

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



Agenda of:	February 10, 2011
Item No.:	9
Staff:	Tom Dougherty

REZONE/TENTATIVE MAP

FILE NUMBER: Z10-0006/TM10-1497/Diamond View Estates

APPLICANTS: Jeannie Llewellyn/Habenaria Repens LLC, Tim Vi Tran/Ivy RE Investments LLC, and Lin Yang/Bloomfield Business LLC

AGENT/ENGINEER: Larry Patterson/Patterson Development

REQUEST: The proposed project consists of the following requests:

1. Rezone an approximately two-acre portion of the 30.95-acre parcel from One-Family Residential-Planned Development, (R1-PD) to One-Acre Residential (R1A); and
2. Tentative Subdivision Map to create 26 single-family residential lots ranging in size from 1 to 1.7 acres; and
3. Design Waiver request to allow a driveway standard and no roadway frontage for access for Lot 17.

LOCATION: The property is located on the south side of Turbo Lane approximately 200 feet southwest of the intersection with Forni Road in the Diamond Springs area, Supervisorial District III. (Exhibit A)

APN: 329-201-65 (Exhibit B)

ACREAGE: 30.95 acres

GENERAL PLAN: Medium Density Residential (MDR) (Exhibit D)

ZONING: One-Acre Residential and One-Family Residential-Planned Development (R1A & R1-PD) (Exhibit E)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration

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

1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
2. Adopt the mitigation monitoring program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the Conditions of Approval and Mitigation Measures in Attachment 1;
3. Approve Rezone Z10-0006 based on the Findings in Attachment 2;
4. Approve Tentative Map TM10-1497 subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2; and
5. Approve the request for a Design Waiver to allow a driveway standard and no roadway frontage for access for Lot 17.

BACKGROUND: The 30.95-acre project parcel was created by Parcel Map PM19/145 in May of 1978. The subject application was deemed complete on June 23, 2010.

STAFF ANALYSIS

Project Description:

Rezone: Request to rezone an approximately two-acre portion of the 30.95-acre parcel from One-Family Residential–Planned Development, (R1–PD) to One-Acre Residential (R1A).

Tentative Subdivision Map: Tentative Subdivision Map to subdivide the property into 26 single-family residential parcels ranging in size from 1.00 to 1.7 acres. A Design Waiver has been requested to allow a driveway standard and no roadway frontage for access for Lot 17. All lots would be served by public water and sewer. The applicants would be required to construct a new access through road (proposed Ranch Road) and improve the existing interior roads (Turbo Lane and Wade Court). The project is not proposed to be phased. The following table is a breakdown of the coverage within the proposed subdivision:

Diamond View Estates Tentative Subdivision Map Individual Lot Area Summary			
Lot No.	Acres	Lot No.	Acres
1	1.24	14	1.00
2	1.01	15	1.00
3	1.00	16	1.03
4	1.00	17	1.02
5	1.00	18	1.13

6	1.00	19	1.00
7	1.00	20	1.00
8	1.00	21	1.00
9	1.11	22	1.11
10	1.02	23	1.07
11	1.00	24	1.01
12	1.00	25	1.00
13	1.00	26	1.00

Site Description: The 39.5-acre parcel varies in elevation from 1,720 to 1,855 feet above sea level. The highest point is in the southeastern portion of the parcel which slopes moderately to steeply from that point in all directions and rises to lesser elevations at various points throughout the parcel. The majority of the parcel is grassland with approximately 18 percent of it being oak canopy and the remaining covered with native shrubs and other native trees.

	Zoning	General Plan	Land Use/Improvements
Site	R1A/R1-PD	MDR	Residential/Vacant
North	RE-10/R20K	MDR/HDR	Residential/Single family residences
South	R1A/RE-10	MDR	Residential/Single family residences
East	RE-10	I/PF	Industrial/Vacant. The area designated by the General Plan with PF is the EID water storage tank parcel.
West	RE-10/R1A	MDR	Residential/Single family residences

Discussion: Exhibits A and B illustrate that the general area consists of 1 to 2-acre parcels in one-acre zones with all parcels adjoining the subject parcel have the medium-density residential land use designation with the exception of the parcel to the east. The parcel to the east has been designated by the General Plan for Industrial uses. That parcel has an active development proposal (Z06-0020/P05-0004/Harrington Business Park) that Planning is processing with the description as follows:

Rezone from RE-10 to I-DC for APN 329-280-15 and from RE-10/C to I-DC (north of State Route 49) and C-DC (south of State Route 49) for APN 329-280-16. Industrial/commercial tentative parcel map to create seven commercial parcels, 36 industrial parcels for a total of 43 parcels ranging in size from 0.40 to 10.65 acres.

While the proposed project would be very compatible with the existing industrial and commercial uses to the north of the subject site, it is potentially incompatible with the existing residential uses to the west and south of the site. Land use compatibility issues with the proposed industrial and commercial uses adjacent to existing residential uses include lighting, odor, noise, grading, and visual impacts. In order to address these potential land use compatibility issues, each parcel would be required to undergo a discretionary design review process prior to building permit issuance. The design review application process would allow staff and decision-makers an opportunity to review design, noise, lighting, grading, and traffic issues when specific industrial and/or commercial uses for the proposed parcels are known.

Should the neighboring project to the east be approved with design control required for each future building permit for the lots created, the proposed lots could be found to be compatible with the surrounding development for an area planned for medium density residential land use and located within a Community Region.

Project Issues: Discussion items for this project include access and circulation, building envelopes, Design Waiver request, fire safety, grading and drainage, homeowner's association, parks, public transit, schools, sidewalks, wastewater disposal, and water supply.

Access and Circulation: The primary access roadway for the project is Forni Road, a two-lane regional road maintained by the County. The project lies within the El Dorado/Diamond Springs Community Region and is proposing private roadways within the subdivision.

The project proposes to use the existing private roadway of Turbo Lane, as well as the proposed Rancho Road as the primary access points from Forni Road. Because the project is within a Community Region, onsite access roadways would be required to be consistent with Design Standard Plan 101B. This design standard requires a minimum 28-foot wide road with type 1 rolled curb and gutter paved with a minimum 3 inches of asphalt concrete over 8 inches of aggregate base.

A traffic study (*ADH TS Diamond View Final Traffic Impact Study*, Prism Engineering, November 17, 2010) was prepared for the project to evaluate the potential traffic impacts generated. That study was analyzed by Dowling and Associates, DOT and Cal Trans. DOT summed up the collective findings as follows:

The approved Traffic Impact Study identifies two intersections which require mitigation for the Forni Road/Pleasant Valley Road (SR-49) and Oakdell Road/Pleasant Valley Road (SR-49). In order for the signalization to be effective at the Forni Road/Pleasant Valley Road (SR-49) intersection, Forni Road requires to be realigned. This project only increases traffic by 0.5 percent at this intersection. DOT has therefore determined that its fair share through the TIM fees will be an acceptable mitigation for this intersection. Caltrans is in concurrence with DOT's recommended mitigation for the Forni Road/Pleasant Valley Road (SR-49) intersection.

Although the signalization at the Oakdell Road/Pleasant Valley Road (SR-49) would help alleviate the LOS problem, the intersection is closely spaced (within 500-feet) of an existing signalized intersection (Koki Lane/Pleasant Valley Road (SR-49)). Therefore the proposed mitigation is not acceptable, as the preferred signal spacing is 1,200-feet. Additionally, this project only increases traffic by 0.2 percent at this intersection. DOT has therefore determined that its fair share through the TIM fees will be an acceptable mitigation for this intersection. Caltrans is in concurrence with DOT's recommended mitigation for the Oakdell Road/Pleasant Valley Road (SR-49) intersection.

With the inclusion of the Conditions of Approval recommended by DOT that are listed in full detail in the subject project staff report for this project, the direct and cumulative impacts would be reduced to a less than significant level.

Building Envelopes: No building envelopes are proposed as part of the subdivision. The driveway and pads shown on the submitted Tentative Map successfully demonstrate that each lot has been designed to allow at least one single family development area per lot. It further shows each proposed lot has the ability to meet zoning setbacks per the development standards of the R1A zone district (front: 30 feet, side: 15 feet, rear: 30 feet) however, lots over one acre in size require the 30-foot Fire Safe setback for defensible space which could be subject to a reduction to 15 feet side setback in R1A if approved by the Diamond Springs-El Dorado Fire Protection District. No structural development would be allowed on slopes of greater than 30 percent consistent with General Plan Policies. The project design would allow future custom grading within individual lot development areas. The submitted Tentative Subdivision Map and Preliminary Grading Plan (Exhibits F and H) demonstrate that each proposed lot and interior roadway would have an adequate area for a residential structure and supporting infrastructure development.

Design Waiver Request: A Design Waiver has been requested to deviate from the requirements of the El Dorado County Design Improvement Standards Manual (DISM). A Design Waiver has been requested to allow variations from Volume II, Section 2, B (5) of the El Dorado County Design Improvement Standards Manual (DISM) to allow a driveway for access to Lot 17.

Discussion: Strict adherence to the said DISM standards for the access road requirements to proposed Lot 17 would involve introducing a 20-foot wide road to the parcel which would allow unwanted public access, and require using a portion Lot 16 lands for a 50-foot wide easement. Requiring the parcel to front a road pursuant to Volume II, section 2, B (5) would require creating a 100-foot frontage pursuant to section 17.28.080.D of the Zoning Code which would then create a flag-lot shaped lot exceeding the required 3 to 1 ratio because they must remain one acre or more in size. The new lot with a driveway standard would create a shape which would conform to the dominant pattern of the lots surrounding them as well as reduce potential environmental impacts. Planning is recommending approval of the Design Waiver request.

Fire Safety: The site is located in the El Dorado Irrigation District (EID) service area. There are existing domestic water delivery facilities on Turbo Lane and Wade Court. The lots would be required to meet the required fire flow needed for fire protection as determined by the Diamond Springs-El Dorado Fire Protection District. Pursuant to the Fire District, these standards would include the installation of fire hydrants at District determined distances, with the hydrants supplied by a water delivery system capable of maintaining a fire flow of 1,000 gallons per-minute at 20 lbs. pressure for duration of two hours for homes less than 3,600 square feet, and 1,500 gallons per minute at 20 lbs. pressure for two hours for those over 3,600 square feet. According to the EID Facility Improvement Letter (FIL), dated, May 19, 2010, that would require the extension of the existing facilities. The project has been conditioned to meet this requirement prior to filing the Final Map.

Cal Fire staff responded to the request for comments by stating that they had no comments based on current design and their March 2009 approval of the submitted *Diamond View Estates Wildland Fire Safe Plan* dated March 7, 2009. Cal Fire did comment that more restrictive standards may be proposed by the local Fire Protection District or the County of El Dorado and thus defer to the local fire district. The Diamond Springs-El Dorado Fire Protection District also

reviewed the submitted Fire Safe Plan which addresses the reduction of the intensity of potential wildfires by reducing the volume and density of flammable vegetation within the project vicinity. The District approved the Plan but has recommended additional Conditions of Approval for the project to meet District Fire Safe standards. The project has been conditioned to meet the requirements of the District.

Grading and Drainage: Grading and drainage improvements associated with the proposed subdivision appear to be only those associated with the required infrastructure improvements, which includes the roadways to access the project site as well as the required utility improvements. A Grading & Drainage Plan would be required. DOT has advised the applicant to show interceptor drains to avoid cross-lot drainage issues, to obtain offsite easements when applicable, and to use contour grading to avoid the stair-step effect. The Preliminary Grading Plan is shown in Exhibit H.

Homeowner's Association: A Homeowner's Association (HOA) would need to be established for the purposes of implementing the Fire Safe Plan, maintenance of any fences and walls constructed on the subdivision property lines, the maintenance of the shared roads, and all drainage facilities within the subdivision. Covenants, Conditions and Restrictions (CC&Rs) would be reviewed by the County with the filing of the Final Map to insure they include those provisions.

Parks: The subdivision is subject to parkland dedication in-lieu fees based on values supplied by the Assessor's Office and calculated in accordance with Section 16.12.090 of the County Code. The fees would be paid at the time of filing of a Final Map to El Dorado County and would be applied to the Motherlode Recreation District area of the County which includes the Diamond Springs and El Dorado community areas. The project was distributed for review to the El Dorado County Parks and Recreation Commission who did not respond with any requests or concerns.

Public Transit: The El Dorado County Transit Authority reviewed the proposed subdivision and had no concerns or specific Conditions of Approval requested.

Schools: The project is located within the Mother Lode Union School District which oversees the elementary and middle schools, and the El Dorado Union High School District which oversees the high schools. Neither school district responded to the request for comments that they do not have the capacity to serve the project. School impact fees would be assessed during the review of building permits to address any school impacts that may be created with the approval of this project.

