Map. The OS land use designation establishes areas designated *public lands under governmental title (County, State Parks, BLM, U.S. Bureau of Reclamation, U.S. Forest Service, etc.)*, where no development other than that specifically needed for government-related open space uses is desired. This land use includes State parks, ecological preserves, and public lands acquired specifically for open space uses.

**Rural Centers:** **Policy 2.1.2.1** established the Georgetown Rural Center boundary. The subject parcel is located within that boundary. **Policy 2.1.2.2** defines Rural Centers as *areas of higher intensity development throughout the rural areas of the County based on the availability of infrastructure, public services, existing uses, parcelization, impact on natural resources, etc.* **Policy 2.1.2.3** defines the purpose of Rural Centers as being *areas intended to meet the commercial and service needs of the residents of the Rural Centers and Rural Regions, the predominant land use type within Rural Centers shall be commercial and higher density residential development.* **Land Use Compatibility:** **Policy 2.2.5.21** directs that *development projects shall be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by the policies in effect at the time the project is proposed.*

**Consistent:** The subject parcel was previously owned by the U.S. Bureau of Land Management (BLM) for the purpose of protecting potential mineral and timber resources. The submitted *Cultural Resource Survey*, Peter Jensen, dated January 20, 2009 reported evidence of a prior history of surface mining and logging operations generally over the entire parcel. It further reported that no significant historical or prehistoric resources are present on the parcel. By creating a U.S.A. Patent and then transferring the parcel to private ownership, the BLM relinquished their preservation and protection responsibility.

The General Plan does not state a required parcel size for lands designated OS and does not permit residential development. OS is typically not sub-dividable. The subject 105-acre parcel does conform to the RE-10 zone district minimum size of ten acres. A General Plan Amendment to Low Density Residential (LDR) land use would permit single family residential development.

The amendment from OS to LDR would also allow for an area where the absence or reduced level of infrastructure including roads, water lines and sewer lines does not justify higher densities, where the topography poses a constraint to higher density; and as a transitional land use between the more highly developed and the more rural areas of the County. The maximum allowable density would be one dwelling unit per 5.0 acres. This would represent development of residential lands within The Georgetown Rural Center for residential uses. As proposed, the LDR designation would be compatible with the existing and proposed surrounding single-family residential development in the area. The RE-10 zoning would require at a minimum, a building

permit application be submitted for review and approved by Planning Services prior to any development. The project site is suitable for residential development and the initial study did not find any significant impacts that could be associated with development of the site.

Pursuant to Table 2-1 in the General Plan, the LDR designation is considered appropriate within Rural Center planning concept area. The project site is located within the Georgetown Rural Center boundary. The proposed General Plan Amendment would be appropriate due to the surrounding residential development in the vicinity of the project site. Therefore, the proposed project would be compatible with the surrounding land uses.

**Adequate Public Utilities:** **Policy 5.1.2.1** requires that there be adequate public utilities and services including water supply, wastewater treatment and disposal, solid waste disposal capacity, storm drainage, fire and police protection, and ambulance service exist or be available to the subject discretionary project. **Water Supply and Fire Protection:** **Policy 5.2.1.2** directs that an adequate quantity and quality of water for all uses, including fire protection, shall be provided for discretionary development. **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.

**Consistent:** Potable water is not to be provided to the site; however there are Georgetown Divide Public Utility District (GDPUD) facilities that currently transverse the interior of the parcel. In a letter dated May 7, 2009, GPPUD has confirmed that their existing facilities could be available to the site with the expansion of their facilities at the applicant's expense, but there are no public sewer facilities currently available. Pacific Gas and Electric (PG&E) and telephone overhead facilities transverse the site through an easement cleared of vegetation.

Prior to issuance of any future building permit or filing of a Parcel or Subdivision Map, a safe and reliable water source would be required for all lots or parcels. For fire protection services, fire hydrants and minimum fire flow would be required by the Georgetown Fire Protection District, prior to finaling or filing of any future development permit. Therefore, the project would be in compliance with these General Plan Policies.

**Adequate Access for Emergencies:** **Policy 6.2.3.2** directs the applicant to demonstrate that adequate access exists, or can be provided for emergency vehicles and private vehicles to access and evacuate the area.

**Consistent:** A future development permit would be required to comply with the Georgetown Fire Protection District minimum Fire Safe standards for the access road and turnaround capacity with project conditions. A 20-foot wide fire lane would need to be maintained with an approved turnaround. A single family dwelling would be required to have driveway and turnaround onsite. Therefore, the project would be in compliance with the General Plan Policy.

**Rare Plants:** **Policy 7.4.1.1** directs that the County *shall provide for the permanent protection of the eight sensitive plant species known as the Pine Hill endemics and their habitat through the establishment and management of ecological preserves consistent with County Code Chapter*

*17.71 and the USFWS's Gabbro Soil Plants for the Central Sierra Nevada Foothills Recovery Plan (USFWS 2002).*

**Consistent:** The proposed project is not located in an El Dorado County plant Mitigation Area and is not located within any Ecological Preserve overlay designation. Review of the California Natural Diversity Database G.I.S. layer did not reveal the presence of rare or threatened species in the project vicinity. No development plan accompanies the project proposal. A future development project would be required to do a full biological study examining the potential impacts of that particular proposal. Therefore, the project would be in compliance with the General Plan Policy.

Oak Canopy Coverage: **Policy 7.4.4.4** establishes the native oak tree canopy retention and replacement standards.

**Consistent:** The site is dominated by younger second growth conifers, the result of previous logging activities. Second growth, multi-trunked black oaks constitute approximately five percent of the tree canopy coverage within the parcel. Policy 7.4.4.4 establishes the native oak tree canopy retention and replacement standards and requires that 90 percent of the existing oak tree canopy coverage be retained. No oak canopy would be removed as part of the COC project as no development could occur without a General Plan amendment. Impacts could occur for the General Plan amendment project because approval would permit the construction of one primary and secondary unit directly and up to 21 parcels with the same if a rezone to RE-5 would follow. A project for any future subdivision would be required to comply with the provisions of Policy 7.4.4.4. Therefore, the project would be in compliance with the General Plan Policy.

Conflicts with Agriculture: **Policies 8.1.3.1** (ten-acre buffer for agriculturally zoned lands), **8.1.3.2** (200-foot setback buffer for agriculturally zoned lands):

**Consistent:** There is one 114-acre parcel adjoining the northeast corner that is agriculturally zoned and has an active Christmas tree farm which therefore requires the project to be reviewed for potential conflicts with Agriculture. Review of the General Plan land use map for the project area indicates that there are no areas designated as being within the Agricultural District (A) General Plan land use overlay designation within approximately 2.5 miles of the project. The project would not diminish or impair the existing or potential agricultural use, and would not create conflicts between residential and agricultural activities. Staff has found the proposed project would not cause significant conflicts with agriculturally-zoned lands because of the previously stated reasons, as well as the recommendation of approval by the Agricultural Commission and could be approved as proposed.

**Agricultural Commission review:** **Policy 8.1.4.1** directs that *the County Agricultural Commission review all discretionary development applications and the location of proposed public facilities involving land zoned for or designated agriculture, or lands adjacent to such lands, and shall make recommendations to the reviewing authority. Before granting approval, a determination would be made by the approving authority that the proposed use would not intensify existing conflicts or add new conflicts between adjacent residential areas and agricultural activities.*

**Consistent:** On November 18, 2009, the El Dorado County Agricultural Commission reviewed and discussed the subject application requests, as well as the County Agriculture staff's observations and recommendations. The full text of the Memo from the Agricultural Commissioners to Planning staff is included as Exhibit I. The Commission supported the applicant's project request but made a statement that they would prefer that the zoning remain RE-10 in the future. The project does not include a development proposal or rezone request at this time. Planning staff has determined the project would not significantly intensify the impacts to agriculturally zoned land and the General Plan Amendment request could be approved.

**Conclusion:** The project has been reviewed in accordance with the El Dorado County 2004 General Plan policies, and it has been determined that the project is consistent with the General Plan. Findings of consistency with the General Plan are provided in Attachment 1.

**Zoning:** The project site is zoned Estate Residential Ten-Acre (RE-10) which is intended to *provide for the orderly development of land having sufficient space and natural conditions compatible to residential and accessory agricultural and horticultural pursuits and to provide for the protection from encroachment of unrelated uses tending to have adverse effects on the development of the areas so designated.* Upon recordation of a clear Certificate of Compliance, the project would allow a single-family residential unit and second residential unit on a 105-acre parcel which would be consistent with the RE-10 zone district. Table 2.4 of the 2004 General Plan shows RE-10 zoning is not compatible with the OS land use designation but would be compatible with the proposed LDR General Plan land use designation.

## ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Environmental Checklist with Discussion attached as Exhibit L) to determine if the proposed project may have a significant effect on the environment. 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, and a Negative Declaration has been prepared.

This project is located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.). In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$2,010.25 after approval, but prior to the County filing the Notice of Determination on the project. This fee plus a \$50.00 administration fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$2,010.25 is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

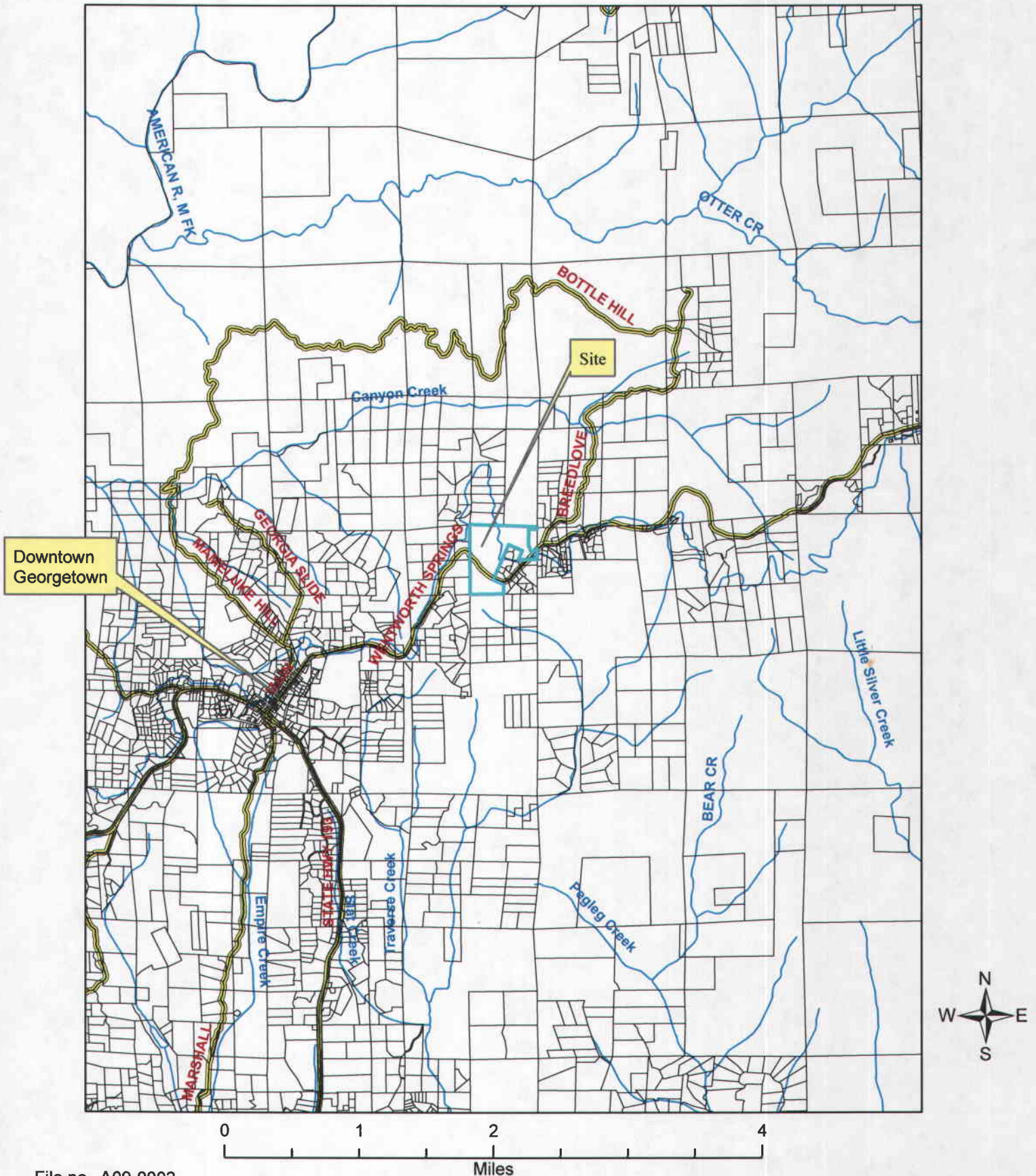
## SUPPORT INFORMATION

### Attachments to Staff Report:

Attachment 1 .....	Findings
Exhibit A .....	Location Map
Exhibit B .....	Assessor's Parcel Map
Exhibit C-1 .....	General Plan Land Use Map
Exhibit C-2 .....	Georgetown Rural Center Map
Exhibit D .....	Zoning Map
Exhibit E .....	Site Plan
Exhibit F .....	Soils
Exhibit G .....	Georgetown U.S.G.S Quadrangle
Exhibit H .....	Slope Map
Exhibit I .....	Agricultural Commission Memo to Planning Services dated November 25, 2009, (three pages)
Exhibits J-1 to J-3 .....	Site visit photographs
Exhibits K-1, K-2 .....	Aerial photos
Exhibit L .....	Environmental Checklist and Discussion of Impacts