Sidewalks: In accordance the County of El Dorado General Plan Policy TC-5a, sidewalks are required when lots are less than 10,000 square feet in area. Because this subdivision contains lots all greater then 10,000 square feet in area (26 lots 1 to 1.7 acres in area proposed), DOT has determined that sidewalks would not be required and the applicants have not included them in the project design.

Wastewater Disposal: Sewer facilities for the project would be provided by the El Dorado Irrigation District (EID). There is an existing eight-inch sewer line located at the intersection of Forni Road and Turbo Lane. The EID Facility Improvement Letter (FIL), dated, May 19, 2010 states that that sewer line has adequate capacity for the proposed project at this time with extensions of facilities of adequate size.

Water Supply: Water for the project would be provided by the EID. EID has indicated in the submitted FIL that they have the ability to serve the project with existing mains as long as the applicant meets Fire Protection District standards development of a looped water system within the proposed development. This system would need to tie into the existing eight-inch water line in Turbo Lane and the six-inch water line in Wade Court, with no upgrades required. The FIL makes it clear that is not a commitment to serve, but does address the location and approximate capacity of existing facilities that may be available to serve the proposed project. In terms of water supply, as of January 1, 2009, there were 1,315 equivalent dwelling units (EDUs) available in the Western/Eastern Water Supply Region. The FIL states that the project, as proposed on the date of the notice, would require 25 additional equivalent dwelling units (EDUs) of water supply. The resulting lots for the current proposal would be required to establish separate domestic water service accounts with EID. The applicant would be responsible for the installation of all improvements to the District's *Water, Sewer and Recycled Water Design and Construction Standards* necessary to provide these services. The improvements required would be determined by a Facility Plan Report of the system provided by the applicants to EID to analyze to see if the proposed system is adequate to supply the domestic water at the correct pressure to satisfy the Diamond Springs-El Dorado Fire Protection District fire flow requirements prior to construction.

General Plan: The General Plan designates the subject site as Medium-Density Residential (MDR) which identifies those areas *suitable for detached single-family residences with larger lot sizes which will enable limited agricultural land management activities* and allow a maximum allowable density of one dwelling unit per 1.0 acre with parcel sizes from 1.00 to 5.00 acres in size. The project proposes 26 single-family residential lots ranging in size from 1 to 1.7 acres. As conditioned and mitigated, this project would be consistent with the policies of the adopted General Plan. Findings for consistency with the General Plan are provided in Attachment 2. The policies and issues that affect this project are discussed below:

Community Region: Objective 2.1.1 established the El Dorado – Diamond Springs Community Region boundary. The subject parcel is located within that boundary. Policy 2.1.1.2 defines Community Regions as *those areas which are appropriate for the highest intensity of self-sustaining compact urban-type development or suburban type development within the County based on the municipal spheres of influence, availability of infrastructure, public services, major transportation corridors and travel patterns, the location of major topographic patterns and features, and the ability to provide and maintain appropriate transitions at Community Region boundaries.*

Discussion: Planning staff has found that the subject proposal does meet the intent of these policies by providing the allowable density within this MDR designated parcel.

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

Discussion: As discussed above in the *Project Issues, Fire Safety* section, as conditioned and with adherence to the approved Fire Safe Plan, the existing and proposed road and utility improvements would be adequate to serve the proposed subdivision.

Rezone: Policy 2.2.5.3 requires that the County shall evaluate future rezoning: (1) To be based on the General Plan's general direction as to minimum parcel size or maximum allowable density; and (2) To assess whether changes in conditions that would support a higher density or intensity zoning district. The specific criteria to be considered include; but are not limited to, the following:

Criteria	Consistency
1. <i>Availability of an adequate public water source or an approved Capital Improvement Project to increase service for existing land use demands.</i>	Consistent: As discussed above in the <i>Water</i> section in <i>Project Issues</i> , there is sufficient water available for the project.
2. <i>Availability and capacity of public treated water system.</i>	Consistent: As discussed above in the <i>Water</i> section in <i>Project Issues</i> , the EID has adequate EDUs to serve the proposed project and adjacent facilities for the project to potentially connect to.
3. <i>Availability and capacity of public waste water treatment system.</i>	Consistent: The project would connect to an existing EID public wastewater treatment system and would be required to extend those facilities to handle the increased capacity.
4. <i>Distance to and capacity of the serving elementary and high school.</i>	Consistent: As discussed above in the <i>Schools</i> section in <i>Project Issues</i> , the school districts have the locations and capacity to adequately serve the proposed project area.
5. <i>Response time from nearest fire station handling structure fires.</i>	Consistent: The Diamond Springs-El Dorado Fire Protection District would be responsible for serving the project area. The Fire District has recommended Conditions of Approval that would require that the project adhere to the applicable building and fire codes, regarding the installation of fire hydrants, provision of established fire flow, execution of the District Fire Safe regulations, provision of a secondary emergency access, and construction of road improvements as required by the DOT. The fulfillment of those recommended conditions would address the fire related safety issues identified by the District.
6. <i>Distance to nearest Community Region or Rural Center.</i>	Consistent: The project site is located within the El Dorado-Diamond Springs Community Region. As proposed, the project is a residential project similar in

	character to existing and proposed medium-density residential uses surrounding the project site on three sides.
7. <i>Erosion hazard.</i>	Consistent: The project proposes future custom grading for individual site development. Grading for roads and drainage infrastructure would be required to be completed prior to submittal of the Final Map. This would assure that all existing drainage courses would be adequately protected by the incorporation of appropriate development setbacks with the exception of culverts under proposed roadways. Erosion hazards would be required to be mitigated by strict adherence to Best Management practices required during the grading permit process.
8. <i>Septic and leach field capability.</i>	Consistent: The proposed lots would be served through extensions to existing EID sewer facilities.
9. <i>Groundwater capability to support wells.</i>	Consistent: The project will be served by EID public water facilities. No wells are proposed.
10. <i>Critical flora and fauna habitat areas.</i>	<p>Consistent: The County's General Plan defines Rare Plant Mitigation Areas within the County, which designate lands potentially affecting rare plants that are subject to mitigation. The project site is located within Rare Plant Mitigation Area 2 which is defined as lands not known to contain special status plant species but within the EID service area. A <i>Special Status Plant Survey</i> dated May 7, 2008 by LSA Associates, Inc. was submitted by the applicants that included the results of a survey of the parcel for the special status and locally significant plants and suitable habitat for the same. The field study was performed on April 24, 2008 to encompass the blooming period of all special-status plants with a potential to occur on the site. The survey was done in accordance with the California Native Plant Society Botanical Survey Guidelines. No special-status species were found on the site and it was determined that there is no habitat on the project site to support the special status plants that could potentially be present.</p> <p>The Survey found that <i>although not a special status plant, one blue elderberry shrub (Sambucus mexicana) was observed in the southwest portion of the project site.</i> This is discussed further below in the Policy 7.4.1.5 section.</p> <p>Depending on the time of the year development occurs, there could be impacts to nesting raptors or other migratory birds. The project has included a mitigation measure designed to reduce those potential impacts. This is discussed further below in the Policy 7.4.1.5 section.</p>

11. <i>Important timber production areas.</i>	Consistent: The project site does not contain or is adjacent to any important timber production areas.
12. <i>Important agricultural areas.</i>	Consistent: This property and project is not under and would not conflict with an adjacent Williamson Act Contract. The subject parcel is located within the El Dorado-Diamond Springs Community Region and does not contain, nor is it adjacent to, lands zoned and designated by the General Plan to be preserved for agricultural use.
13. <i>Important mineral resource areas.</i>	Consistent: The project site does not contain or is located adjacent to any important mineral resource areas.
14. <i>Capacity of the transportation system serving the area.</i>	Consistent: DOT reviewed the submitted traffic study and concluded that the recommended Conditions of Approval, including improvements to existing roadways, would sufficiently address traffic issues and ensure that the transportation system is adequate to serve the area.
15. <i>Existing land use pattern.</i>	Consistent: The project site is surrounded by land designated and utilized for medium-density residential uses on three sides and industrial uses on the fourth. The proposed rezone would be consistent with that dominant land use pattern as it is a two-acre portion within the subject parcel, surrounded by R1A and RE-10 zoned parcels.
16. <i>Proximity to perennial watercourse.</i>	Consistent: There were no perennial watercourses identified by the within the project parcel. The closest perennial stream as identified on the Placerville U.S.G.S. Quadrangle is Deadman Creek which is located approximately 0.75 mile southeast of the project.
17. <i>Important historical/archeological sites.</i>	Consistent: An <i>Updated Cultural Resources Study of the Diamond View Estates Subdivision Project</i> , Historic Resources Associates, September 2010 was completed for the subject parcel and reported there were no significant prehistoric and historic-period cultural resources sites, artifacts, historic buildings, structures or objects found. Because of the possibility in the future that ground disturbances could discover significant cultural resources, Planning has added standard Conditions of Approval to assure that potential issue is addressed during project development.
18. <i>Seismic hazards and present of active faults.</i>	Consistent: As shown in the Division of Mines and Geology's publication, <i>Fault Rupture Hazard Zones in California</i> , there are no Alquist-Priolo Special Studies Zones mapped in El Dorado County. The impacts from fault ruptures, seismically induced ground shaking,

	seismic ground failure, or liquefaction are considered to be less than significant. Any potential impact caused by locating buildings in the project area would be offset by the compliance with the Uniform Building Code earthquake standards.
19. <i>Consistency with existing Covenants, Conditions, and Restrictions.</i>	Consistent: The project would be required to develop CC&Rs for the purposes of implementing, monitoring and maintenance of the approved Fire Safe Plan, maintenance of any fences and walls constructed on the subdivision property lines, the maintenance of the shared roads, and all drainage facilities within the subdivision. The Covenants, Conditions and Restrictions (CC&Rs) would be submitted to Planning for review and approval, prior to submission of the Final Map. Any future changes of any County required provisions of the approved CC&Rs would require County approval.

Land Use Compatibility: Policy 2.2.5.21 directs that new development be compatible with the surrounding neighborhood.

Discussion: As previously discussed and shown in the *Adjacent Land Use Table* above, the proposed residential project would be consistent with this Policy.

Lighting Impacts: Policy 2.8.1.1 directs that *development shall limit excess nighttime light and that consideration will be given to design features, namely directional shielding, for street lighting that could reduce effects from nighttime lighting.*

Discussion: If approved as proposed, the creation of these 26 lots would allow new lighting by creating the potential for residential units on each lot. These impacts would not be expected to be any more than any typical residential lighting similar and typical to other subdivisions created within a land use area designated by the General Plan for Medium Density Residential uses within the County. With exception to potential patio and garage entrance lighting, common area lighting is not proposed for this project. Use of flood lighting, security lighting and spot lighting for porch, patio and garage entrances would be required to meet the County lighting ordinance and must be shielded to avoid potential glare affecting day or nighttime views for those that live or travel through the area.

Public Services and Utilities: Policy 5.1.2.1 directs that *prior to the approval of any discretionary development, the approving authority shall make a determination of the adequacy of the public services and utilities to be impacted by that development.*

Discussion: The submitted FIL determined there were adequate water and sewer facilities available to the project. There are adequate telephone, electric, and solid waste disposal services available to the site. The Fire District, schools, Sheriffs Office and recreation district have been determined to have adequate capacity to serve the project as discussed in more detail in the Initial Study-Environmental Checklist attached as Exhibit L.

Water Supply and Fire Flow: Policy 5.2.1.2 requires that *the applicant provide an adequate quantity and quality of water for all uses, including fire protection, and shall be provided for this 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.*

Discussion: Water supply and required fire flow were discussed previously above in the *Project Issues, Fire Safety and Water Supply* sections. The project is conditioned to meet these policy requirements.

Availability of Water Supply: Policy 5.2.1.4 directs that *subdivision approvals in Community Regions or other areas dependent on public water supply shall be subject to the availability of a permanent and reliable water supply.*

Discussion: As discussed above in the *Project Issues, Water Supply* section, public water service would be provided to the project site by EID. EID provided a letter indicating that it has adequate water supplies to serve the project. Based on this information, the project would be consistent with Policy 5.2.1.4 regarding availability of reliable water supply.

Fire Protection Services: Policy 5.7.1.1 requires that *adequate fire protection services be provided for the proposed development.*

Discussion: As discussed above in the *Project Issues and Fire Safety* sections, a Fire Safe Plan has been submitted that has been approved by both the Fire District and Cal Fire. This plan, as well as the Fire District recommended Conditions of Approval require minimum roadway widths, secondary emergency access, and fire hydrant placement ensure adequate fire protection infrastructure. The project is conditioned to meet this Policy requirement.

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

Discussion: With the inclusion of the requirement for the project to comply with the approved Fire Safe Plan, as well as the Fire District recommended Conditions of Approval, neither the Fire District nor Cal Fire would have any outstanding concerns with adequate access for emergencies. As discussed under *Access and Circulation and Fire Safety* in the *Project Issues* section, the project would meet the intent of this policy.

Wetlands/Intermittent Streams: Policy 7.3.3.4 directs that buffers and special setbacks of 50 feet from intermittent streams and wetlands.

Discussion: The *Preliminary Delineation of Potential Waters of the U.S.-Diamond View Subdivision*, LSA Associates, Inc., dated June 18, 2008 prepared for the project identified one 0.005-acre seasonal wetland potentially subject to Clean Water Act jurisdiction. The applicants have located this wetland on the submitted Tentative Subdivision Map at the location identified in Figure 4 of the submitted study and identified it with a proposed permanent 50-foot non-

building setback. Implementing a 50-foot buffer from the drainage and proposed development is expected to protect riparian habitat values and quality of the drainage. Implementation of Mitigation Measures (Conditions) 4 and 5 would mitigate the impacts to wetlands and the project would then be compliant with this Policy. The full discussion of the impacts to 7.3.3.4 is contained in Section IV Biological Resources in the Environmental Checklist/Discussion of Impacts as shown in Exhibit L.

Rare, Threatened and Endangered Species: Policy 7.4.1.5 directs that *all discretionary projects should be designed to protect special status plant and animal species and their habitat.*

Discussion: A *Special Status Plant Survey* dated May 7, 2008 by LSA Associates, Inc. was submitted by the applicants that included the results of a survey of the parcel for the special status and locally significant plants and suitable habitat for the same. No special-status species were found on the site and it was determined that there is no habitat on the project site to support the special status plants that could potentially be present. The Survey found that *although not a special status plant, one blue elderberry shrub (Sambucus mexicana) was observed in the southwest portion of the project site.* Blue elderberry is the host plant for the Valley Elderberry Longhorn Beetle (VELB) (*Democerus californicus dimorphus*), a federally threatened species. The study found that the project request could have a potentially significant impact to that potential habitat for the VELB and recommended a Mitigation Measure to reduce potentially significant impacts to a less than significant level. This recommended 'no disturbance buffer' Mitigation Measure is included in Attachment 1.

The project could have an impact on nesting raptors or other protected migratory birds by the tree canopy removal anticipated for the project. Depending on the timing of construction, site disturbance could result in disturbance of breeding and nesting activity of this species. According to the California Department of Fish and Game Code 3503, "take" of the nest or eggs of any bird is prohibited, except upon approval from the California Department of Fish and Game. That disturbance of active nests can be avoided during construction through appropriate measures. Those measures have been included in recommended Mitigation Measure 3 included in Attachment 1.

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

Discussion: The subject parcel area contains 30.95 acres (1,348,182 square feet). The submitted *Proposed Oak Tree canopy Retention Map for Diamond View Subdivision* dated February 2, 2009 found that the project area has 10 percent oak canopy coverage. General Plan Policy 7.4.4.4 would therefore require the retention of 90 percent of the indigenous oak tree canopy for the project area. The project would remove approximately 25,576.94 square feet of canopy for road and lot development which is 18 percent of the total canopy coverage. In lieu of the replanting and monitoring requirements set forth in Option A, the applicants have chosen mitigate the impacts to oak woodland by complying with the oak conservation in-lieu fee requirements (Option B) of the Oak Woodland Management Plan. Upon fulfillment of the recommended Condition 6 for 2,557.70 square-feet to be paid at a 1 to 1 ratio, and 2,046.15

square feet to be paid at a 2 to 1 ratio to the County, the project would be compliant with Policy 7.4.4.4.

Conclusion: The project has been reviewed in accordance with the General Plan policies and it has been determined that the project would be consistent with all applicable policies of the General Plan.

Zoning: The majority of the subject site is currently zoned One-Acre Residential (R1A). An approximately two-acre portion of the subject parcel is zoned R1-PD and is subject of the rezone request discussed above in the General Plan Policy 2.2.5.3 section. With the approved rezone, the entire project area would be zoned R1A. The 26 proposed single-family residential lots ranging in size from 1 to 1.7 acres would conform to existing zoning and the development standards in Section 17.28.080 for minimum lot width of 100 feet, minimum parcel size of one acre, building setback requirements of 30 feet in the front yards, 15 feet for the side yards (with Fire District approval), and 30 feet for the rear yards as well having the space to comply with the parking requirements of two spaces not in tandem per dwelling unit pursuant to Section 17.18.060.

As discussed above in the *Project Issues, Building Envelopes* section, lots over one acre in size require the 30-foot setbacks pursuant to Fire Safe Standards which might be subject to a reduction to 15 feet side setback in R1A if approved by the local Fire District. The setback lines shown on the submitted tentative map represent the zoning side yard setbacks and not the Fire Safe side yard setback.

Conclusion: As discussed above, with the exception of Lot 17 requiring a Design Waiver, the project conforms to the Zoning Code. Staff finds that the necessary findings can be made to support the rezone and Tentative Subdivision Map request. The details of those Findings are contained in Attachment 2.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Environmental Checklist with Discussion attached) to determine if the project may have a significant effect on the environment. Based on the Initial Study, conditions have been added to the project to avoid or mitigate to a point of insignificance the potentially significant effects of the project in the areas of impacts to biological resources. Staff has determined that significant effects of the project on the environment have been mitigated; therefore, a Mitigated Negative Declaration has been prepared.

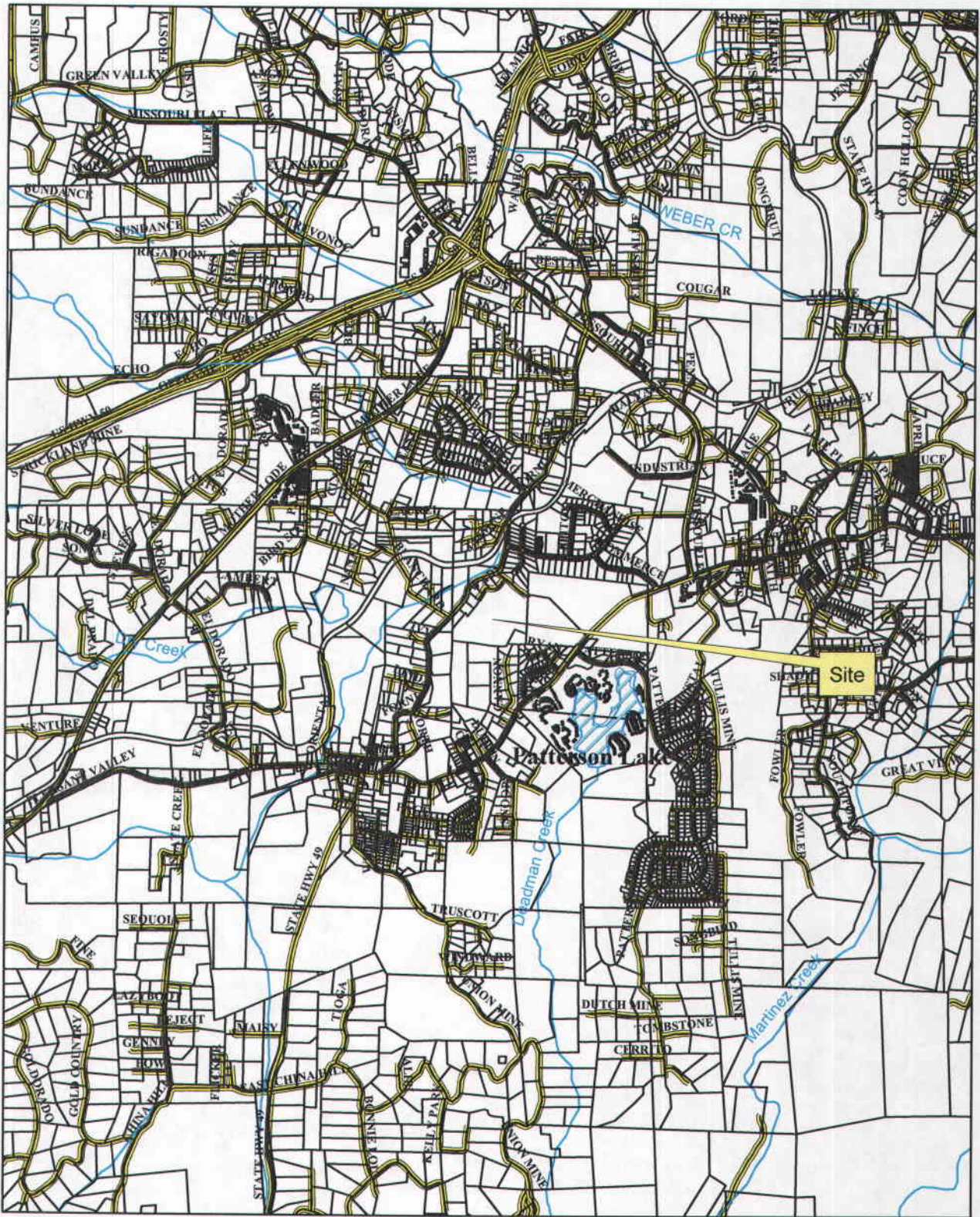
This project is located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.). In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$2,044.00 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 \$2,044.00 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:

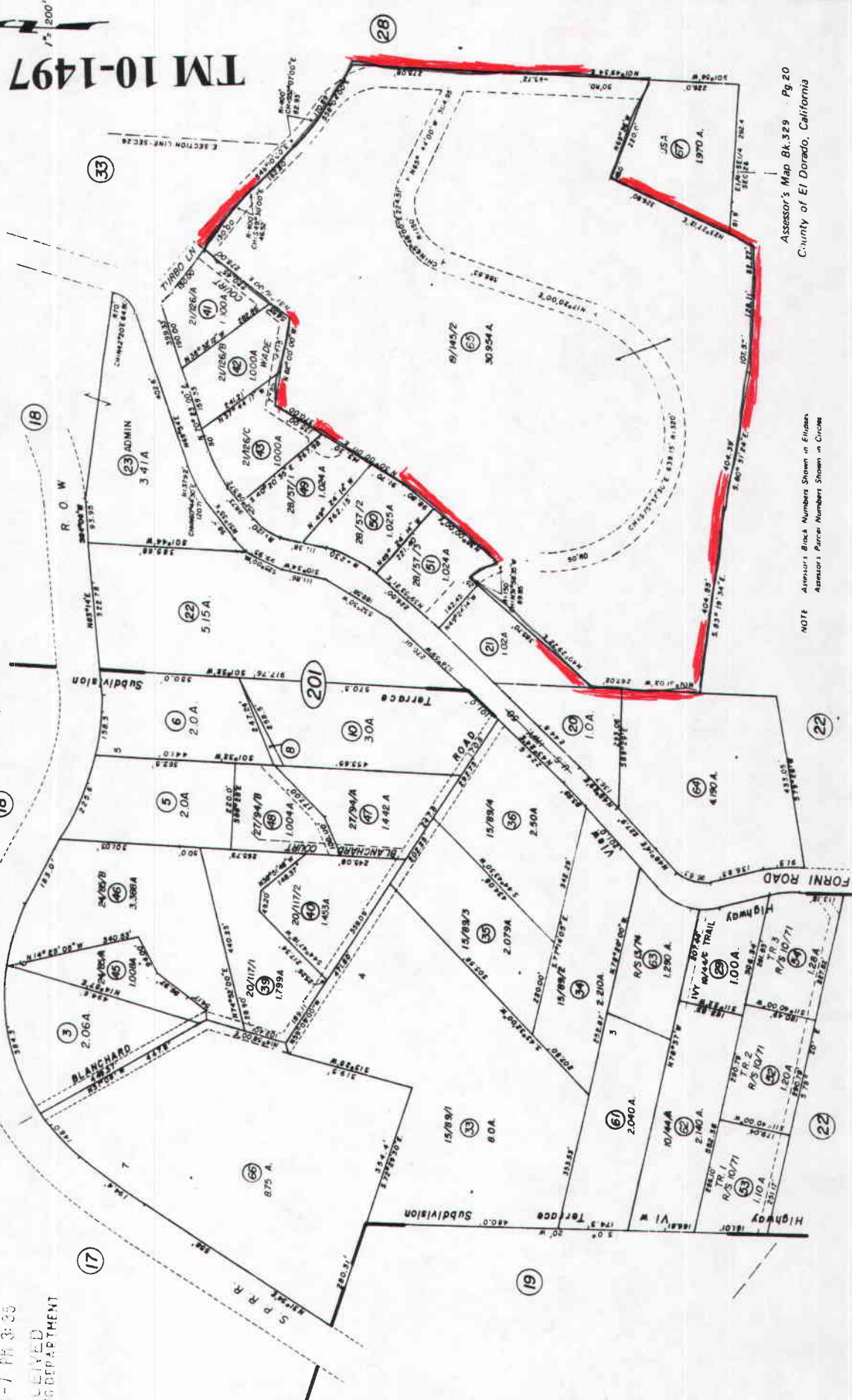
Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Location Map
Exhibit B	Assessor's Parcel Map
Exhibit C	Parcel Map PM19/145
Exhibit D	General Land Use Map
Exhibit E	Zoning Map
Exhibit F	Tentative Subdivision Map
Exhibit G	Tentative Subdivision Map overlaid on aerial photo
Exhibit H	Preliminary Grading Plan
Exhibit I	Soils Map
Exhibits J-1 to J-3	Site visit photos
Exhibits K-1 to K-3	Aerial photos of the project site
Exhibit L	Environmental Checklist/Discussion of Impacts