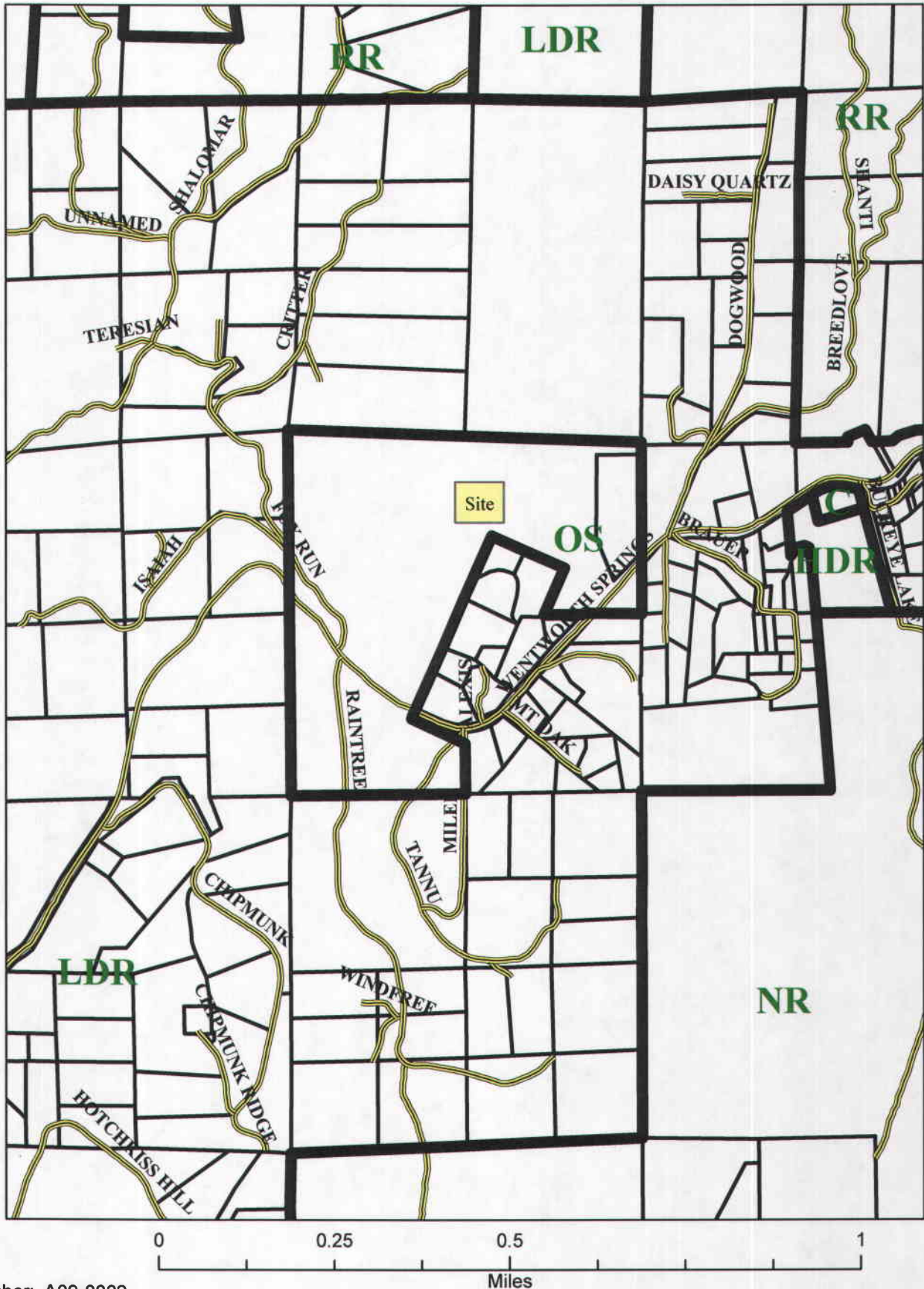


# Location Map

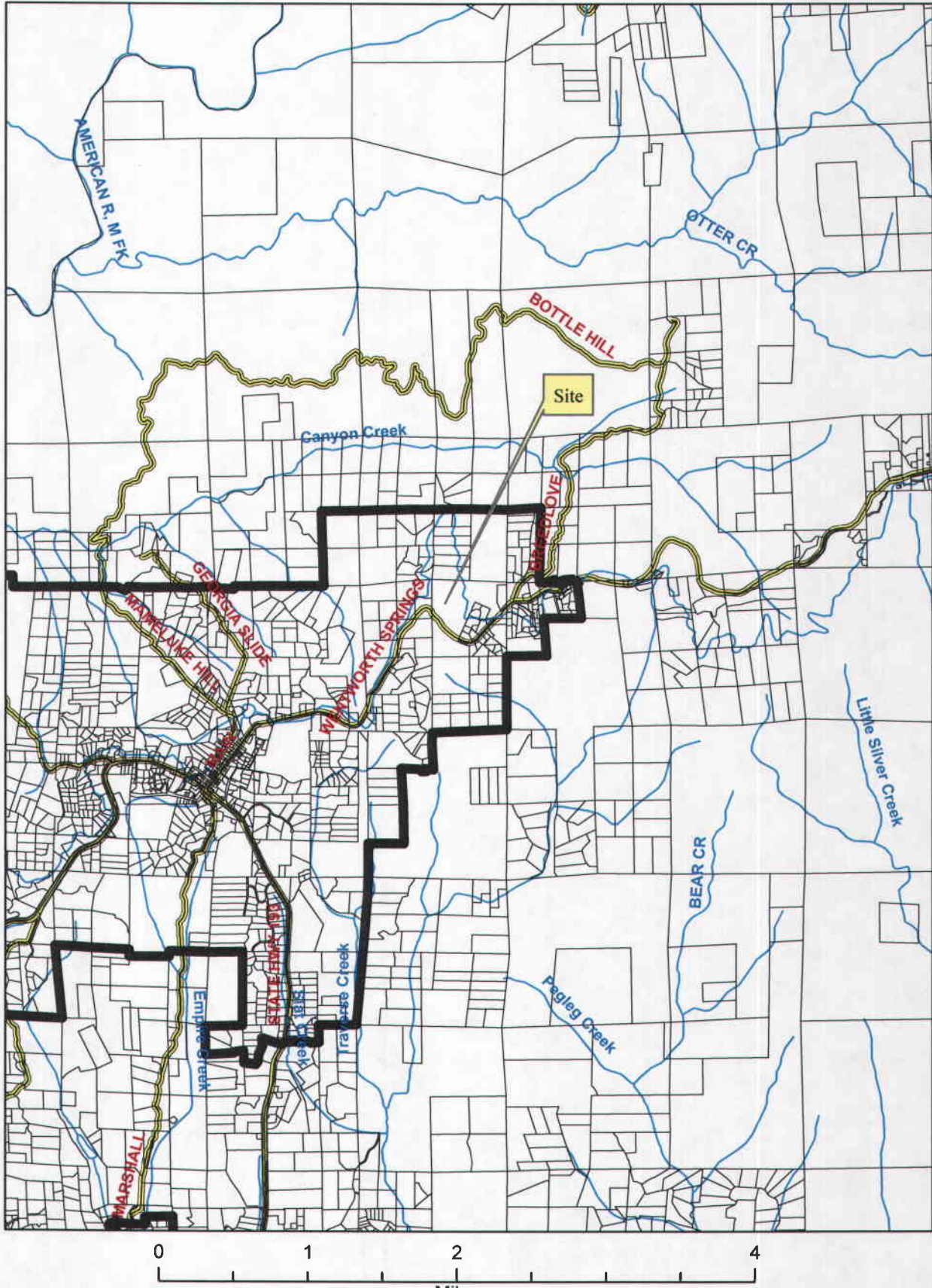




# General Plan Land Use Designations

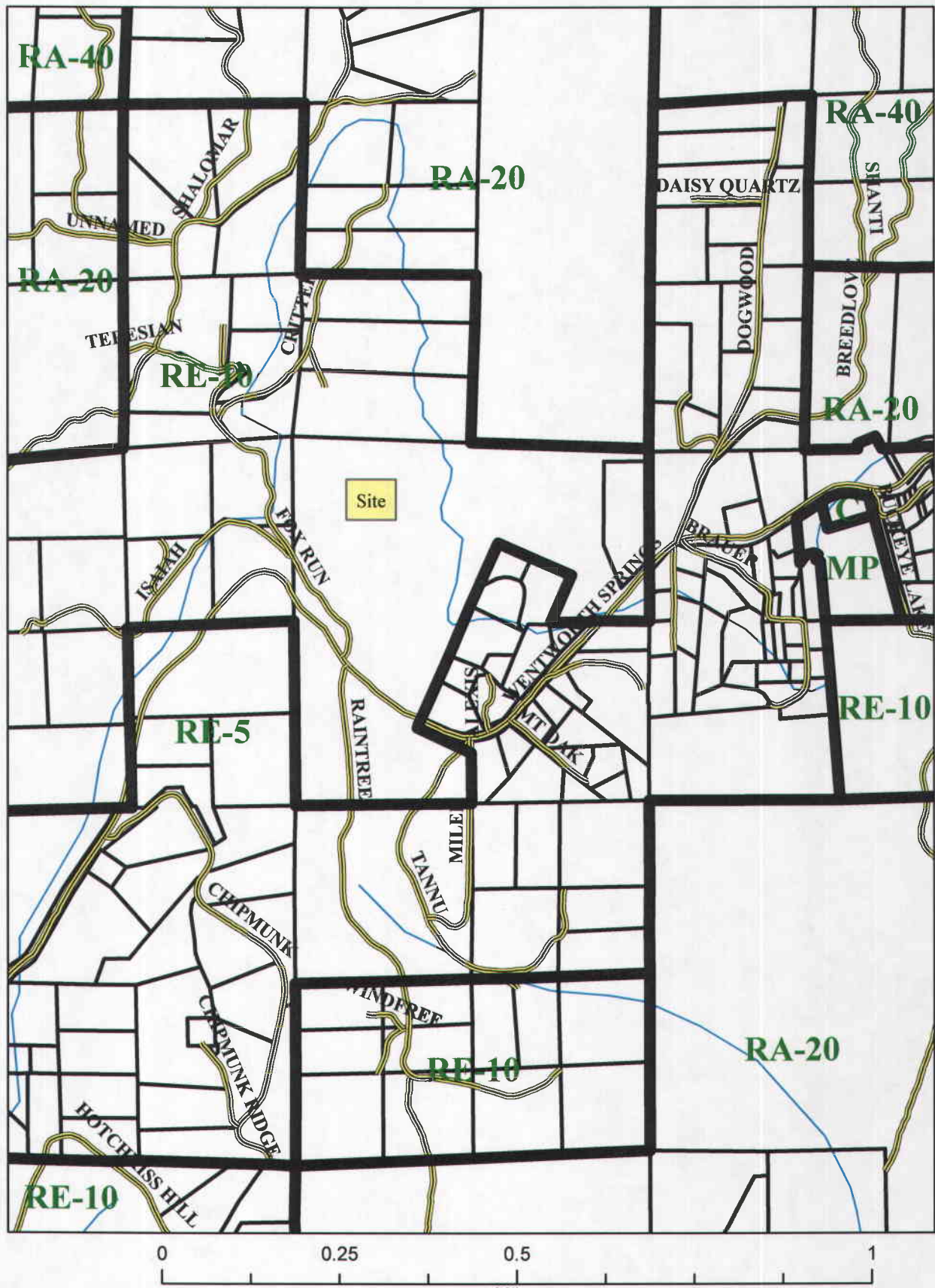


# Georgetown Rural Center



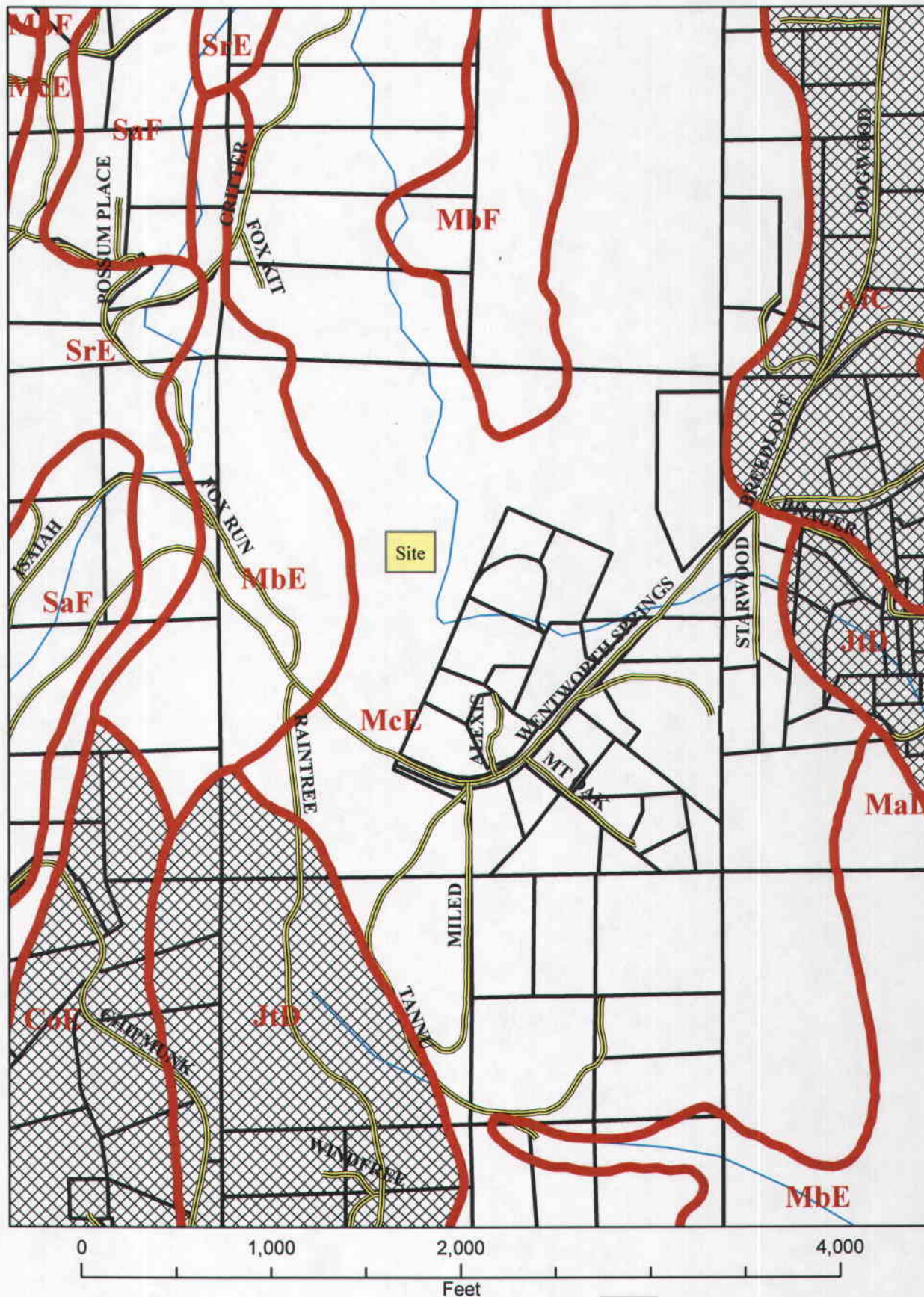
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# Zoning

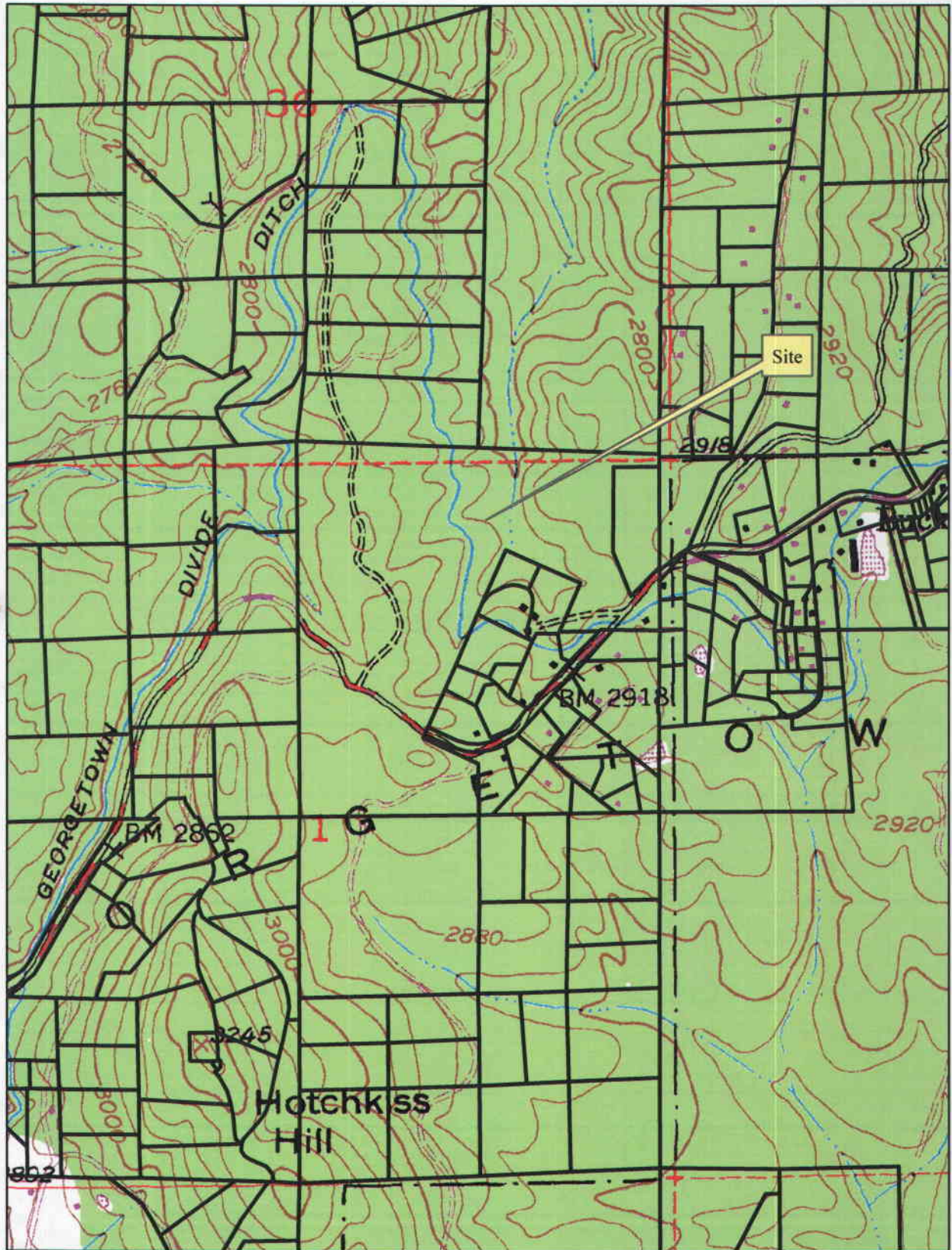




# Soils



# Georgetown U.S.G.S. Quadrangle With Parcels Overlayed On Top





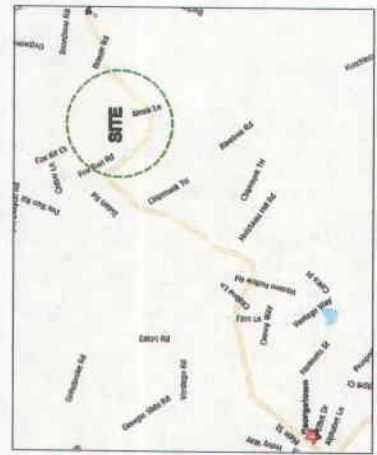
DATE	BY	APP'D

PERFORMED BY: **DUNDAS & DUNDAS**  
 15000 ALTEA WAY  
 GRASS VALLEY, CA 95950  
 (530) 274-1818  
 (530) 274-1818

PROJECT: **JOHN & MARK PAYE**  
 2321 KENNERLYN PARKWAY ROAD  
 GRASS VALLEY, CA 95934-9772  
 APN: **061-071-26**

CLIENT: **JOHN & MARK PAYE**  
 DATE: 11/28/08  
 CHECKER: **R.S.D.**  
 SCALE: 1" = 200'

DRAMA: R.S.D.  
 DATE: 11/28/08  
 CHECKER: R.S.D.  
 SCALE: 1" = 200'



**OWNER/APPLICANT:**

**JOHN & MARK PAYE**  
 15291 RED DOGS ROAD  
 NEWADA CITY, CA 95959  
 (530) 252-0722

**DESIGN:**

**DUNDAS & DUNDAS**  
 15000 ALTEA WAY  
 GRASS VALLEY, CA 95950  
 (530) 274-1818

**ASSESSORS PARCEL NO.:**

061-071-26

**GENERAL PLAN DESIGNATION / ZONING**

CURRENTLY: OPEN SPACE (OS) / RES10  
 PROPOSED: LOW DENSITY RESIDENTIAL (LDR) / RES10

**WATER SUPPLY:**

GEORGETOWN ONYX PUBLIC UTILITY DISTRICT

**SEWAGE DISPOSAL:**

SEPTIC TANK & ONSITE LEACH SYSTEMS

**FIRE PROTECTION:**

GEORGETOWN FIRE PROTECTION DISTRICT / CAL FIRE

**UTILITIES:**

P.O.S.E. & PACIFIC BELL (PBC)



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**LEGEND**

- W- WATER LINE
- P- POWER LINE
- D- DRIVEWAY
- SWA SLURRY AND BRUSH

Exhibit H



# AGRICULTURAL COMMISSION

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

*Greg Boeger, Chair – Agricultural Processing Industry*  
*Lloyd Walker, Vice-chair – Other Agricultural Interests*  