Location Map



TM 10-1497

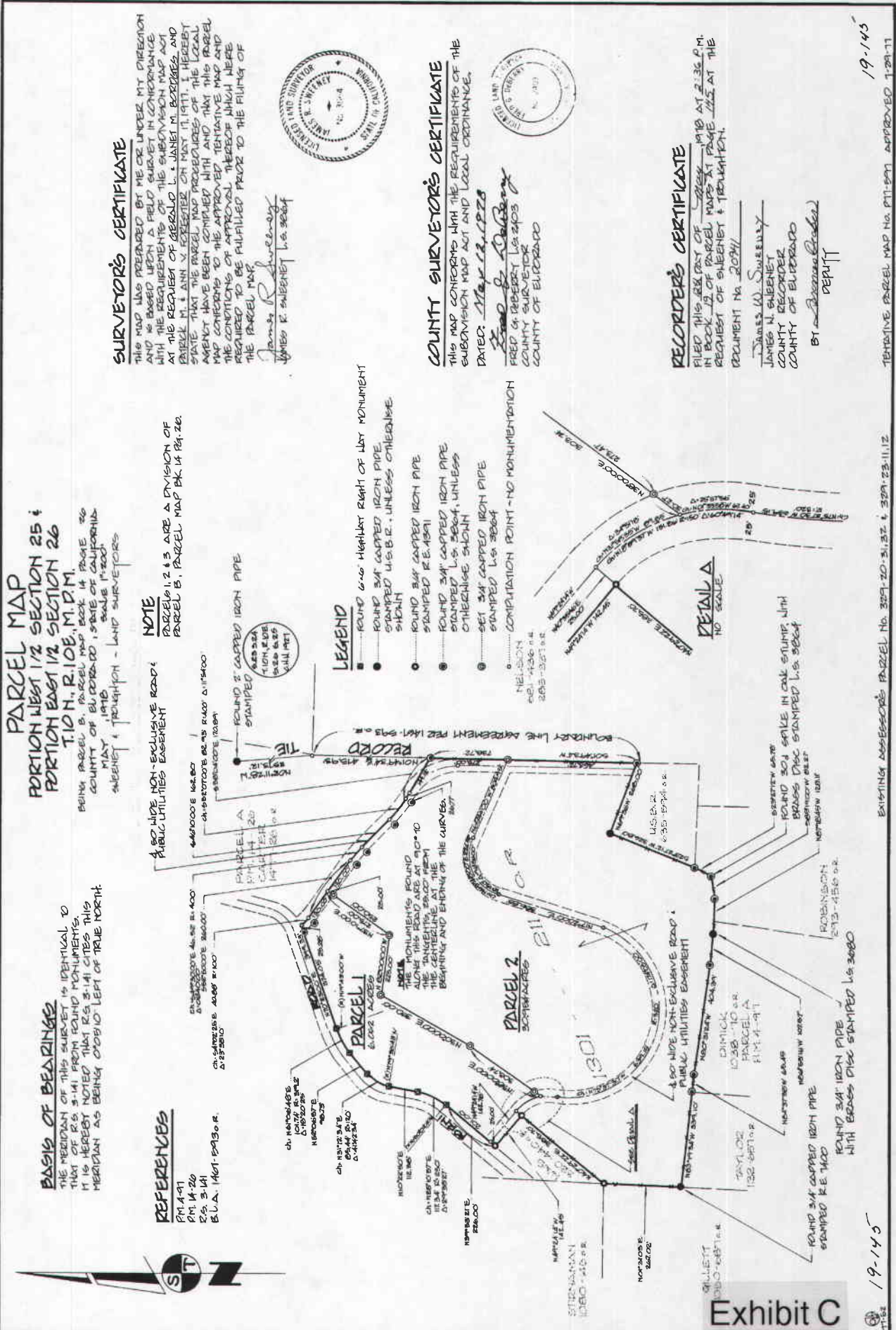
POR'S SEC'S 25B26, T10N, R10E, MDM.
POR HIGHWAY VIEW TERRACE SUBDIVISION
BK. A, PG. 5.



Assessor's Map Bk. 329 Pg. 20
County of El Dorado, California

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

11 JUN -7 PM 3:35
RECEIVED
PLANNING DEPARTMENT



SURVEYOR'S CERTIFICATE

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AT THE REQUEST OF GREGG L. & JANET M. BORDERS, AND BRUCE L. AND MARGARET OR MAY (1977). I HEREBY STATE THAT THE PARCEL WAS PROCURED BY THE LOCAL AGENCY HAS BEEN COMPARED WITH AND THAT THIS PARCEL MAP CONFORMS TO THE APPROVED TENTATIVE MAP AND THE CONDITIONS OF THE APPROVED ORDER WHICH WERE REQUIRED TO BE FULFILLED PRIOR TO THE FILING OF THE PARCEL MAP.

James R. Sweeney
 JAMES R. SWEENEY L.S. 5804



COUNTY SURVEYOR'S CERTIFICATE

THIS MAP CONFORMS WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE.

DATED: May 14, 2013

James R. Sweeney
 JAMES R. SWEENEY L.S. 5804
 COUNTY SURVEYOR
 COUNTY OF ELDERDORF



RECORDER'S CERTIFICATE

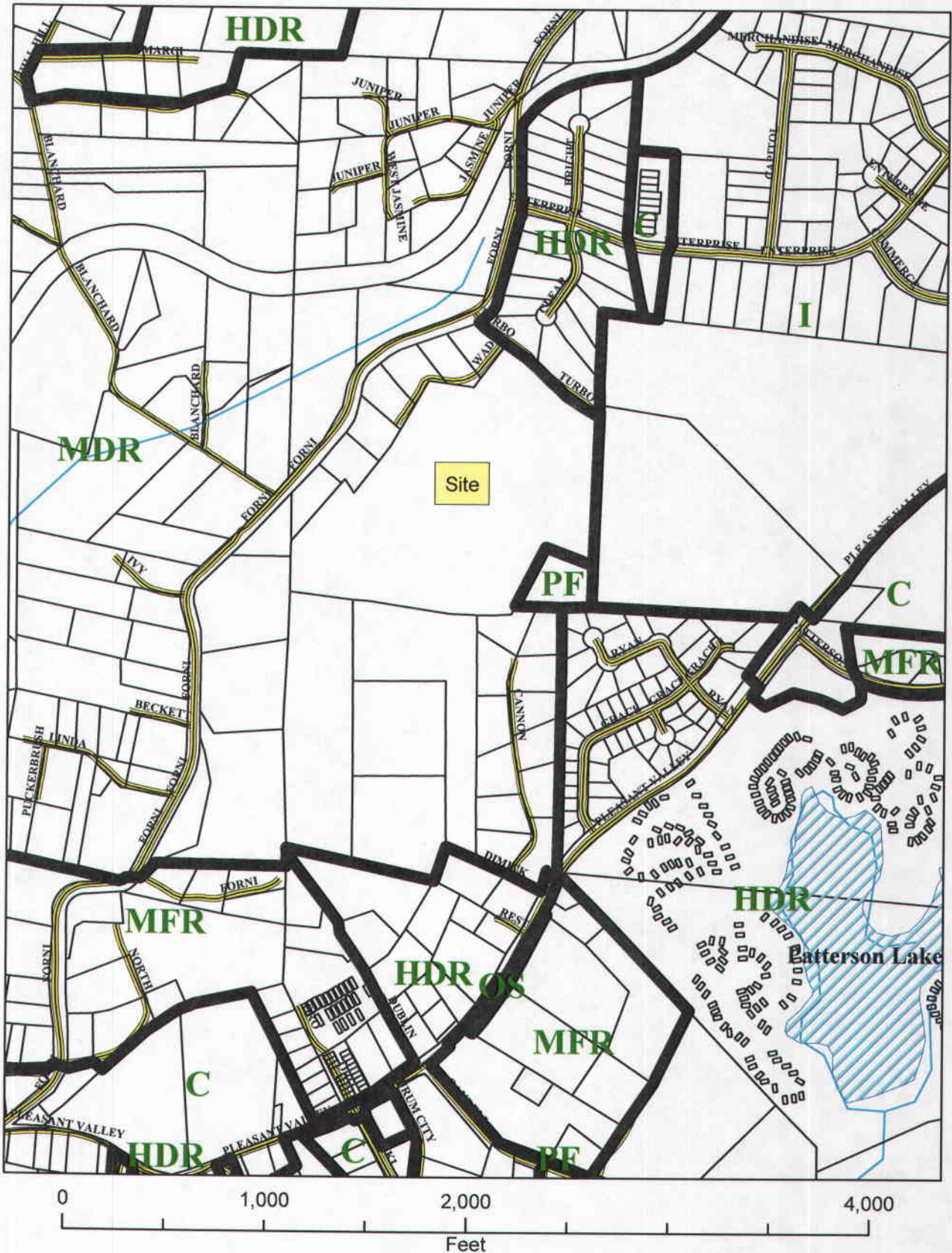
FILED THIS DEED OF Gift 1918 AT 2:36 P.M. IN BOOK 12 OF PARCEL MAPS AT PAGE 112 AT THE REQUEST OF SWEENEY & TROUGHTON.

DOCUMENT NO. 20911

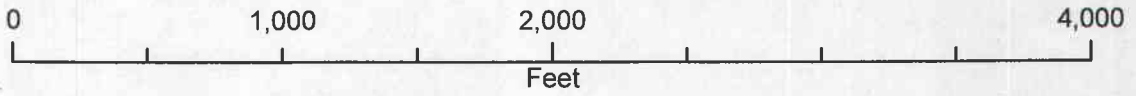
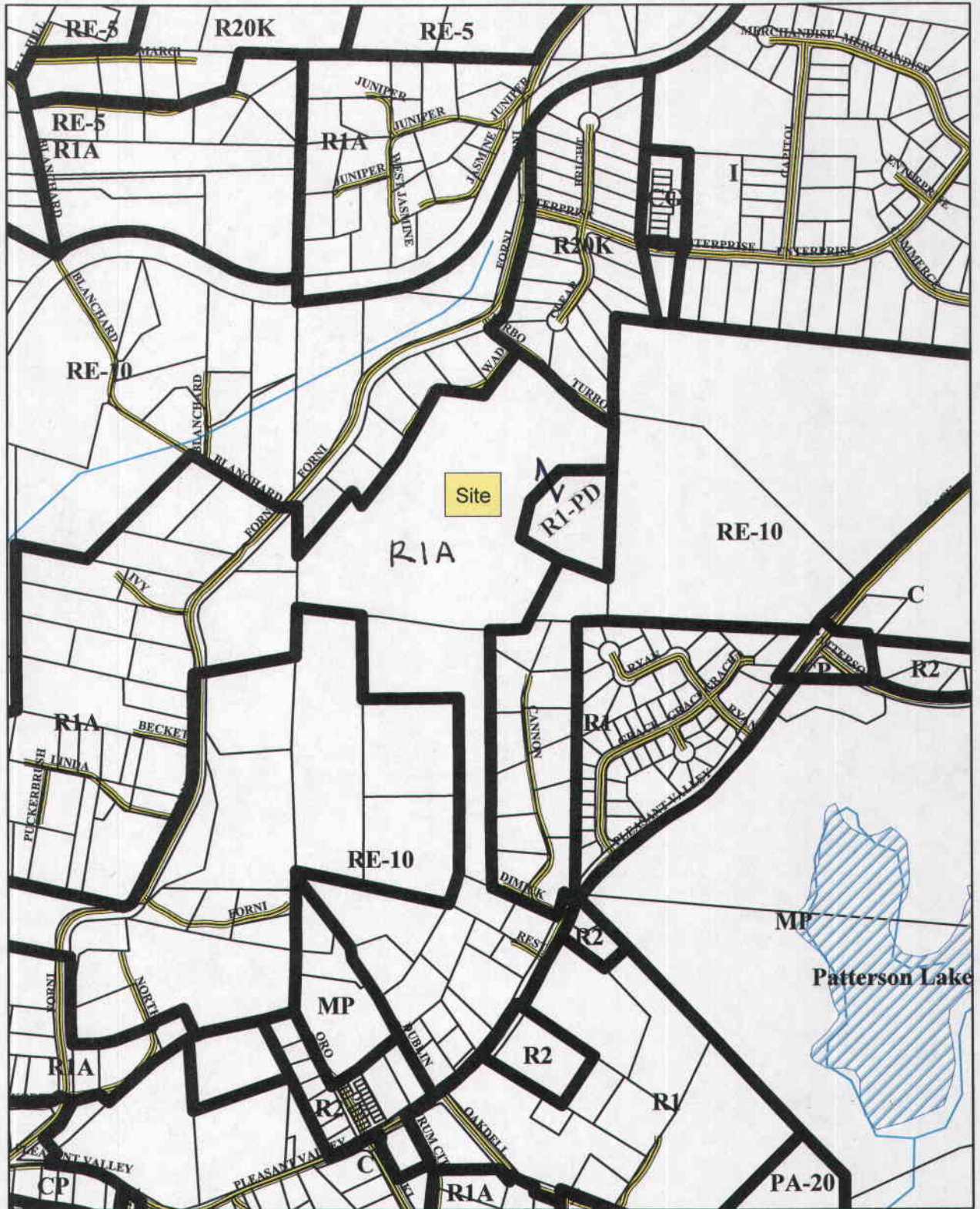
JAMES W. SWEENEY
 JAMES W. SWEENEY
 COUNTY RECORDER
 COUNTY OF ELDERDORF

BY James W. Sweeney
 DEPUTY

General Plan Land Use Designations



Zoning

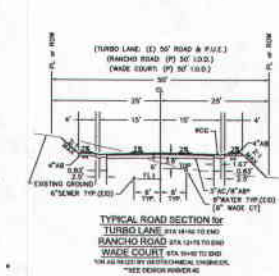
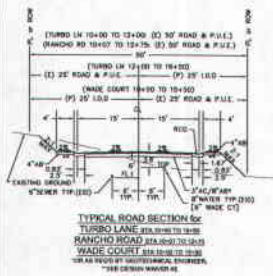
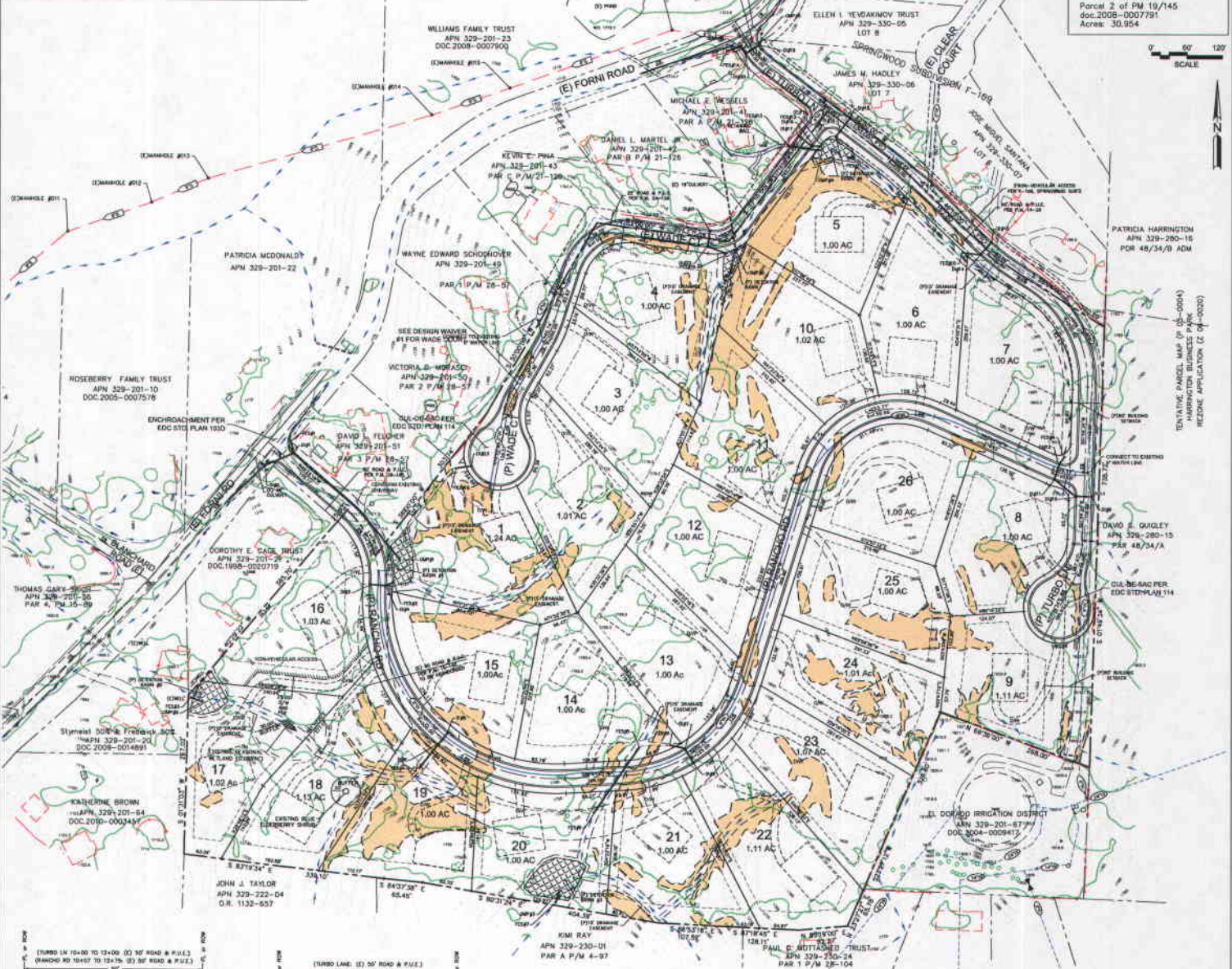


Tentative Subdivision Map for Diamond View Estates Subdivision APN 329-201-65



A. Owner(s) of Record:	Joy Ho Investments A CA LLC c/o Tim Yi Tsou 1533 Glendon Court Fremont, CA 94538 (408) 788-3200
B. Name of Applicant:	Joy Ho Investments A CA LLC c/o Tim Yi Tsou 1533 Glendon Court Fremont, CA 94538 (408) 788-3200
C. Map Prepared by:	Falmer Development c/o Lawrence Falmer, P.E. 6600 Marquette Way Diamond Springs, CA 95619 (530) 626-3374
D. Scale:	1"=60'
E. Contour Interval:	5 FT
F. Source of Topography:	Aerial Survey (2008)
G. Section, Township and Range:	Sec. 25 & 26, T.10 N., R. 10 E., M.D.M.
H. Assessment Parcel Number:	329-201-65
I. Present Zoning:	R.L.A. - R1-PD
J. Total Area:	30.924 acres
K. Total Number of Parcels:	26
L. Minimum Parcel Area:	1.0 acres
M. Water Supply:	El Dorado Irrigation District
N. Sewage Disposal:	El Dorado Irrigation District
O. Fire Protection District:	El Dorado Diamond Springs FPD
P. Date of Preparation:	April 14, 2010 (Revised Sept. 28, 2010)
Q. Approval Signature:	See lower right corner of map

Project Parcel Reference:
APN 329-201-65
Parcel 2 of PM 19/145
doc.2008-0007791
Acres: 30.924



- REQUEST: Allow the existing Waide Court to remain the 30ft foot single road access length.
- The access road is 850 feet long. This project adds five additional parcels to the existing five parcels for a total of nine parcels. The Design Island allows up to 23 parcels.
- Shed application of the Design Islands would result in significant economic hardship.
- No detrimental effect to adjacent property will occur as a result of the Design Water. Additional safety will be provided by widening the roadbed and providing a paved surface.
- The proposed will not have the effect of existing the Design Islands in as the existing roadway is in excess of 100 feet and the nearest driveway up to 23 parcels on a roadway less than 280 feet in length.
- REQUEST: Allow the proposed roadways to not place concrete sidewalks, but provide 4" aggregate base pedestrian pathway.
- The surrounding developments including a 20,000 SF restaurant building do not provide sidewalks. Sidewalks on the one side of the subdivision would require a condition not currently required on any project in the area. Additionally, a 4" base is provided on both sides of the roadway with a 4" aggregate base for pedestrian access.
- Shed application of the Design Islands would result in significant economic hardship. The roads to provide sidewalks not found in the area, is a significant economic hardship.
- No detrimental effect to adjacent property will occur as a result of the Design Water. Additional safety will be provided by providing a 4-foot barrier adjacent to the curb on both sides of the road to meet the performance on the roadway with a 10-foot concrete County pavement standard.
- The proposed will not have the effect of existing the Design Islands as the existing projects in the area do not provide sidewalks, and pedestrian access is provided.

EXISTING TOPOGRAPHY		TPM LEGEND	
	SPOT ELEVATION		PROPOSED BOUNDARY
	CONTOUR LINE		PROPOSED PARCEL LINE
	TREE SPLINE		SETBACK LINE
	DRAVEL ROAD EDGE		EXISTING EASEMENT
	PAVED ROAD EDGE		POTENTIAL BUILDING SITE
	FENCE		DRAINAGE EASEMENT
	STRUCTURE		PROP. DI, CULVERT & FEE
	UTILITY POLE		PROP. RETENTION BASIN
			AREA WITH SLOPE > 10%

Exhibit F

11-0177.E.21

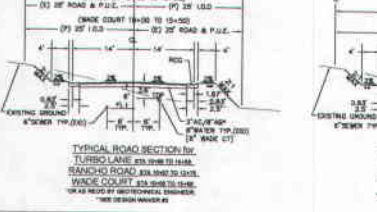
Tentative Subdivision Map for DIAMOND VIEW ESTATES SUBDIVISION APN 329-201-65



A. Owner(s) of Record:	Ivy Re Investments A CA LLC c/o Tim Vi Tran, 1535 Gibson Canyon Fremont, CA 94538 (408) 788-5290 Hibernia Ringer A UT LLC c/o Joanne E. Liberty 520 Pine Court Palo Alto, CA 94303 (650) 285-5491 Hibonfield Trustee, LLC c/o Lin Yang 971 Shadel Road San Jose, CA 95128 (408) 966-0880
B. Name of Applicant:	Ivy Re Investments A CA LLC c/o Tim Vi Tran, 1535 Gibson Canyon Fremont, CA 94538 (408) 788-5290
C. Map Prepared by:	Paterson Development c/o Lawrence Paterson, P.E. 6011 Montebello Way Walnut Creek, CA 95619 (925) 626-9374
D. Scale:	1"=60'
E. Contour Interval:	5 ft
F. Source of Topography:	Aerial Survey (2008)
G. Section, Township and Range:	Sec. 25 & 26, T.10 N., R. 10 E., M.D.M.
H. Assessment Parcel Number:	329-201-65
I. Present Zoning:	R1-A, R1-PD
J. Total Area:	20,954 acres
K. Total Number of Parcels:	26
L. Minimum Parcel Area:	1.0 acre
M. Water Supply:	El Dorado Irrigation District
N. Sewage Disposal:	El Dorado Irrigation District
O. Fire Protection District:	El Dorado Diamond Springs FPD
P. Date of Preparation:	April 14, 2010
Q. Approval Signatures:	See lower right corner of map.