*Chuck Bacchi – Livestock Industry*  
*Bill Draper, Forestry /Related Industries*  
*Ron Mansfield – Fruit and Nut Farming Industry*  
*John Smith – Fruit and Nut Farming Industry*  
*Gary Ward, Livestock Industry*

## MEMORANDUM

**DATE:** November 25, 2009

**TO:** Tom Dougherty, Development Services/Planning

**FROM:** Greg Boeger, Chair

**SUBJECT:** A 09-0002 – JOHN & MARK PAYE/DUNDAS & DUNDAS: A REQUEST TO AMEND THE GENERAL PLAN LAND USE DESIGNATION

During the Agricultural Commission's regularly scheduled meeting held on November 18, 2009 the following discussion and motion occurred regarding A 09-0002 – John & Mark Paye /Dundas & Dundas): A request to amend the General Plan land use designation from Open Space (OS) to Low Density Residential (LDR). The property, identified by Assessor's Parcel Number 061-071-26, consists of 105 acres, and is located on both sides of Wentworth Springs Road at the intersection with Fox Run Road, in the Georgetown area. (District 4)

The following information was given during the Ag Department Staff's report: The parcel is 105 acres and is located at an elevation of 2,800 to 2,960 feet. The property is not located within an Agricultural District, but is located within the Georgetown Rural Center. The property was once owned by the Bureau of Land Management and was given a land use designation of Open Space (OS). This land use category can be used to designate public lands under government title where no development other than that specifically needed for government-related open space uses is desired. The property was sold into private ownership in the late 90's and is surrounded by Low Density Residential land use. The parcel has Residential Estate Ten-Acre (RE-10) zoning and is being heard by the Agricultural Commission due to the ag zoned parcel to the north.

The ag zoned parcel abuts the subject parcel along the northeast property line. The ag zoned parcel is 114 acres and is zoned Residential Agriculture Twenty-Acre (RA-20). Approximately half of the parcel has been logged and replanted with firs and pines. Although irrigation was installed and the trees planted in sections, it appears that the trees are not being maintained as a tree farm. The ag zoned parcel also has a land use designation of LDR.

The soil types of the subject parcel were described. The soil types are: McE – Mariposa-Josephine very rocky loams, 15 to 50% slopes (woodland suitability group 5); MbE – Mariposa very rocky silt loam, 3 to 50% slopes (woodland suitability group 5); MbF – Mariposa very rocky silt loam, 50 to 70% slopes (woodland suitability group 6); JtD – Josephine silt loam, 15 to 30% slopes (woodland suitability group 2). Overall the soils are moderately adaptable to management of commercial conifers. Pursuant to the California Forestry Handbook (1978), 2500 feet and above, McE, MbE and MbF are considered Site Class III soils with a Site Index of 75 to 92; JtD is considered a Site Class II soil with a Site Index of 93 to 113. Site Class III soils are considered medium quality which should produce 300 to 700 board feet per acre per year and Site Class II soils are considered high quality which should produce 700 board feet per acre per year.

Planning Services has requested a review and recommendation by the Agricultural Commission, for a General Plan Amendment application to change the parcel's land use designation from OS to LDR. The El Dorado County 2004 General Plan defines LDR as an area for single-family residential development in a rural setting. In Rural Regions, this designation shall provide a transition from Community Regions and Rural Centers into the agricultural, timber, and more rural areas of the County and shall be applied to those areas where infrastructure such as arterial roadways, public water, and public sewer are generally not available. The General Plan states that this land use designation is appropriate within Rural Centers where higher density serving infrastructure is not yet available. LDR allows for a maximum density of one dwelling unit per 5.0 acres with a parcel size range of 5.0 to 10.0 acres.

Bill Stephans emphasized that the LDR land use designation is consistent with the parcel's current zoning of Estate Residential Ten-Acre (RE-10). Mr. Stephans added that the ag zoned parcel to the north may have been planted as a Christmas Tree operation at one time, but does not look like it is being currently maintained for that purpose. Mr. Stephans, clarified that the smaller parcel along the eastern border of the subject parcel, has an Open Space (OS) land use designation, as well, but is not part of this application.

Roger Trout, Development Services Director, gave an overview of the process required to change the land use designation of the parcel, and an overview of the Certificate of Compliance process.

Commission Member Ward asked Mr. Trout if the change of the land use designation of this parcel from OS to LDR would set a precedent for other OS parcels. Roger Trout stated that this project would not set a precedent because every project is looked at individually.

Ron Dundas, representing the applicants, was present for review of the project. He said his clients bought this property in a land exchange from the Bureau of Land Management in 1998.

A neighbor, to this property, told the Commission that the applicants have maintained the property in a fire safe manner. She offered her support of the application request.

Art Marinaccio agreed that it is appropriate for the County to look at what the land use designation should be now that the parcel is not under government ownership. He also stated that BLM would have made an assessment of the parcel, prior to selling it, whether it should be kept as a timberland resource.

Greg Schwab, Georgetown Fire Department, stated that the other OS parcel to the east is theirs. He stated that there is a fire station and training center on the property which may produce considerable noise when training takes place. He asked the Commission if the Georgetown Fire Department should also change their land use designation from Open Space (OS) to something more appropriate.

Chair Boeger referred the question to Roger Trout who replied that he would take the suggestion back to Planning staff.

Ron Dundas, the applicant's representative, stated that they had asked Planning Staff about submitting a joint application with the fire department, for the General Plan Amendment, and maybe due to questions of costs, the idea did not move forward.

Bill Draper stated that it may not be feasible for the Federal Government to manage this property because of its isolated nature, but it is still very good timber ground. Mr. Draper wanted it noted for the record, that if this property is to be subdivided in the future, anything less than 10 acres would ruin the timber harvest potential.

Tom Dougherty  
Meeting Date: November 18, 2009  
RE: John & Mark Paye  
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***It was moved by Mr. Draper and seconded by Mr. Bacchi to recommend APPROVAL of A 09-0002, Mark and John Paye's request for a General Plan Amendment to change the land use designation of parcel number 061-071-26 from Open Space (OS) to Low Density Residential (LDR) as the parcel is located within the Georgetown Rural Center, is surrounded on all sides by Low Density Residential land use designations and meets the General Plan LDR description. In addition, the Commission recommends that the property retain the Residential Estate Ten Acre (RE-10) zoning.***

***Motion passed.***

**AYES:** Bacchi, Draper, Mansfield, Smith, Walker, Ward, Boeger  
**NOES:** None

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

GB:na

cc: John & Mark Paye  
Dundas & Dundas



Standing near Wentworth Springs Road looking south at the Raintree Road encroachment.



Standing near Wentworth Springs Road looking north at the Fox Run Road encroachment looking interior.



Standing near Wentworth Springs Road looking northwest at the Fox run Road encroachment from a distance.



Buckeye Fire Station, a satellite station for the Georgetown Fire Protection District.



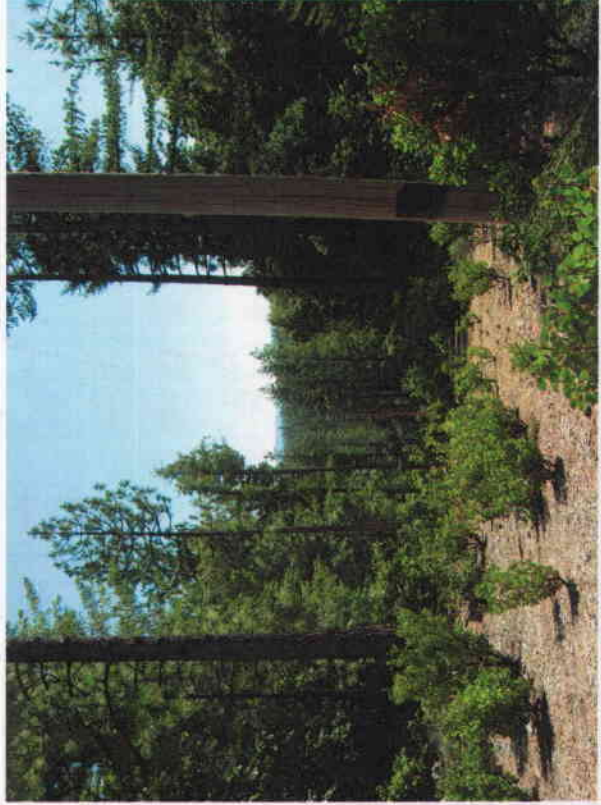
Miled Lane encroachment onto Wentworth Springs Road. Tannu Lane branches off Miled immediately off of Miled..



GDPUD Water Easement traveling east to west through the northern 1/3<sup>rd</sup> of the parcel.



Fox Kit Court as it goes north into the parcel.



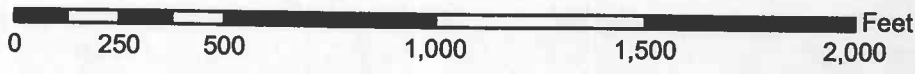
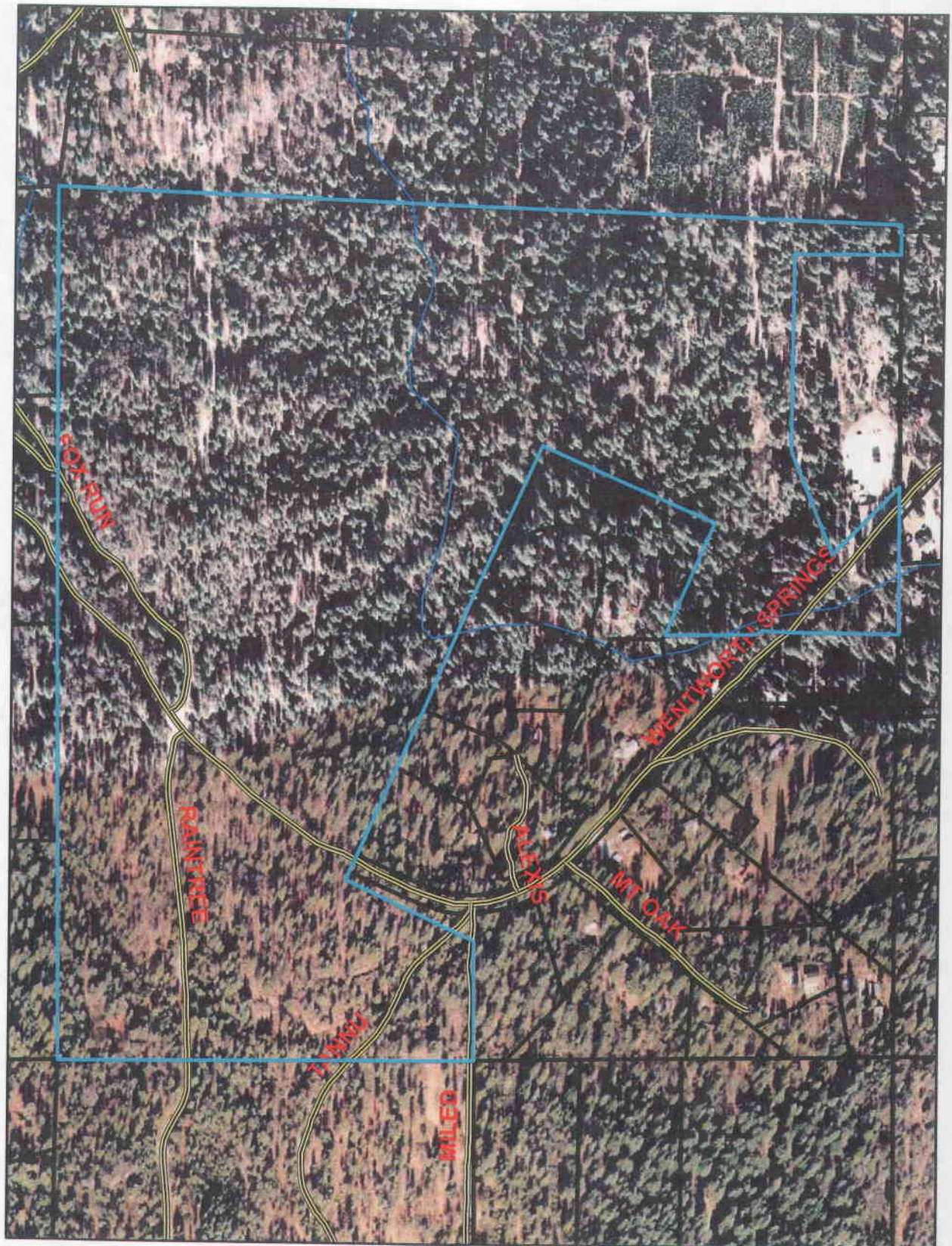
PG@E overhead power line easement running northeast and southwest through the parcel.



Standing on the driveway just northwest of the Buckeye Fire Station looking west at the start of the GDPUD waterline easement.



Standing on the driveway just northwest of the Buckeye Fire Station looking west into the parcel from just north of where the GDPUD easement is.



**Exhibit K-1**



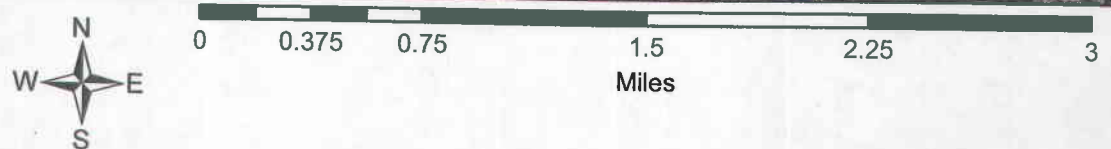


Exhibit K-2

10-0126.D.25



**EL DORADO COUNTY PLANNING SERVICES**  
**2850 FAIRLANE COURT**  
**PLACERVILLE, CA 95667**  
**ENVIRONMENTAL CHECKLIST FORM**  
**AND DISCUSSION OF IMPACTS**

**Project Title:** A09-0002/COC09-0012/Paye General Plan Amendment and Conditional Certificate of Compliance

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

**Contact Person:** Tom Dougherty, Planning Services

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

**Property Owner's Name and Address:** John and Mark Paye, 15291 Red Dog Road, Nevada City, CA 95959

**Project Engineer's Name and Address:** Dundas and Dundas, 16906 Aileen Way, Grass Valley, CA 95959

**Project Location:** Both sides of Wentworth Springs Road, at the intersection with Fox Run Road in the Georgetown area, Supervisorial District IV.