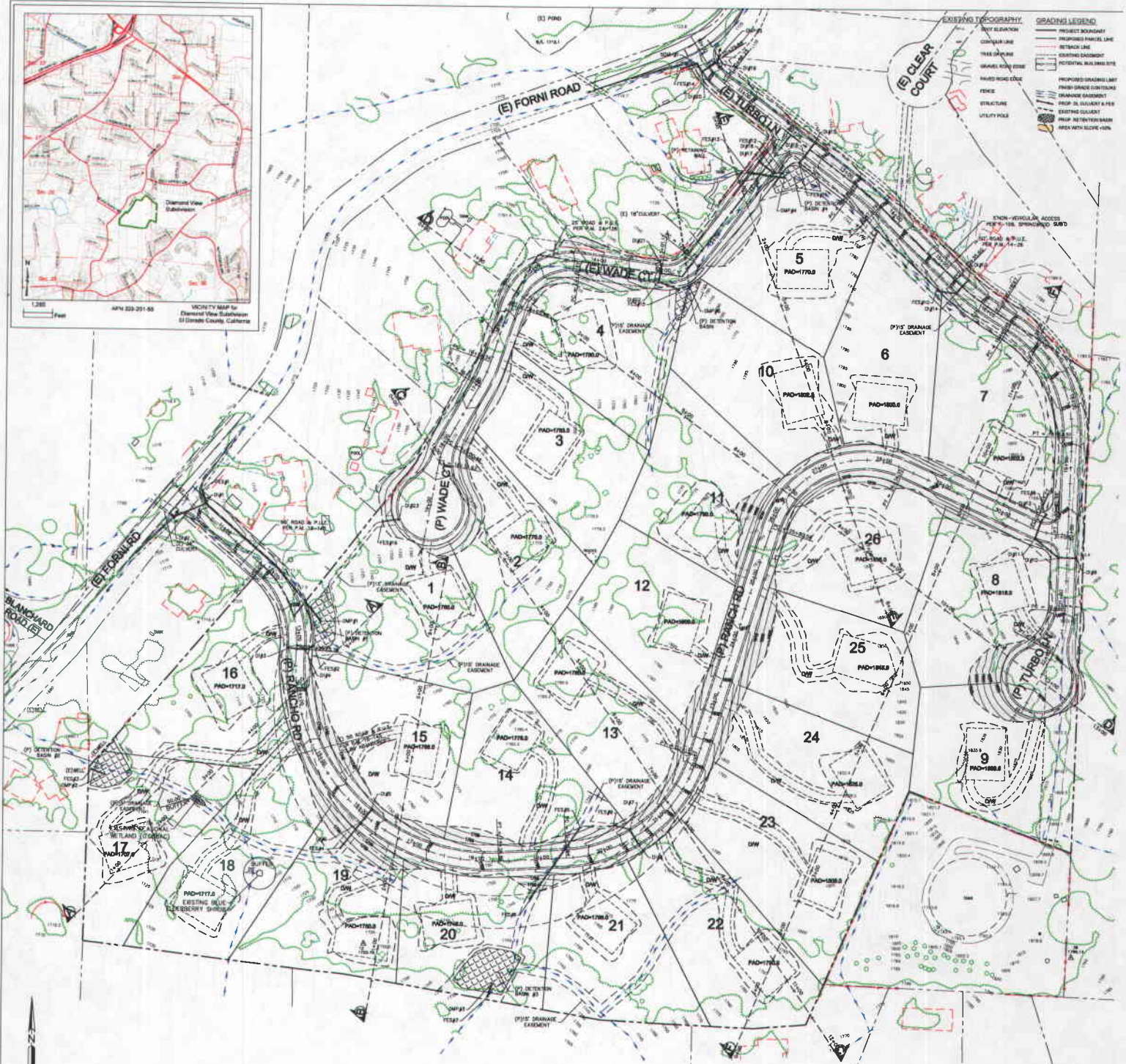
PROJECT PARCEL REFERENCE:
APN 329-201-65
PARCEL 2 OF PM 15V/14S
DOC 20090007791
ACRUC 903954



- DEIRIN WAIVER REQUEST 1**
APN 329-201-65-300
DIAMOND VIEW ESTATES - WAIVER COURT
- REQUEST: Allow the existing Water/Cover to exceed the 500-foot single road width length.
 - The access road is 850-foot long. This project will have additional parcels to be existing five parcels for a total of five parcels. The Design Manual allows up to 25 parcels.
 - Final application of the Design Standards would result in significant increases in density.
 - No detrimental effect to adjacent property will occur as a result of the Design Waiver. Additional safety will be provided by widening the roadways (providing parcel access).
 - This proposal will not have the effect of nullifying the Design Standards or the existing roadway to its extent of 500 feet and the roadway allows up to 25 parcels on a roadway less than 500 feet in length.
- DEIRIN WAIVER REQUEST 2**
APN 329-201-65-300
DIAMOND VIEW ESTATES
- REQUEST: Allow the proposed roadways to be placed across adjacent.
 - The surrounding development including a 20-foot SF minimum is considered to be a private subdivision. Based on the site plan, no access to the subdivision would be provided before a condition is currently required on any project to the site. Additionally, a 10-foot curb is provided on both sides of the roadway for pedestrian access.
 - Final application of the Design Standards would result in significant increases in density. This project is private subdivision and is not in the area of a significant increase in density.
 - No detrimental effect to adjacent property will occur as a result of the Design Waiver. Additional safety will be provided by widening a 20-foot curb on both sides of the roadway for pedestrian use. The roadway width of 20 feet exceeds County minimum standards.
 - This proposal will not have the effect of nullifying the Design Standards or the existing project to its extent to be placed across.

EXISTING TOPOGRAPHY		TPM LEGEND	
SPOT ELEVATION	PROPOSED PARCEL BOUNDARY	PROPOSED PARCEL BOUNDARY	PROPOSED PARCEL BOUNDARY
CONTOUR LINE	SETBACK LINE	SETBACK LINE	SETBACK LINE
TREE DRIPLINE	EXISTING EASEMENT	EXISTING EASEMENT	POTENTIAL BUILDING SITE
GRAVEL ROAD EDGE	POTENTIAL BUILDING SITE	POTENTIAL BUILDING SITE	DRAINAGE EASEMENT
FENCED ROAD EDGE	DRAINAGE EASEMENT	DRAINAGE EASEMENT	PROP. ON-COVERT & FEB
PAVED ROAD EDGE	PROP. ON-COVERT & FEB	PROP. ON-COVERT & FEB	EXISTING CULVERT
FENCE	EXISTING CULVERT	EXISTING CULVERT	PROP. INTERCOM. BASIN
STRUCTURE	PROP. INTERCOM. BASIN	PROP. INTERCOM. BASIN	AREA WITH SLOPE > 20%
UTILITY POLE	AREA WITH SLOPE > 20%	AREA WITH SLOPE > 20%	

Exhibit G



EARTHWORK VOLUMES
 STREETS: CUT 15,960C.Y., FILL 9,600C.Y., NET 6,360C.Y. (CUT)
 DRIVEWAYS AND PADS: CUT 2,500C.Y., FILL 8,850C.Y., NET 6,350C.Y. (BALANCE)

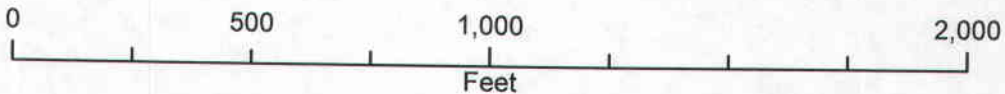
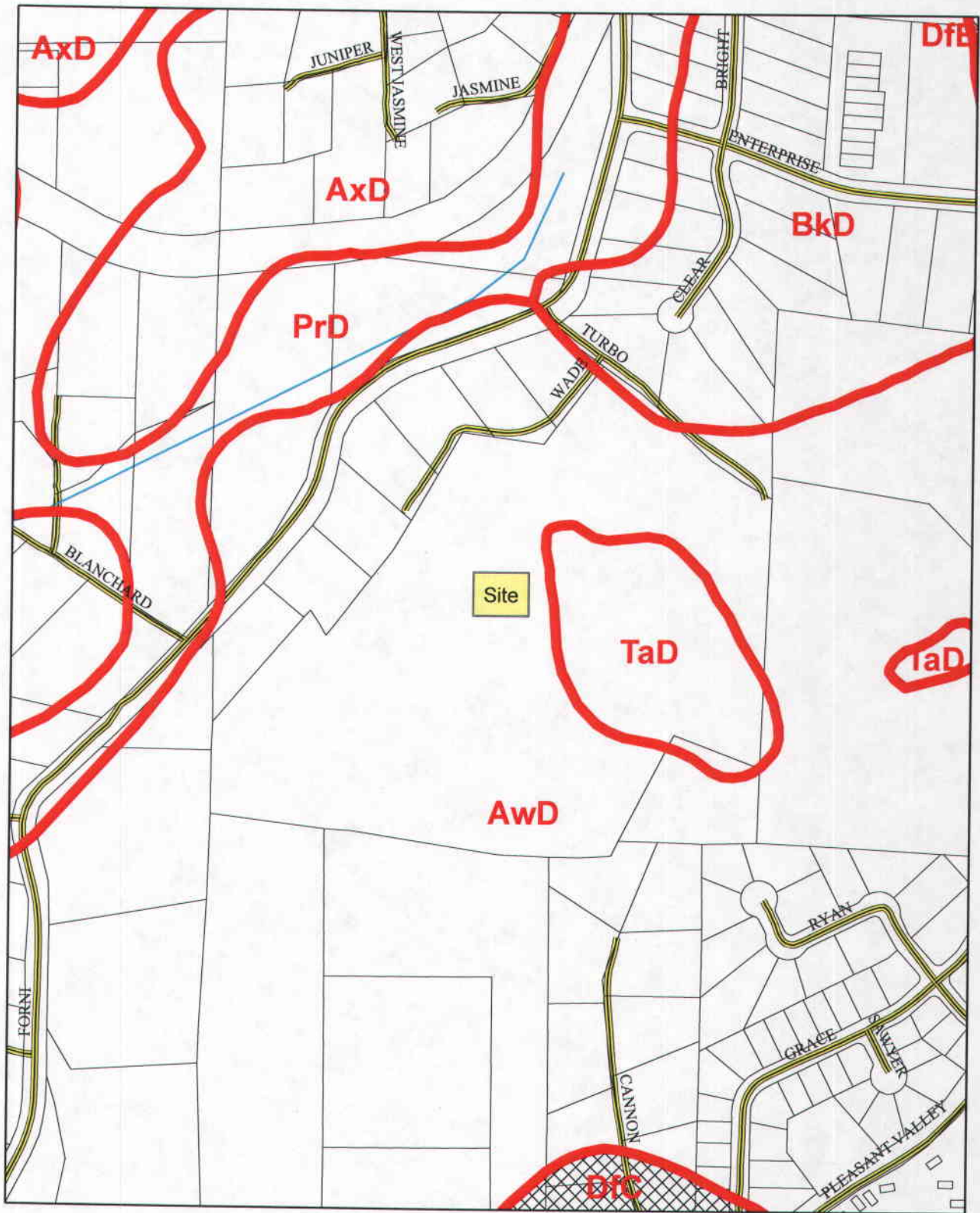
PREPARED BY:
 LAWRENCE A. PATTERSON,
 PATTERSON DEVELOPMENT, 530-628-3748

Preliminary Grading Plan for
DIAMOND VIEW ESTATES SUBDIVISION
 APN 329-201-65 April 14, 2010

Exhibit H

11-0177.E.23

Soils



 Choice Soils

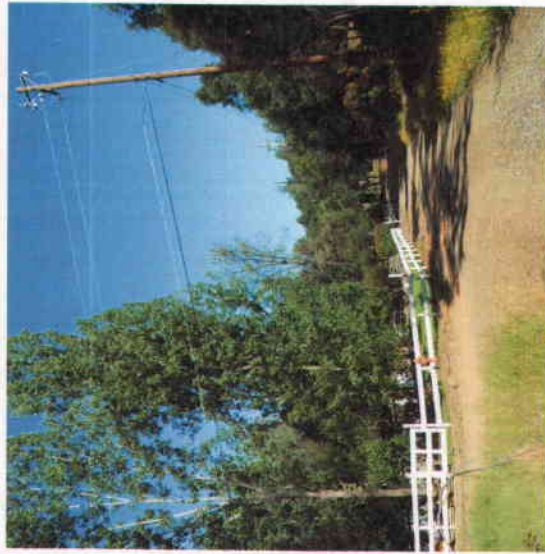
Exhibit I



Standing on Forni Road looking southeast into the Turbo Lane encroachment.



Standing on Turbo Lane looking southeast. Wade Court encroachment is on the right.



Standing on Turbo Lane looking northwest back towards the Forni Road encroachment. Wade Court encroachment is on the left.



Standing on Turbo Lane looking southwest into Wade Court.



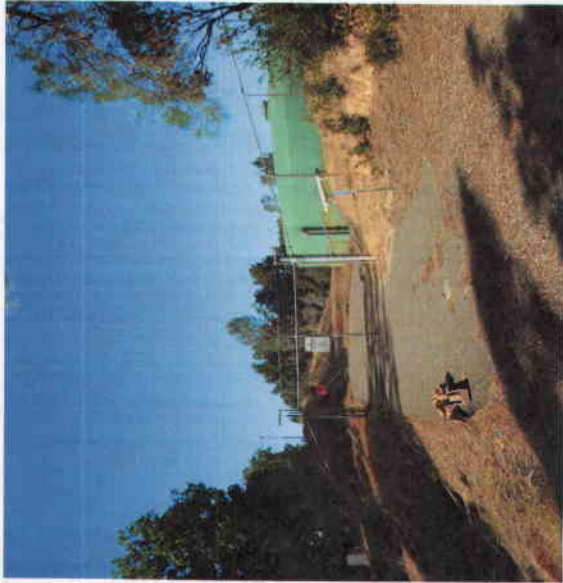
Standing on Turbo Lane south of Wade Court looking southeast.