**Assessors Parcel No:** 061-071-26

**Parcel Size:** 105 acres

**Zoning:** Estate Residential Ten-Acre (RE-10)

**Section:** 1 **T:** 12N **R:** 10E

**General Plan Designation:** Open Space (OS)

**Description of Project:** The proposed project consists of the following requests:

1. General Plan Amendment from Open Space (OS) to Low Density Residential (LDR); and
2. Conditional Certificate of Compliance for Assessor's Parcel Number 061-071-26 created by U.S. Government Patent on August 3, 1998 and transferred to Mark Paye by Grant Deed recorded on that same day.

**Surrounding Land Uses and Setting:**

	<b>Zoning</b>	<b>General Plan</b>	<b>Land Use/Improvements</b>
<b>Site</b>	RE-10	OS	Open Space-resource management/Vacant.
<b>North</b>	RE-10/RA-20	LDR	Residential/Single family residences.
<b>South</b>	RE-5	LDR	Residential/Single family residences.
<b>East</b>	RE-5	LDR	Residential/Single family residences.
<b>West</b>	RE-10/RE-5	LDR	Residential/Single family residences.

**Briefly Describe the environmental setting:** The 105-acre parcel is located at the 2,800 to 2,900-foot elevation above sea level. The parcel is covered primarily with young conifers with scattered black oaks and was recently logged. There are remnants of past surface mining activities on the site. Various access roads transverse the subject site that are used by surrounding parcels. Two swaths of trees have been removed within utility easements through the parcel to allow for water and power facilities. The portion of the parcel north of Wentworth Springs Road has varied slopes that generally not exceeding 30 percent. There is an unnamed ephemeral swale draining the upper central portion to the north and a Georgetown Divide Public Utility District open irrigation ditch passing through the central portion from east to west. The portion south of Wentworth Springs Road is split by two graveled roads running north and south through the parcel with a ravine in between.

**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: Tom Dougherty Date: 12/14/09  
 Printed Name: Tom Dougherty, Associate Planner For: El Dorado County

Signature: Pierre Rivas Date: 12-14-09  
 Printed Name: Pierre Rivas, Principal Planner For: El Dorado County

## **PROJECT DESCRIPTION**

### **Introduction**

This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts resulting from the proposed residential project. The projects would directly allow the development of one primary and one secondary single-family dwelling, however, an approved General Plan amendment to LDR could potentially allow for a future subdivision of up to 21, 5-acre lots. That process would require the submittal of either a parcel or subdivision map application, and a rezone application to change the zoning to Estate Residential Five-Acre (RE-5). Those applications would require an environmental document to be prepared to examine the potential environmental impacts at that time of those specific project proposals.

This introduction and sections below will attempt to give detail to the potential ultimate development of 21 parcels so the Environmental Impacts Sections I-XVII will not have to reiterate said information repeatedly throughout each section.

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

The projects are located within the Georgetown Rural Center General Plan planning concept area. General Plan Table 2.1 shows that the LDR land use designation would be compatible within this concept area. The parcel is surrounded by existing developed and undeveloped residential parcels with one commercial tree farm adjoining to the north.

### **Project Characteristics**

- a. Amendment of the General Plan land use designation from Open Space (OS) to Low Density Residential (LDR). The current zoning district is Estate Residential Ten-Acre (RE-10). No development proposal accompanies this amendment request.
- b. Conditional Certificate of Compliance (COC) for Assessor's Parcel Number 061-071-26, which would acknowledge the County's acceptance of the parcel as legally created in accordance with the Subdivision Map Act and local subdivision ordinances creating one, 105-acre parcel upon satisfaction of the Conditions of Approval.

The parcel would be served by either a future well or a public water source and onsite septic wastewater systems. Upon fulfillment of the Conditions of Approval and subsequent recordation of a clear Certificate of Compliance, no residential development could occur without amending the current General Plan land use designation of OS which does not allow for residential development. Upon approval of an amendment to the General Plan to change the land use to LDR, the applicants would then have the ability to construct a single-family dwelling with a building permit.

#### **1. Transportation/Circulation/Parking**

Site access is currently provided via Wentworth Springs Road which is a County-maintained road, as well as from the non-County maintained roadways of either Fox Run Road, Fox Kit Court, Raintree Road or Tannu Lane. A portion of the site has been previously graded for interior driveways to facilitate timber harvesting. A 60-foot total Right-of-Way would be required by DOT for Wentworth Springs and the non-county maintained roadways discussed would require a 50-foot total Right-of-Ways, for any future discretionary project. Design Standard Plan 101C would apply to roadway development with any future development proposal. All non-county maintained roads not meeting the minimum 101C standard would be required to be improved to the following: 20-foot roadway with 1-foot shoulder on either side (if any portion of the project site is above 3,000 feet in elevation, the road would need to have a minimum structural section of 2.5 inch AC on 6 inch AB for roads with Average Daily Trips (ADTs) less than 601.

Pursuant to the SRA Fire Safe Regulations, Georgetown Fire Code and the 2007 California State Fire Code, the maximum length of any future dead-end road, including all dead-end roads accessed from the dead-end road,

would be analyzed so as not to exceed dictated cumulative lengths without providing a secondary access for emergency ingress and egress. All access roads and driveways for future development would be required to meet said code regulations for surface width and surfacing. The current project would not require preparation of a traffic study. However, future development of single family lots exceeding 9 lots would require preparation of a traffic study and the specific impacts would be looked at in detail on a project specific level. El Dorado County Department of Transportation (DOT) would require submittal for a DOT Initial Review once a project would be identified. This would allow DOT to determine if a Traffic Study is required to adequately assess the proposed project's potential impacts. Depending on the results of a traffic study, additional offsite improvements or mitigations may be necessary.

Road and site improvements for future development would require submittal of a site improvement/grading plan prepared by a professional civil engineer to DOT or Development Services for review and approval. The plan would be required to be in conformance with the County of El Dorado "Design and Improvement Standards Manual", the "Grading, Erosion and Sediment Control Ordinance", the "Drainage Manual", the "Off-Street Parking and Loading Ordinance", the El Dorado County Storm Water Management Plan and the State of California Handicapped Accessibility Standards. Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps would be required to be implemented to control siltation, and the potential discharge of pollutants into drainages. The improvements and grading would be required to be completed to the satisfaction of the DOT and/or Development Services (whichever would be applicable) or the applicant would need to obtain an approved improvement agreement with security.

No development is proposed as part of this application request. No impacts to parking would occur as part of the projects. Parking standards would be required to meet the requirements of Chapter 17.18 of the Zoning Ordinance at the time of building permit issuance. No impacts to parking would occur as part of the current projects.

## 2. Utilities and Infrastructure

Potable water is not to be provided to the site; however there are Georgetown Divide Public Utility District (GDPUD) facilities that currently transverse the interior of the parcel. GPPUD has confirmed that their existing facilities could be available to the site but there are no public sewer facilities currently available. Pacific Gas and Electric (PG&E) and telephone overhead facilities transverse the site through an easement cleared of vegetation.

Prior to issuance of any future building permit or filing of a Parcel or Subdivision Map, a safe and reliable water source would be required for all lots or parcels. Further, a septic capability study would be required prior to said development phases for each lot or parcel which would demonstrates septic facilities could be developed at the site.

## 3. Population

The 2000 U.S. Census figures as noted in Section 2, *Housing Assessments and Needs, Population Characteristics*, established that, in the unincorporated areas of the County, the average household size was 2.70 persons/occupied unit. The Certificate of Compliance project would allow both a primary and secondary residential units to be constructed which would potentially add 5.4 persons for the project. The proposed General Plan Amendment project would potentially allow 21 lots with accompanying primary and secondary single-family units which at an average of 2.70 persons/occupied unit could add approximately 113.4 additional residents for the project.

Should the land use designation be changed by this application to LDR, a subsequent submittal of a Subdivision or Parcel Map application would be required to split the parcel any further. The existing RE-10 zone district would potentially allow for ten, 10-acre parcels to be created without a rezone. Estate Residential Five-Acre (RE-5) is also compatible with the LDR land use designation and it is that rezone to RE-5 which would

potentially allow the average of 113 persons to the project site. Those applications would require an additional environmental document to be prepared to examine the potential project specific environmental impacts at the time of those specific project proposals.

#### 4. Construction Considerations

No development proposal accompanies this application request. The applications pertain specifically to changing the General Plan land use designation and to obtain a clear Certificate of Compliance which would acknowledge the County's acceptance of the parcel as legally created in accordance with the Subdivision Map Act and local subdivision ordinances.

The issuance of a Clear Certificate of Compliance would permit the development of one primary and secondary residential unit which would require site construction including construction activities typically associated with single family dwelling construction. The approval of the General Plan amendment to LDR would potentially allow the development of a maximum of 21 lots. This would involve grading for access roads and driveways, extension and development of underground and overhead utilities such as water, power, telephone, septic facilities, and tree removal. All grading and site development would be required to adhere to all requirements of County Code and those State and Federal requirements related to

### EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is a fair argument that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

- c. **Mitigation Measures.** For effects that are "Less Than Significant With Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. **Supporting Information Sources:** A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
  - a. the significance criteria or threshold, if any, used to evaluate each question; and
  - b. the mitigation measure identified, if any, to reduce the impact to less than significant.

**ENVIRONMENTAL IMPACTS**

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

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

- a) **Scenic Vista:** The project site and vicinity are not identified by the County as a scenic view or resource (El Dorado County Planning Services, El Dorado County General Plan Draft EIR, May 2003, Exhibit 5.3-1 and Table 5.3-1). There would be no impact as a result of development of the proposed project.
- b) **Scenic Resources:** The project site is not within a State Scenic Highway. There are no trees or historic buildings that have been identified by the County as contributing to exceptional aesthetic value at the project site (California Department of Transportation, California Scenic Highway Program, Officially Designated State Scenic Highways, p.2 (<http://www.dot.ca.gov/hq/LandArch/scenic/schwy1.html>)). There would be no impact.
- c) **Visual Character/Quality of the Site:** The project would not directly impact views nor degrade the character of surrounding residential area. Impacts would be less than significant.
- d) **Lighting Affecting Views:** The project would allow new residential development. Lighting would be required to comply with County Ordinance requirements Section 17.14.170.C.1. Residential lighting would need to be hooded or screened downward as to not negatively impact adjacent residential properties. Impacts would be less than significant with implementation of County Ordinance.

**Finding:** It could be found that the project would not significantly impact designated scenic highways, scenic viewpoints as well as outside-in views, and lighting impacts not normally anticipated from similar low density residential developments. As a result, there would be a less than significant level of impact.

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

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



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

a, b, c) **Conversion of Prime Farmland, Williamson Act Contracts, Non-agricultural Use:** The United States Department of Agriculture Soil Conservation Service *Soil Survey, El Dorado Area*, California, issued April of 1974 shows that the parcel contains Mariposa very rocky silt loam (MbE), Mariposa very rocky silt loam (MbF), Mariposa-Josephine very rocky loams loam (McE), and Josephine silt loam (JtD). JtD soils are classified as Unique and Soils of Local Importance and are located within a small portion of the southwest corner of the parcel, south of Wentworth Springs Road. Should a subdivision or parcel map proposal be submitted in the future, project specific impacts to those soils would be examined. The other soil types are not classified as Prime Farmland, Statewide Important Farmland, or Unique and Soils of Local Importance.

General Plan Policy 8.1.4.1 requires El Dorado County Agricultural Commission review for projects adjoining lands agriculturally zoned for potential uses incompatible with agriculture. The Commission reviewed the project, and County Agriculture Department staff observations and recommendations at their November 18, 2009 meeting and recommended approval. This property is not under, and would not conflict with an adjacent Williamson Act Contract. It does not adjoin any parcel designated by the General Plan for agricultural uses. Impacts would be less than significant.

**Finding:** This project would have no significant impact on agricultural lands, would not convert agricultural lands to non-agricultural uses, and would not affect properties subject to a Williamson Act Contract. For the "Agriculture" category, the thresholds of significance have not been exceeded and no significant environmental impacts would result from the project

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

**Discussion:** A substantial adverse effect on Air Quality would occur if:

- Emissions of ROG and No<sub>x</sub>, would result in construction or operation emissions greater than 82lbs/day (See Table 5.2, of the El Dorado County Air Pollution Control District – CEQA Guide);
- Emissions of PM<sub>10</sub>, CO, SO<sub>2</sub> and No<sub>x</sub>, as a result of construction or operation emissions, will result in ambient pollutant concentrations in excess of the applicable National or State Ambient Air Quality Standard (AAQS). Special standards for ozone, CO, and visibility apply in the Lake Tahoe Air Basin portion of the County; or

- Emissions of toxic air contaminants cause cancer risk greater than 1 in 1 million (10 in 1 million if best available control technology for toxics is used) or a non-cancer Hazard Index greater than 1. In addition, the project must demonstrate compliance with all applicable District, State and U.S. EPA regulations governing toxic and hazardous emissions.
- a) The El Dorado County/California Clean Air Act Plan has set a schedule for implementing and funding Transportation Control Measures to limit mobile source emissions. The proposed project would not conflict with or obstruct the implementation of this plan. Impacts would be less than significant.
- b, c) Currently, El Dorado County is classed as being in "severe non-attainment" status for Federal and State ambient air quality standards for ozone (O<sub>3</sub>). Additionally, the County is classified as being in "non-attainment" status for particulate matter (PM<sub>10</sub>) under the State's standards. The California Clean Air Act of 1988 requires the County's air pollution control program to meet the State's ambient air quality standards. The El Dorado County Air Pollution Control District (EDCAPCD) administers standard practices for stationary and point source air pollution control. Projected related air quality impacts are divided into two categories:

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

Short-term, minor grading and excavation activities would occur with the development of single family and secondary dwellings. These activities would last a few days would be intermittent.

Mobile emission sources such as automobiles, trucks, buses, and other internal combustion vehicles are responsible for more than 70 percent of the air pollution within the County, and more than one-half of California's air pollution. In addition to pollution generated by mobile emissions sources, additional vehicle emission pollutants are carried into the western slope portion of El Dorado County from the greater Sacramento metropolitan area by prevailing winds. Future grading would potentially emit minor, temporary and intermittent criteria air pollutant emissions from vehicle exhaust and would be subject to El Dorado County Air Pollution Control District standards.

The project could result in the generation of green house gasses, which could contribute to global climate change. However, the amount of greenhouse gases generated by the project would be negligible compared to global emissions or emissions in the County, so the project would not substantially contribute cumulatively to global climate change. These measures are included as standard grading permit requirements and would reduce impacts to a level of less than significant.

The El Dorado County Air Quality Management District (AQMD) reviewed the project and determined that a fugitive dust mitigation plan would be required for future grading activity. The proposed project is within the Asbestos Review Area; therefore AQMD would require the paving of any future driveways or the application of a minimum of three (3) inches in depth, asbestos free gravel, for all roads and driveways. AQMD Rule 223.2 Fugitive Dust-Asbestos Hazard Mitigation, which addresses the regulations and mitigation measures for fugitive dust emissions would need to be adhered to during the construction process. An Asbestos Dust Mitigation Plan (ADMP) Application would need to be approved by AQMD prior to start of project construction. Strict adherence to AQMD rules would reduce the project impacts to a less than significant level.

- d) Sensitive receptors include such groups as young children and the elderly and such sites as schools, hospitals, daycare centers, convalescent homes, and high concentrations of single-family residences. The project is sufficient distance from any sensitive receptors in the area. Impacts would be less than significant.
- e) The project would not create any excessive objectionable odors. There would be no impact.

**Finding:** A significant air quality impact is defined as any violation of an ambient air quality standard, any substantial contribution to an existing or projected air quality violation, or any exposure of sensitive receptors to substantial pollutant concentrations. For this "Air Quality" category, impacts would be less than significant.

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

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

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

a. **Special Status Species and Sensitive Natural Communities:** Review of the County GIS soil data demonstrates the project site is not located on lands shown to contain Serpentine Rock or Gabbro soils. Search of the California Natural Diversity database indicates there are none of the rare, threatened, or endangered species on the site. The project is not located within a County Rare Plant Mitigation Area and would not be subject to payment of a mitigation fee.

The parcel does not fall within designated critical habitat or core areas for the Red-legged and Yellow-legged frog species. (El Dorado County General Plan Draft EIR May 2003, Exhibits 5.12-14, 5.12-5 and 5.12-7). Impacts would be less than significant.

b, c) The project is not located within a sensitive natural community of the County, state or federal agency, including but not limited to an Ecological Preserve or USFWS Recovery Plan boundaries.

**Potential Jurisdictional Waters of the U.S.:** The site supports potentially jurisdictional waters of the U.S. These areas are likely regulated by the U.S. Army Corps of Engineers (Corps) and the El Dorado County General Plan. As stated in Policy 7.3.3.4 of the General Plan, El Dorado County requires a 100-foot setback from all perennial streams, rivers, and lakes and a 50-foot setback from all intermittent streams and wetlands (El Dorado County 2004). There are numerous ephemeral drainage swales crossing the parcel in various directions that would require drainage easements. Implementing buffers from qualifying streams and wetlands would protect the riparian habitat values and quality of the existing drainages.

Adherence to Best Management Practices during future grading activities would be required, including implementation of erosion control measures. In order to mitigate wetland impacts to a level that is less than significant, mitigation measures would be required for all potential infrastructure improvements that would occur with any future development for the project:

Prior to disturbance of any waters of the United States including any wetland features, a wetland delineation study for a future development proposal would be required to be submitted to the Corps for their verification and approval. If fill of any potential waters of the U.S. were anticipated, the appropriate Corps 404 permit must be obtained prior to the fill activity occurring. The appropriate terms of mitigation including the wetland acreage to be mitigated for would be defined in the issued Corps permit. Any waters of the U.S. that would be lost or disturbed would be required to be replaced or rehabilitated at a "no-net-loss" basis in accordance with the Corps' mitigation guidelines. Habitat restoration, rehabilitation, and/or replacement would need to be at a location and by methods agreeable to the Corps. Mitigation may include the purchase of mitigation credits from an approved wetland mitigation bank at an appropriate ratio for each acre of wetland /waters proposed to be impacted as determined by the Corps of Engineers.

If found to be applicable, 50 or 100-foot setback lines would be need to be recorded on the Parcel or Subdivision Map that begins at all high-water marks or the outer boundary of any adjacent wetlands along the unnamed tributary that begins within the northeast corner of the parcel and is shown on the Georgetown U.S.G.S Quadrangle, and as determined by the Corps of Engineer's verified wetland delineation of waters of the United States. No development would be permitted to occur within the setback area. The identification would be made on the Parcel Map, Site Plan Review, grading and building plans where applicable.

A Streambed Alteration Agreement would need to be obtained from CDFG, if applicable, pursuant to Section 1602 of the California Fish and Game Code, for each stream crossing and any other activities affecting the bed, bank, or associated riparian vegetation of any stream on the site. Appropriate mitigation measures would be developed in coordination with CDFG in the context of the 1602 agreement process. Authorization prior to placement of any fill would be required from the Corps of Engineers if any impacts are proposed to jurisdictional riparian habitat.

In addition to the mitigations, the County would require that pre and post construction Best Management Practices (BMPs) be implemented into the design of grading and improvement plans of any future development proposal to reduce or eliminate run-off. Such BMPS would be required to meet the County's Storm Water Mitigation Plan (SWMP), the state's Storm Water Pollution and Prevention Program (SWPPP) criteria, and the National Pollutant Discharge Elimination Systems (NPDES) standards. With strict adherence to applicable County Code, implementation of future conditions and mitigations, impacts in this category would be reduced below a level of significance.

- d. The Department of Fish and Game's *Migratory Deer Herd Map* indicates the project site lies within the range of the Pacific deer herd. The project would have a less than significant impact on deer migration patterns.
- e) The project is within the Sierran mixed conifer habitat type, (El Dorado County General Plan EIR, 5.12-7, May 2003). The site is dominated by younger second growth conifers, the result of previous logging activities. Second growth, multi-trunked black oaks constitute approximately five percent of the tree

canopy coverage within the parcel. Policy 7.4.4.4 establishes the native oak tree canopy retention and replacement standards and requires that 90 percent of the existing oak tree canopy coverage be retained. No oak canopy would be removed as part of the COC project as no development could occur without a General Plan amendment. Impacts could occur for the General Plan amendment project because approval would permit the construction of one primary and secondary unit directly and up to 21 parcels with the same if a rezone to RE-5 would follow. A project for any future subdivision would be required to comply with the provisions of Policy 7.4.4.4. With strict adherence to applicable County Code, impacts would be reduced to less than significant.

- f) The project would not conflict with the provisions of any adopted or approved habitat conservation plan. There would be no impact.

**Finding:** As discussed above, as conditioned, and with strict adherence to applicable County Code, the impacts to biological resources would be reduced to a less than significant level.

<b>V. CULTURAL RESOURCES. <i>Would the project:</i></b>				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?			X	
b. Cause a substantial adverse change in the significance of archaeological resource pursuant to Section 15064.5?			X	
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d. Disturb any human remains, including those interred outside of formal cemeteries?			X	

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

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

- a-d) **Historical Resources, Pre-Historic Resources:** A *Cultural Resource Survey*, Jensen Archeology, Peter Jensen, January 20, 2009 was completed along with a site survey for the subject parcel. The Survey reported there were no significant prehistoric and historic-period cultural resources sites, artifacts, historic buildings, structures or objects found.

Portions of the entire project area have also been subjected to previous archeological surveys. These came about as part of timber harvest plans, in addition to research performed during the BLM property transfer. Twelve cultural resources were documented which included a recorded ditch site and shallow trenches, pits, an adit, tailings/waste piles and light-density human refuse scatter. The Jensen *Cultural Resource Survey* re-surveyed and re-inspected the sites and found that there was no evidence of prehistoric use or presence. None of the 12 cultural resource sites were determined to be significant and eligible for listing in the National Register of Historic Places. No observations were made during the pedestrian re-survey of the previously recorded sites that justified re-consideration of the existing non-significant consensus

determination from previous studies. BLM had transferred the parcel to the current owner without condition with respect to cultural resources. Impacts from the project would be less than significant.

- c, d) Future ground disturbances could lead to the discovery of significant cultural resources or human remains therefore, the following standard conditions would be added to any future development project:

*If human remains are discovered at any time during the subdivision improvement phase, the County Coroner and Native American Heritage Commission shall be contacted per Section 7050.5 of the Health and Safety Code and Section 5097.89 of the Public Resources Code. The procedures set forth in Supplementary Document J, Section VIII, of the California Environmental Quality Act (CEQA) Guidelines concerning treatment of the remains shall be followed. If archaeological sites or artifacts are discovered, the subdivider shall retain an archaeologist to evaluate the resource.*

*If the resource is determined to be important, as defined in Appendix K of the CEQA Guidelines, mitigation measures, as agreed to by the subdivider, archaeologist, and Planning Services shall be implemented. Treatment of Native American remains and/or archaeological artifacts shall be the responsibility of the subdivider and shall be subject to review and approval by Planning Services.*

*Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit.*

**Finding:** Based upon the cultural resource study prepared for the site, it has been determined that for this "Cultural Resources" category, impacts would be less than significant.