Standing on Turbo Lane at the point where it turns south. This gate currently prevents public access to the EID water tank and would be removed if the project is approved.



Standing on Turbo Lane near proposed Lot 5 looking southeast towards the EID water tank.



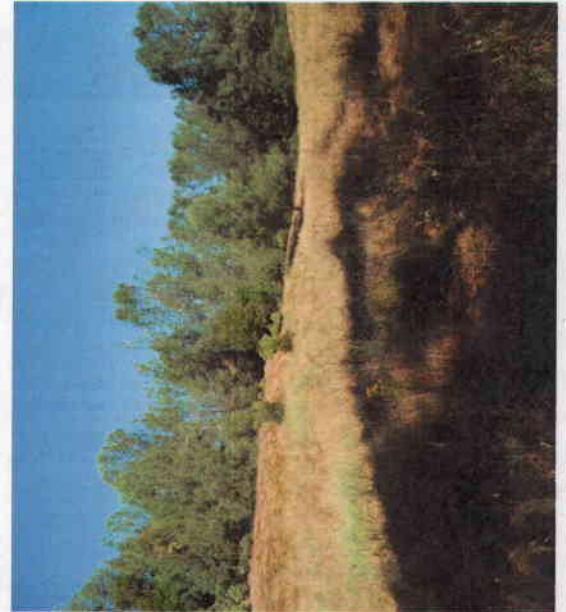
The EID water tank.



Standing on Turbo Lane near proposed Lot 9 looking North..



Standing on proposed Lot 24 looking Northeast.



Standing on proposed Lot 6 looking West.



Standing on the Turbo Lane encroachment looking southwest (left) at the existing line-of-sight onto Forni Road.



Standing on the Turbo Lane encroachment looking northeast (right) at the existing line-of-sight onto Forni Road.



Standing on the southwestern end of existing Wade Court looking northeast.

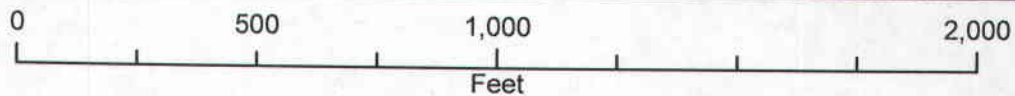
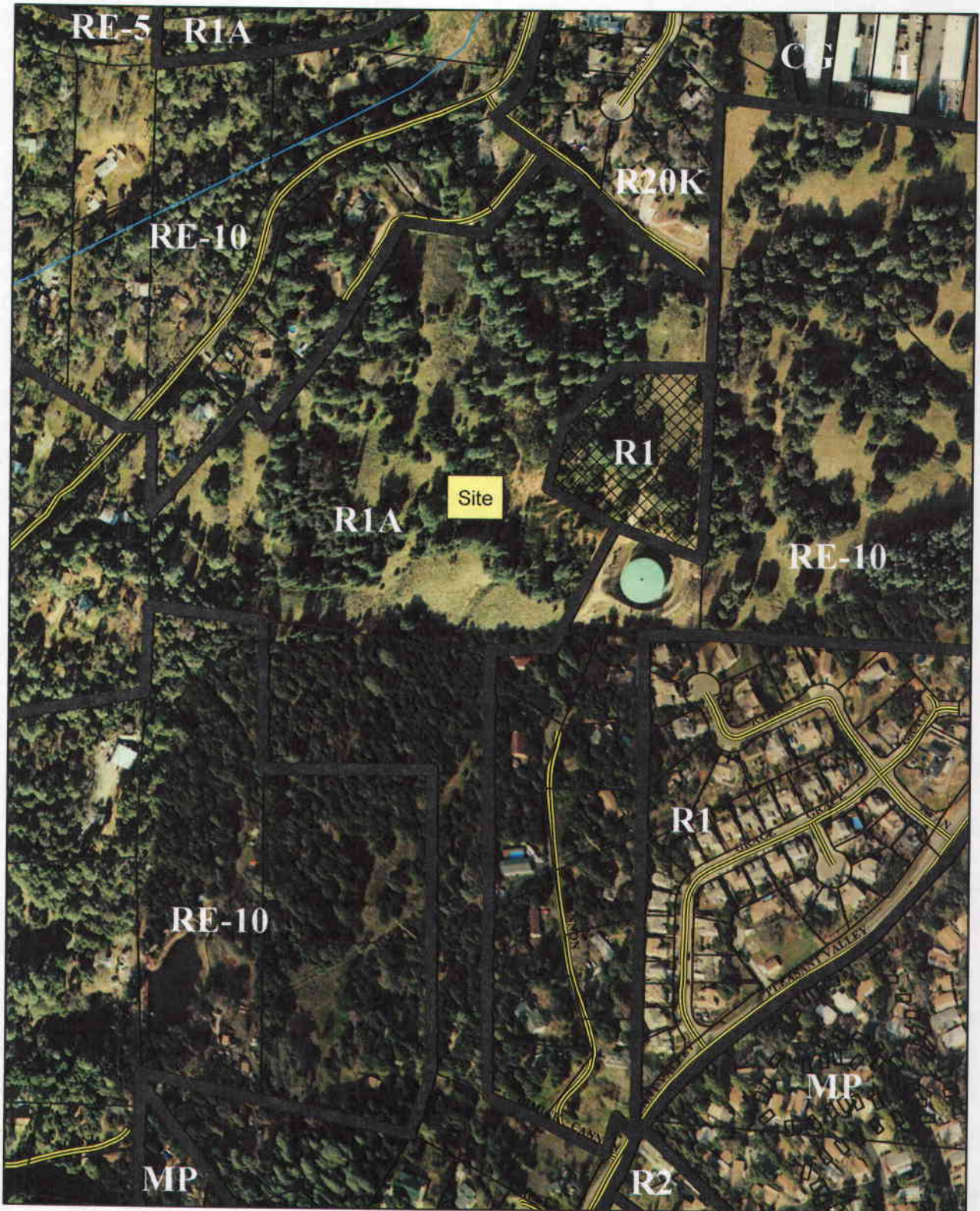


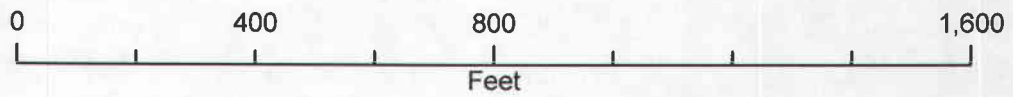
Standing Forni Road looking southeast at the existing road easement proposed as the Rancho Road encroachment-currently only used as a driveway access.



Standing on that easement for Rancho Road looking back to Forni Road.

Zoning Closeup Aerial





File No. TM10-1497

Exhibit K-2

11-0177.E.29





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

**ENVIRONMENTAL CHECKLIST FORM
AND DISCUSSION OF IMPACTS**

Project Title: Z10-0006/TM10-1497/Diamond View Estates

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

Contact Person: Tom Dougherty

Phone Number: (530) 621-5355

Property Owners/ Applicant's Name and Address: Jeannie Llewellyn/Habenaria Repens LLC, 920 Piers Ct., Palo Alto, CA 94393; Tim Vi Tran/Ivy RE Investments LLC, 3533 Gilman Commons, Fremont, CA 94538; Lin Yang/Bloomfield Business LLC, 971 Shadow Brook Dr., San Jose, CA 95120.

Project Agent/Engineer's Name and Address: Larry Patterson/Patterson Development, 6610 Merchandise Way, Diamond Springs, CA 95619

Project Location: South side of Turbo Lane approximately 200 feet southwest of the intersection with Forni Road in the Diamond Springs area, Supervisorial District 3.

Assessor's Parcel Number: 329-201-65 **Acres:** 30.95

Zoning: One-Acre Residential and One-Family Residential-Planned Development (R1A & R1-PD)

Sections: 25&26 **T:** 10N **R:** 10E

General Plan Designation: Medium Density Residential (MDR)

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

1. Rezone an approximately two-acre portion of the 30.95-acre parcel from One-Family Residential-Planned Development, (R1-PD) to One-Acre Residential (R1A); and
2. Tentative Subdivision Map to create 26 single-family residential lots ranging in size from 1 to 1.7 acres; and
3. A Design Waiver is requested to allow a driveway for access to Lot 17.

Surrounding Land Uses and Setting:

	Zoning	General Plan	Land Use/Improvements
Site	R1A & R1-PD	MDR	Residential/Vacant
North	RE-10/R20K	MDR/HDR	Residential/Single family residences
South	R1A/RE-10	MDR	Residential/Single family residences
East	RE-10	I/PF	Industrial/Vacant. Proposed Harrington Business Park commercial/industrial subdivision. The area designated by the General Plan with PF is the EID water storage tank parcel.
West	RE-10/R1A	MDR	Residential/Single family residences

Briefly describe the environmental setting: The 39.5-acre parcel varies in elevation from 1,720 to 1,855 feet above sea level. The highest point is in the southeastern portion of the parcel which slopes moderately to steep from that point in all directions and rises to lesser elevations at various points throughout the parcel. The majority of the parcel is grassland with approximately 18 percent of it being oak canopy and the remaining covered with native shrubs and other native trees.

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

1. Department of Transportation
2. El Dorado County Air Quality Management District
3. El Dorado County Resource Conservation District
4. Diamond Springs-El Dorado Fire District
5. Cal Fire
6. El Dorado County Surveyor
7. U.S. Army Corp of Engineers

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

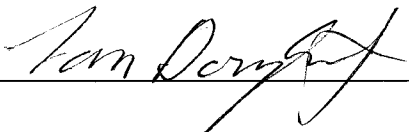
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

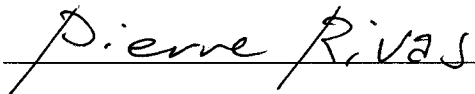
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X	Biological Resources		Cultural Resources		Geology / Soils
	Greenhouse Gas Emissions		Hazards & Hazardous Materials		Hydrology / Water Quality
	Land Use / Planning		Mineral Resources		Noise
	Population / Housing		Public Services		Recreation
	Transportation/Traffic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

DETERMINATION

On the basis of this initial evaluation:

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

Signature:  Date: 1-4-11
Printed Name: Tom Dougherty For: El Dorado County

Signature:  Date: 1-4-11
Printed Name: Pierre Rivas 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 project would allow the creation of 26 residential parcels.

Project Description

Request to rezone a two-acre portion from One-Family Residential-Planned Development, (R1-PD) to One-Acre Residential (R1A); and a Tentative Subdivision Map to create 26 single-family residential lots ranging in size from 1 to 1.7 acres.

Project Location and Surrounding Land Uses

The 30.95-acre site is located on the south side of Turbo Lane approximately 200 feet southwest of the intersection with Forni Road in the Diamond Springs area, and is located within the El Dorado-Diamond Springs Community Region. The surrounding land uses are existing single family residential development in all directions except for east which is vacant land with an Industrial land use designation.

Project Characteristics

1. Transportation/Circulation/Parking

The northern portion of the project would be accessed from Forni Road, a County-maintained roadway; via Turbo Lane and Wade Court neither of which is a County maintained road. Two (2) interior roadways are proposed for the project. The proposed roadway would be required to be consistent with DISM Design Standard Plan 101B requiring 28-foot wide roads.

The project is proposed to create 26 residential lots, which would require two parking spaces per parcel. Parking for each parcel would be provided within private garages. No parking would be permitted along Turbo Lane, Wade Court or Ranch Road. No significant impacts to parking would occur as part of the project.

2. Utilities and Infrastructure

The project site is currently undeveloped. As part of the project, the extension of water and sewer utilities services would be required. The project would be required to connect to existing El Dorado Irrigation District water facilities in Turbo Lane and Wade Court and the existing sewer facilities at the intersection of Turbo Lane and Forni Road.

3. Population

Using the 2000 U.S. Census figures which established that, in the unincorporated areas of the County, the average household size was 2.70 persons/occupied unit. The approval of the applications as proposed would potentially add 26 single-family units which at 2.70 persons/occupied unit currently propose to potentially add 70.2 persons to the neighborhood. Assuming all residential units include a primary and secondary unit, the population could increase to approximately 140.4 persons. Each of those could potentially have second dwelling units, however pursuant to El Dorado County Building Permit data, out of 10,597 building permits issued between the years of 2001 to 2006, 323 were second dwelling units which is three percent which could lead to the conclusion that they are an insignificant factor when looking at population impacts. The proposed 26 residential parcels would result in an increase of population in the El Dorado and Diamond Springs Community Region but would be consistent with the anticipated residential density of the Medium Density Residential Land Use Designation. The project would not add significantly to the population in the vicinity.