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

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

- Allow substantial development of structures or features in areas susceptible to seismically induced hazards such as groundshaking, liquefaction, seiche, and/or slope failure where the risk to people and property resulting from earthquakes could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards;
  - Allow substantial development in areas subject to landslides, slope failure, erosion, subsidence, settlement, and/or expansive soils where the risk to people and property resulting from such geologic hazards could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards; or
  - Allow substantial grading and construction activities in areas of known soil instability, steep slopes, or shallow depth to bedrock where such activities could result in accelerated erosion and sedimentation or exposure of people, property, and/or wildlife to hazardous conditions (e.g., blasting) that could not be mitigated through engineering and construction measures in accordance with regulations, codes, and professional standards.
- a) There are no Earthquake Fault Zones subject to the Alquist-Priolo Earthquake Fault Zoning Act (formerly Special Studies Zone Act) in El Dorado County. No other active or potentially active faults have been mapped at or adjacent to the project site where near-field effects could occur. The Melones Fault Zone of Clark (1960) is mapped running north and south through the center of the parcel. All faults in the County, are considered inactive. (California Department of Conservation, California Geological Survey, Mineral Land Classification of El Dorado County, California, CGS Open-File Report 2000-03, 2001). Impacts would be less than significant.
- b, c) **Soil Erosion and loss of topsoil:** All grading activities exceeding 50 cubic yards of graded material or grading completed for the purpose of supporting a structure must meet the provisions contained in the *County of El Dorado - Grading, Erosion, and Sediment Control Ordinance* Adopted by the County of El Dorado Board of Supervisors, 3-13-07 (Ordinance #4719). This ordinance is designed to limit erosion, control the loss of topsoil and sediment, limit surface runoff, and ensure stable soil and site conditions for the intended use in compliance with the El Dorado County General Plan. There would be the potential for erosion, changes in topography, and unstable soil conditions with future development. These concerns would be addressed during the grading permit process. Impacts would be less than significant.
- d) **Expansive soils** are those that greatly increase in volume when they absorb water and shrink when they dry out. The central half of the County has a moderate expansiveness rating while the eastern and western portions are rated low. These boundaries are very similar to those indicating erosion potential. When buildings are placed on expansive soils, foundations may rise each wet season and fall each dry season. This movement may result in cracking foundations, distortion of structures, and warping of doors and windows. Pursuant to the U.S.D.A. Soil Report for El Dorado County, the site is located on Mariposa very rocky silt loam (MbE), Mariposa very rocky silt loam (MbF), Mariposa-Josephine very rocky loams loam (McE), and Josephine silt loam (JtD) soils, all of which have low shrink swell capacity. Table 18-1-B of the Uniform Building Code establishes a numerical expansion index for soil types ranging from very low to very high. Impacts would be less than significant.
- e) Preliminary septic capability reports or similar studies are required to be submitted, reviewed by the County Environmental Health Division prior to issuance of a building permit and prior to a Parcel or Subdivision Map going to hearing. The report would be required to prove that the soils would be adequate to accommodate a septic disposal area for a single-family dwelling or each proposed parcel or lot. There would be a less than significant impact.

**Finding:** No significant geophysical impacts would occur from the project request either directly or indirectly. For this "Geology and Soils" category, the thresholds of significance have not been exceeded.

<b>VII. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i></b>				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	

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

- Expose people and property to hazards associated with the use, storage, transport, and disposal of hazardous materials where the risk of such exposure could not be reduced through implementation of Federal, State, and local laws and regulations;
- Expose people and property to risks associated with wildland fires where such risks could not be reduced through implementation of proper fuel management techniques, buffers and landscape setbacks, structural design features, and emergency access; or
- Expose people to safety hazards as a result of former on-site mining operations.

a, b) **Hazardous Substances:** The project would not introduce, transport, store, or dispose of hazardous materials in such quantities that would create a hazard to people or the environment. Impacts would be less than significant.

c) **Hazardous Emissions:** The project would not directly allow any operations that would use acutely hazardous materials or generate hazardous air emissions. Impacts would be less than significant.



- d) **Hazardous Materials Sites:** The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. (California Department of Toxic Substances Control, Hazardous Waste and Substances Site List (Cortese List), [http://www.dtsc.ca.gov/database/Calsites/Cortese\\_List](http://www.dtsc.ca.gov/database/Calsites/Cortese_List)). No activities that could have resulted in a release of hazardous materials to soil or groundwater at the subject site are known to have occurred. There would be no direct impact with the approval of this project request.
- e) **Public Airport Hazards:** The project site is not within any airport safety zone or airport land use plan area. There would be no impact.
- f) **Private Airstrip Hazards:** There are no private airstrips in the vicinity of the project site. There would be no impact.
- g) **Emergency Response Plan:** The proposed project would not physically interfere with the implementation of the County adopted emergency response and/or evacuation plan for the project area. Impacts would be less than significant.
- h) **Fire Hazards.** The project site is in an area of very high hazard for wildland fire pursuant to Figure V.4-2 of the 1996 General Plan Draft EIR and Figure 5.8-4 of the 2004 General Plan Draft EIR. Compliance with the all conditions required by the Georgetown Fire Protection District, Cal Fire, and implementation of Fire Safe Plan and California Building Codes required by County Code for any future development project, impacts of wildland fire would be reduced to a less than significant level.

**Finding:** No Hazards or Hazardous conditions would occur with the project and no mitigation is required. For this "Hazards" category, the thresholds of significance have not been exceeded.

<b>VIII. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i></b>				
a.	Violate any water quality standards or waste discharge requirements?		X	
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?		X	
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or -off-site?		X	
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?		X	
e.	Create or contribute run-off 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			X

<b>VIII. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i></b>				
redirect flood flows?				
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?				<b>X</b>
j. Inundation by seiche, tsunami, or mudflow?				<b>X</b>

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

- Expose residents to flood hazards by being located within the 100-year floodplain as defined by the Federal Emergency Management Agency;
  - Cause substantial change in the rate and amount of surface runoff leaving the project site ultimately causing a substantial change in the amount of water in a stream, river or other waterway;
  - Substantially interfere with groundwater recharge;
  - Cause degradation of water quality (temperature, dissolved oxygen, turbidity and/or other typical stormwater pollutants) in the project area; or
  - Cause degradation of groundwater quality in the vicinity of the project site.
- a) **Water Quality Standards:** Stormwater runoff from potential development would be directed to an engineered drainage system and would contain water quality protection features in accordance with an NPDES stormwater permit, as deemed applicable. The project would not violate water quality standards. Impacts would be less than significant.
- b) **Groundwater:** Potable water would be supplied by either GDPUD domestic water service or private wells. El Dorado County lies within the Central Sierra Nevada geomorphic province. The geology of the Western Slope portion of El Dorado County is principally hard crystalline, igneous or metamorphic rock overlain with a thin mantle of sediment or soil. Groundwater in this region is found in fractures, joints, cracks, and fault zones within the bedrock mass. These discrete fracture areas are typically vertical in orientation rather than horizontal as in sedimentary or alluvial aquifers. Recharge is predominantly through rainfall infiltrating into the fractures. Movement of this groundwater is very limited due to the lack of porosity in the bedrock. There are 357 defined groundwater basins in California, but no designated basins are identified in El Dorado County. For this project the County Environmental Health Division did not report concerns with groundwater issues related to the project. Impacts would be less than significant.
- c) **Erosion Control Plan:** The purpose of the erosion control program is to limit stormwater runoff and discharge from a site. The Regional Water Quality Control Board has established specific water quality objectives, and any project not meeting those objectives is required to apply for a Waste Discharge Permit. Compliance with an approved erosion control plan would reduce erosion and siltation on and off site. A grading permit through either Development Services or El Dorado County Department of Transportation would be required for any future development to address grading, erosion and sediment control. Impacts would be less than significant.
- d, e, f) **Existing Drainage Pattern:** The proposed project encompasses 105 acres. The rate of surface and stormwater runoff from any future development would be required to be minimized from the project. Pre and post development drainage would be reduced during the grading permit process. During the grading permit review of the potential impacts of a grading action for a future driveway and road impacts, the implementation of Best Management practices would be enforced to assure existing drainage patterns are not significantly impacted. Impacts would be less than significant.

g, h, i) **Flooding:** No portion of the project is within the limits of the floodplain, as identified on the Flood Insurance Rate map 06017C0225E, panel not printed, which states the parcel is located within Flood Zone X. No flooding impacts would be anticipated.

j) **Inundation:** A seiche is a water wave within an enclosed body of water such as a lake or reservoir usually generated by an earthquake or landslide. A tsunami is a wave generated from earthquake activity on the ocean floor. The potential for a seiche or tsunami is considered less than significant because the project site is not located within the vicinity of a water body. A mudflow usually contains heterogeneous materials lubricated with large amounts of water often resulting from a dam failure or failure along an old stream course. There would be no potential impact from mudflow because the project site is not located within the vicinity of a large dammed lake or other major water body. The seasonal, earthen dam at the project site would not be expected to hold large amounts of water and fail, creating significant downhill damage from mudflow. Impacts would be less than significant.

**Finding:** Any future development plans submitted for a building, grading permit, Parcel of Subdivision Map, would be analyzed to address erosion and sediment control. With strict compliance to County Code, no significant hydrological impacts would be anticipated to occur with the project. For this "Hydrology" category, impacts would be less than significant.

IX. LAND USE PLANNING. <i>Would the project:</i>				
a. Physically divide an established community?			X	
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

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

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

a) **Established Community:** The project would not conflict with the General Plan intended development pattern expected in a Low Density Residential (LDR) land use designated area and would be compatible with the existing development pattern in the area. The proposal would not physically divide an established community as residential development expected within a Rural Center. The project would amend the General Plan land use from Open Space (OS) to LDR, a more appropriate land use designation and provide appropriate single-family residential development in an area where similar development is planned to exist in the future. It could be found that the dominant pattern of parcel development for the project vicinity has been established and this project could be seen to fit into the intended dominant pattern of the land adjoining the parcel, also similarly designated by the General Plan. As a result, impacts would remain below significant.

b) **Land Use Plan:** The parcel is zoned Estate Residential Ten-Acre (RE-10) which is inconsistent with the Open Space land use designation and therefore an amendment to the General Plan land use designation is requested to change it to Low Density Residential (LDR). The OS designation originally occurred because

the parcel has previously been owned by the Bureau of Land Management. The project would change the land use designation to a compatible and appropriate land use designation within a Rural Center planning concept area, that is surrounded on all sides by the LDR land use designation. Along with a clear Certificate of Compliance, the amendment would directly retain the 105-acre parcel size and permit the construction of a single-family dwelling and second residential dwelling. The proposed amendment can be interpreted to be consistent with the specific, fundamental, and mandatory land use development goals, objectives, and policies of the General Plan, and could be consistent with the development standards contained within the El Dorado County Zoning Ordinance. Impacts would be less than significant.

- c) **Habitat Conservation Plan:** There are no adopted habitat conservation plans or natural community plans within the project vicinity. Impacts are less than significant. As noted in Item IV (Biological Resources), the project site is not located in an ecological preserve mitigation area established for the Pine Hill rare plants or red-legged frog core area. The project would not conflict with any known habitat conservation plan. Impacts would be less than significant.

**Finding:** With an approved amendment to the General Plan land use designation, the proposed use of the land would be consistent with the zoning and the General Plan policies for low density residential uses. With that approval, there would be no significant impact from the project due to a conflict with the General Plan or zoning designations for use of the property. For this "Land Use" category, the thresholds of significance have not been exceeded.

<b>X. MINERAL RESOURCES. <i>Would the project:</i></b>				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

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

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

- a, b) **Mineral Resources.** The project site is not in an area where mineral resources classified as MRZ-2a or MRZ-2b by the State Geologist are present, (California Department of Conservation, California Geological Survey, Mineral Land Classification of El Dorado County, California, CGS Open-File Report 2000-03, 2001), and the project site has not been delineated in the General Plan or in a specific plan as a locally important mineral resource recovery site. (El Dorado County General Plan Draft EIR, May 2003, Exhibits 5.9-6 and 5.9-7). There would be no impacts.

**Finding:** No impacts to energy and mineral resources would occur and no mitigation is required. For this "Mineral Resources" category, there would be no impacts.

<b>XI. NOISE. <i>Would the project result in:</i></b>				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	

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

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

- Result in short-term construction noise that creates noise exposures to surrounding noise sensitive land uses in excess of 60dBA CNEL;
  - Result in long-term operational noise that creates noise exposures in excess of 60 dBA CNEL at the adjoining property line of a noise sensitive land use and the background noise level is increased by 3dBA, or more; or
  - Results in noise levels inconsistent with the performance standards contained in Table 6-1 and Table 6-2 in the El Dorado County General Plan.
- a) Table 6-1 of the General Plan provides details for projects as being a use subject to maximum allowable noise exposures from transportation source. In order to reduce the outdoor exposure to noise levels that would meet those levels defined in Table 6.1, a non-building setback from Wentworth Springs would likely be required for a future Parcel or Subdivision Map, measured from the centerline of the near-travel lane. Those projects would potentially require the submittal of a noise study to assure a proposal would meet the General Plan noise guidelines. The current projects however would permit the construction of one primary and one secondary single-family dwelling unit on a 105-acre parcel. Impacts would be less than significant.
- b, c, d) Short-term noise impacts would be associated with excavation, grading, and construction activities. El Dorado County would require that all construction vehicles and equipment, fixed or mobile, be equipped with properly maintained and functioning mufflers. All construction and grading operations would be required to comply with the noise performance standards contained in the General Plan. Noises associated with residential uses are not anticipated to increase ambient noise levels. The current projects would not require road improvements except for an access driveway at the time of a building permit. Impacts would be less than significant.
- e) General Plan Policy 6.5.2.1 requires that all projects, including single-family residential development, within the 55 dB/CNEL contour of a County airport be evaluated against the noise guidelines and policies in the applicable Comprehensive Land Use Plan (CLUP). In this case, the project site would not be within the defined 55dB/CNEL noise contour of a County owned/operated airport facility. Georgetown Airport is approximately 2.2 miles away as the crow flies. There would be no impact.
- 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. There would be no impact.

**Finding:** For the 'Noise' category, with strict compliance with County Code, impacts would be less than significant.

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

**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 2000 U.S. Census figures as noted in Section 2, *Housing Assessments and Needs, Population Characteristics*, established that, in the unincorporated areas of the County, the average household size was 2.70 persons/occupied unit. The Certificate of Compliance project would allow both a primary and secondary residential units to be constructed which would potentially add 5.4 persons for the project. The proposed General Plan Amendment project would potentially allow 21 lots with accompanying primary and secondary single-family units which at an average of 2.70 persons/occupied unit could add approximately 113.4 additional residents for the project.

Should the land use designation be changed by this application to LDR, a subsequent submittal of a Subdivision or Parcel Map application would be required to split the parcel any further. The existing RE-10 zone district would potentially allow for ten, 10-acre parcels to be created without a rezone. Estate Residential Five-Acre (RE-5) is also compatible with the LDR land use designation and it is that rezone to RE-5 which would potentially allow the average of 113 persons to the project site. Those applications would require an additional environmental document to be prepared to examine the potential project specific environmental impacts at the time of those specific project proposals.

The proposed project would not induce growth directly or indirectly by providing infrastructure that would create development beyond what is currently anticipated in the General Plan within a Rural Center planning concept area. Impacts would be less than significant.

- b, c) The proposed parcel split would not displace people or existing housing, which would prevent the construction of replacement housing elsewhere. There would be no impact.

**Finding:** There is limited potential for a significant impact due to substantial growth with the proposed applications, the proposed project either directly or indirectly. The project would not displace housing. There is no potential for a significant impact due to substantial growth with the proposed General Plan amendment and Certificate of Compliance either directly or indirectly. For this "Population and Housing" category, the thresholds of significance have not been exceeded.

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

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

- Substantially increase or expand the demand for fire protection and emergency medical services without increasing staffing and equipment to 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 Georgetown Fire Protection District currently provides fire protection services to the project area. The District was solicited for comments to determine compliance with fire standards, El Dorado County General Plan, State Fire Safe Regulations as adopted by El Dorado County and the California Uniform Fire Code. The District did not respond with any concerns that the level of service would fall below the minimum requirements as a result of the proposed projects but offered potential conditions of approval for any future subdivision of the parcel. These would include road surface widths and resurfacing, establishment of secondary accesses, requirement for an approved Fire Safe Plan to include vegetation management control, and establishment of a fire protection water sources with adequate pressure and supply for emergency fire suppression. The District has a satellite station called Buckeye Fire Station adjoining the east boundary of the subject parcel. For the current projects, 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 of 8 minutes to 80 percent of the population located in the Community Regions. For the rural areas, there is no standard minimum level of service or response time. Currently, the County has 0.89 sworn officers per 1,000 daytime populations. The project proposals would not significantly impact current response times to the project area. The impacts would be less than significant.
- c) **Schools:** The State allows school districts to directly levy fees on new residential and commercial/industrial development. These fees are collected at the time of building permit submittal and are designed to provide funds to acquire and construct additional facility space within impacted school districts. The project proposals would not directly generate the need for additional school facilities and would not impact school enrollment in a significant way. A future subdivision would be circulated to the Black Oak Mine School District for comments and concerns at that time. The impacts would be less than significant.

- d) **Parks:** Section 16.12.090 of the County Code establishes the method to calculate the required amount of land for parkland dedication, and the in-lieu fee. Provisions to provide parkland were not included as part of the proposal in accordance with Section 16.12.090 of County Code. The project proposals would not significantly increase the demand for parkland. The applicants of any new future subdivision would be required to pay park in-lieu fees to the Georgetown Divide Recreation District prior to filing the map submitted for that specific proposal. The impacts would be less than significant.
- e) **Other Facilities:** No other public facilities or services would be directly substantially impacted by the project. Any future potential impacts would be further analyzed in the in any future development application process. The impacts would be less than significant.

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

<b>XIV. RECREATION.</b>				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				<b>X</b>
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?				<b>X</b>

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

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

The project would not increase or affect the use of area wide neighborhood or regional parks. There would be no potential for a substantial physical deterioration of neighboring or regional recreational facilities. Impacts would be less than significant.

- a) 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. In-lieu fees for the acquisition of parklands would be assessed during the process of filing or finaling a future subdivision map. Impacts would be less than significant.

**Finding:** No significant impacts to recreation and open space resources would occur with the General Plan Amendment or Certificate of Compliance projects. For this "Recreation" category, impacts would be less than significant.



<b>XV. TRANSPORTATION/TRAFFIC. <i>Would the project:</i></b>				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X	
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e. Result in inadequate emergency access?			X	
f. Result in inadequate parking capacity?				X
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

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

- Result in an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system;
  - Generate traffic volumes which cause violations of adopted level of service standards (project and cumulative); or
  - Result in, or worsen, Level of Service “F” traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county as a result of a residential development project of 5 or more units.
- a) The General Plan use designation amendment or Certificate of Compliance project does not require preparation of a traffic study. However, future development of single family lots exceeding 9 lots would require preparation of a traffic study. Site access is provided via Wentworth Springs Road, which is a county maintained road and Fox Run Road, Fox Kit Court, and Raintree Road which are non-county maintained roadways. A single-family dwelling would require driveway improvements to Georgetown Fire Code standards. A future parcel or subdivision map would require dedications and widening of Right-of-Ways and road improvements to County and Georgetown Fire Code Standards. Depending on the scale of a single family development proposed on the site in the future, a traffic study may or may not be required and DOT would determine a proposed project’s potential impacts. Depending on the results of a traffic study, additional offsite improvements or mitigations may be necessary at that time. A future development would be required to obtain encroachment permits from DOT for all encroachments to a County road.

With a land use designation change to LDR, and a subsequent potential rezone to RE-5, there would be a potential ultimate estimated traffic generation of ten Average Daily Trips (ADT) per lot, assuming maximum build out, for a total of 2,100 ADTs which would not worsen traffic pursuant to the General Plan definition of worsen. However, any future subdivision proposal would be analyzed for project specific impacts at that time. The impacts would be less than significant.

- b) The LOS established by the County would not be exceeded by the project, nor would the surrounding road circulation system be impacted. Impacts would be less than significant.

- c) The project would not result in a major change in established air traffic patterns for publicly or privately operated airports or landing field in the project vicinity. There would be no impact.
- d) The parcel is accessed by four existing encroachments onto Wentworth Springs Road. The current primary access into the parcel to the northern portion is by Fix Run Road to Fox Kit Court. No improvements to that encroachment or road access would be required for the current projects. Georgetown Fire stated in their comment letter dated June 2, 2009 stated a concern with the encroachments from the parcel onto Wentworth Springs Road because of a history of motor vehicle accidents due to poor site distance. A future proposal to subdivide the parcel would likely require that these encroachments be improved through the County encroachment permit process. For these current projects, impacts would be less than significant.
- e) The projects would not directly result in inadequate emergency access to any potential residential structure. Any future residential subdivision project would be reviewed by El Dorado County Department of Transportation and Georgetown Fire Protection District staff to ensure that adequate access to all future lots or parcels would be provided to meet County Fire Safe and/or Department of Transportation standards. Impacts would be less than significant.
- f) Future development would be required to meet on-site parking identified by use and the Zoning Ordinance. Section 17.18.060 regulates the parking provisions and all on-site uses would include, and identify required parking. Future requests for building permits would be reviewed for conformance with parking during the review process. There would be no impact.
- g) The proposed project would not conflict with the adopted General Plan policies, and adopted plans, or programs supporting alternative transportation. There would be no impact.

**Finding:** For the 'Transportation/Traffic' category, approval of the General Plan Amendment and Certificate of Compliance projects would have a less than significant impact within this category.

<b>XVI. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i></b>				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g. Comply with federal, state, and local statutes and regulations related to solid waste?			X	

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

- Breach published national, state, or local standards relating to solid waste or litter control;
  - 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) Future residential development on the parcels would be designed to meet the County standards to include BMPs for pre and post construction development for wastewater discharge and surface run-off. Impacts would be less than significant.
- b) No new water or wastewater treatment plants are proposed and none are required as a result of this project. There would be no impact.
- c) On-site stormwater drainage facilities would be required on the property in order to reduce run off to appropriate discharge levels. Any future request for a residential single-family unit, grading, or improvement plans would be required to show site discharge and/or run off at pre and post levels. All required drainage facilities would be built in conformance with the standards contained in the *County of El Dorado Grading and Drainage Manual*. Impacts would be less than significant with strict adherence to the required Best Management Practices.
- d) The subject parcel is within the service area boundary of the Georgetown Divide Public Utility District (GDPUD). Potable water is not to be provided to the site; however there are GDPUD facilities that currently transverse the interior of the parcel. In a letter dated May 7, 2009, GPPUD has confirmed that their existing facilities could be available to the site with the expansion of their facilities at the applicant's expense. Prior to filing the Parcel Map or finaling a Subdivision Map, each parcel or lot would be conditioned to have a safe and reliable water source that meets the criteria of Environmental Management Policy 800-02. A future subdivision of the parcel would be conditioned to ensure adequate water pressure for fire control with the final review and approval by the Georgetown Fire Protection District and an approved Fire Safe plan required prior to filing the Parcel Map or finaling a Subdivision Map. Impacts would be less than significant.
- e) In a letter dated May 7, 2009, GPPUD has confirmed that there are no public sewer facilities currently available to the site. An onsite sewage disposal capability report would be required that would be reviewed by the Environmental Health Division to prove the potential for adequate septic facilities for each future lot or parcel proposed. Environmental Health would review specific septic disposal designs that accompany future development plans, including potential second-residential units, to ensure that the final septic disposal design meets County standards. Future residential development would also be reviewed by Building and Planning Services and Environmental Management during the building permit review phase to ensure that septic areas are established to County design standards. 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.

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 lots would be handled through the local waste management contractor. Adequate space would be available at the site for solid waste collection. There would be no impact.

**Finding:** Impacts within the 'Utilities and Service Systems' category would remain at a less than significant level based on information received from the related agencies and as discussed above. Impacts would be less than significant.

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

**Discussion:**

- a) No substantial evidence contained in the project record has been found that would indicate that the General Plan amendment and Certificate of Compliance project would have the potential to significantly degrade the quality of the environment. With strict adherence to County permit requirements, and the inclusion of conditions and mitigations tailored to specific future project proposals, the current projects and the typical residential uses expected to follow, would not have the potential to 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 California history or pre-history. Any impacts from the projects would be less than significant due to the fact that required standards would be implemented with the processes required for any future potential subdivision of the parcel and/or any required project specific improvements on or off the property which would be tailored to a specific project proposal..
- b) Cumulative impacts are defined in Section 15355 of the California Environmental Quality Act (CEQA) Guidelines as *two or more individual effects, which when considered together, would be considerable or which would compound or increase other environmental impacts.*

The projects would not involve development or changes in land use that would result in an excessive increase in population growth. Impacts due to increased demand for public services associated with the projects would be offset by the payment of fees as required by service providers to extend the necessary infrastructure services. The projects would not contribute substantially to increased traffic in the area and the project would not require an increase in the wastewater treatment capacity of the County.

The project would result in the generation of green house gasses, which could contribute to global climate change. However, the amount of greenhouse gases generated by the project would be negligible compared to global emissions or emissions in the county, so the project would not substantially contribute cumulatively to global climate change. Further, as discussed throughout this environmental document, the project would not contribute to a substantial decline in water quality, air quality, noise, biological resources, agricultural resources, or cultural resources under cumulative conditions.

As outlined and discussed in this document, and with strict compliance with County Codes, this project proposes would have a less than significant chance of having project-related environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly. Based on the analysis in this study, it has been determined that the project would have a less than significant impact based on the issue of cumulative impacts.

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

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

**SUPPORTING INFORMATION SOURCE LIST**

The following documents are available at El Dorado County 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 (SCH #2001082030).  
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)

El Dorado County Design and Improvement Standards

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

Soil Survey of El Dorado Area, California

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

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

*Cultural Resource Survey*, Jensen Archeology, Peter Jensen. January 20, 2009.

Slope Map revised September 18, 2009, Dundas & Dundas