4. Construction Considerations

Construction of the project would consist of on-site road improvements and off-site encroachment improvements, including grading and paving. The project applicant would be required to obtain permits for grading and encroachments from the Department of Transportation and obtain an approved fugitive dust mitigation plan from the Air Quality Management District.

Project Schedule and Approvals

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

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

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is a fair argument that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of Mitigation Measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the Mitigation Measures, and briefly explain how they reduce the effect to a less than significant level.

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

This Mitigated Negative Declaration tiers off of the ~~Mitigated Negative Declaration for Design Review DR07-0001 Camerado Office Building—1080 Camerado Drive, Cameron Park El Dorado County 2004 General Plan EIR (State Clearinghouse Number 2009072001)~~ in accordance with Section 15152 of the CEQA Guidelines. The ~~Mitigated Negative Declaration El Dorado County 2004 General Plan EIR~~ is available for review at the El Dorado County Development Services Department located at 2850 Fairlane Court, Placerville, CA 95667. All determinations and impacts identified that rely upon the ~~Mitigated Negative Declaration El Dorado County 2004 General Plan EIR~~ analysis and all Mitigation Measures are identified herein. The following impact areas are tiering off the ~~Mitigated Negative Declaration El Dorado County 2004 General Plan EIR~~:

Aesthetics, Air Quality, Biological Resources, ~~Traffic/ Circulation~~

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

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

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

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

- a. **Scenic Vista:** The project site and vicinity is not identified by the County as a scenic view or resource (El Dorado County Planning Services, El Dorado County General Plan Draft EIR (SCH #2001082030), May 2003, Exhibit 5.3-1 and Table 5.3-1). There would be no impacts.
- 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 impacts.
- c. **Visual Character:** The project would have views from the outside-in from similar residential neighborhoods with similar-sized lots as those being proposed to the north, south and west. The one-plus acre parcels would allow for ample room for buffering direct views inside by retaining existing vegetation outside the development areas for each lot. The views from the east would be from a parcel designated by the General Plan for industrial uses. The DEIR for the General Plan had identified and examined the potential impacts that implementation of the General Plan would have to the visual character of the areas of the County. Section 5.3-2 of the *Executive Summary Table* in the General Plan EIR states that the County mitigate the potential significant impacts by designing new streets and roads within new developments to minimize visual impacts, preserve rural character, and ensure neighborhood quality to the maximum extent possible consistent with the needs of emergency access, on-street parking, and vehicular and pedestrian safety." The proposed project is designed and conditioned to provide the General Plan designated MDR land with a for 28-foot width road with secondary access for emergency safety, with no parking allowed on either side.

Mitigation in the form of General Plan polices have been developed to mitigate impacts to less than significant levels for impacts associated with aesthetic resources. Cumulative impacts were previously considered and analyzed. With full review with consistency with General Plan Policies as well as the consistency rezone resultant of the subject applications, impacts would be less than significant. As designed and conditioned, impacts would be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- d. **Light and Glare:** If approved as proposed, the creation of these 26 lots would allow new lighting by creating the potential for residential units on each lot. These impacts would not be expected to be any more than any typical residential lighting similar and typical to other subdivisions created within a land use area designated by the General Plan for Medium Density Residential uses within the County. Section 5.3-3 of the *Executive Summary Table* in the General Plan EIR states “the potential significant impacts would be mitigated by including design features, namely directional shielding for street lighting, parking lot lighting, and other significant lighting sources, that could reduce the effects from nighttime lighting.” With exception to potential patio and garage entrance lighting, common area lighting is not proposed for this project. All lighting, including patio and garage entrance lighting would be required to meet the County lighting ordinance and must be shielded to avoid potential glare affecting day or nighttime views for those that live or travel through the area.

Mitigation in the form of General Plan polices have been developed to mitigate impacts to less than significant levels for impacts associated with lighting resources. Cumulative impacts were previously considered and analyzed. With full review with consistency with General Plan Policies, impacts would be less than significant. As designed and conditioned, impacts from outdoor lighting would be less than significant with this project.

FINDING: It could be found that as conditioned, 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 medium density residential developments. As a result, there would be less than significant levels of impact.

<p>II. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by California Department of forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>				
a.	Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Locally Important Farmland (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X
b.	Conflict with existing zoning for agricultural use, or a Williamson Act Contract?			X
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?			X
d.	Result in the loss of forest land or conversion of forest land to non-forest use?			X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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<p>II. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by California Department of forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forrest Protocols adopted by the California Air Resources Board. Would the project:</p>			
<p>e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</p>			X

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

- There is a conversion of choice agricultural land to nonagricultural use, or impairment of the agricultural productivity of agricultural land;
 - The amount of agricultural land in the County is substantially reduced; or
 - Agricultural uses are subjected to impacts from adjacent incompatible land uses.
- a. **Farmland Mapping and Monitoring Program:** The United States Department of Agriculture Soil Conservation Service Soil Survey, El Dorado Area, California, issued April of 1974 shows that the parcel contains Awd (Auburn silt loam with 2 to 30 percent slopes), and TaD (Tailings, cobbly and stony tailings from dredge mining) soils. These soil types are not classified as unique, soils of local importance or either prime farmland, statewide important farmland. There would be no impact.
- b. **Williamson Act Contract and Agricultural Zoning:** The project does not adjoin any parcels zoned for agricultural use or designated as agricultural land uses by the General Plan. The property is not located within a Williamson Act Contract, would not conflict with existing zoning for agricultural use, and would not affect any properties under a Williamson Act Contract. There would be no impact.
- c. **Non-Agricultural Use:** The project does not adjoin any parcels zoned for agricultural use or designated as agricultural land uses by the General Plan. No conversion of agriculture land would occur as a result of the project. There would be no impact.
- d, e. **Loss of Forest land or Conversion of Forest land, Conversion of Prime Farmland or Forest Land:** Neither the General Plan nor the Zoning Ordinance designate the site as an important Timberland Preserve Zone and the underlying soil types are not those known to support timber production. As discussed above in Section a, there would be no loss or conversion of prime farmland as well. There would be no impact.

FINDING: This project would not impact properties subject to a Williamson Act Contract. The location within a Community Region and land use designation of Medium Density Residential diminish the importance of preserving the land for agricultural purposes. For this "Agriculture" category, there would be no impact.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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III. AIR QUALITY. <i>Would the project:</i>			
a. Conflict with or obstruct implementation of the applicable air quality plan?			X
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X
d. Expose sensitive receptors to substantial pollutant concentrations?			X
e. Create objectionable odors affecting a substantial number of people?			X

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

- Emissions of ROG and No_x, will result in construction or operation emissions greater than 82lbs/day (See Table 5.2, of the El Dorado County Air Pollution Control District – CEQA Guide);
 - Emissions of PM₁₀, CO, SO₂ and No_x, as a result of construction or operation emissions, will result in ambient pollutant concentrations in excess of the applicable National or State Ambient Air Quality Standard (AAQS). Special standards for ozone, CO, and visibility apply in the Lake Tahoe Air Basin portion of the County; or
 - Emissions of toxic air contaminants cause cancer risk greater than 1 in 1 million (10 in 1 million if best available control technology for toxics is used) or a non-cancer Hazard Index greater than 1. In addition, the project must demonstrate compliance with all applicable District, State and U.S. EPA regulations governing toxic and hazardous emissions.
- a. **Air Quality Plan:** El Dorado County has adopted the *Rules and Regulations of the El Dorado County Air Pollution Control District* (February 15, 2000) establishing rules and standards for the reduction of stationary source air pollutants (ROG/VOC, NO_x, and O₃). Any activities associated to the grading and construction of this project would pose a less than significant impact on air quality because the El Dorado County Air Quality Management District (AQMD) would require that the project implement a Fugitive Dust Mitigation (FDM) plan during grading and construction activities. Such a plan would address grading measures and operation of equipment to minimize and reduce the level of defined particulate matter exposure and/or emissions below a level of significance.
- b. **Air Quality Standards:** The project would create air quality impacts which may contribute to an existing or projected air quality violation during construction. Construction activities associated with the project include grading and site improvements, for roadway expansion, utilities, driveway, home, and building pad construction, and associated on-site activities. Construction related activities would generate PM₁₀ dust emissions that would exceed either the state or federal ambient air quality standards for PM₁₀. This is a temporary but potentially significant effect.

Operational air quality impacts would be minor, and would cause an insignificant contribution to existing or projected air quality violations. Source emissions would be from vehicle trip emissions, natural gas and

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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wood combustion for space and water heating, landscape equipment, and consumer products. This is a less-than-significant impact.

The Air Quality Assessment prepared for the project determined that the construction activities would be below the AQMD emission thresholds of significance of 82 pounds per day each of ROG or NOx. AQMD has reviewed the assessment and concurs with the analysis and that the air quality impact by the project would be less than significant.

- c. **Cumulative Impacts:** The El Dorado County Air Quality Management District (AQMD) reviewed the *Air Quality Report* prepared by Foothill Associates on April 9, 2007 for this project and determined that by implementing typical conditions that are included in the project permit, that the project would have a less than significant level of impact in this category. The conditions are implemented as part of an Asbestos Dust Mitigation Plan (ADMP) to be reviewed and approved by the AQMD prior to and concurrently with the grading, improvement, and/or building permit approvals would manage heavy equipment and mobile source emissions, as well as site disturbance and construction measures and techniques. In addition, the General Plan DEIR Section 5.11 addresses air quality from transportation sources, specifically those generated by vehicles that travel on roadways in the County, partially from US Highway 50 as a generator. Such source emissions have already been considered with the adopted 2004 General Plan and EIR. Mitigation in the form of General Plan polices have been developed to mitigate impacts to less than significant levels for impacts associated with air quality standards. Cumulative impacts were previously considered and analyzed. With full review with consistency with General Plan Policies as well as the consistency rezone resultant of the subject applications, impacts would be less than significant.
- d. **Sensitive Receptors:** The CEQA Guide identifies sensitive receptors as facilities that house or attract children, the elderly, people with illnesses, or others that are especially sensitive to the affects of air pollutants. Hospitals, schools and convalescent hospitals are examples of sensitive receptors. The El Dorado County Air Quality Management District (AQMD) reviewed the project and identified this site as not being within the asbestos review area. Shenandoah High School adjoins the project parcel on the west side. However, by implementing ADMD Rules 223, 223 – 1, a Fugitive Dust Control Plan, as well as implementing typical conditions for the development of the site as it relates to pollutant concentrations based on Environmental Management rules, regulations, and standards, the impacts associated with this category would be less than significant.
- e. **Objectionable Odors.** Table 3-1 of the *El Dorado County APCD CEQA Guide* (February, 2002) does not list the proposed residential use as a use known to create objectionable odors. Impacts would be less than significant.

FINDING: The proposed project would not affect the implementation of regional air quality regulations or management plans. The project would result in increased emissions due to construction and operation; however existing regulations would reduce these impacts to a less-than-significant level. Additional impacts to air quality would be less than significant. The proposed project would not cause substantial adverse effects to air quality, nor exceed established significance thresholds for air quality impacts. Standard conditions of approval, as required by the El Dorado County Air Quality Management District (AQMD), are included as part of the project permit. These conditions are typical for most projects throughout the County. As such, the proposed residential development of 26 units would have a less than significant impact in this category.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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IV. BIOLOGICAL RESOURCES. <i>Would the project:</i>			
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X	
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X	
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X	
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X

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

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

a. **Special Status Species and Sensitive Natural Communities:** A *Special Status Plant Survey* dated May 7, 2008 by LSA Associates, Inc. was submitted by the applicants that included the results of a survey of the parcel for the special status and locally significant plants and suitable habitat for the same. The field study was done on April 24, 2008 to encompass the blooming period of all special-status plants with a potential to occur on the site. The survey was done in accordance with the California Native Plant Society Botanical Survey Guidelines. No special-status species were found on the site.

The project is also located in Rare Plant Mitigation Area 2 which is defined as lands not known to contain special status plant species but within the EID service area. While no rare plants were identified in surveys conducted, the applicant would be subject to payment of a mitigation fee at the time of building permit issuance. Impacts would be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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The submitted *Special Status Plant Survey* found and mapped one blue elderberry shrub (*Sambucus Mexicana*) on-site and that the project request could have a potentially significant impact to potential habitat for the Valley Elderberry Longhorn Beetle (VELB). The Survey found that *although not a special status plant, one blue elderberry shrub (Sambucus mexicana) was observed in the southwest portion of the project site. Blue elderberry is the host plant for the Valley elderberry longhorn beetle (Democerus californicus dimorphus), a federally threatened species.* The following Mitigation Measure shall be implemented to reduce potentially significant impacts to a less than significant level:

BIO-1: No Disturbance Buffer: A no-disturbance buffer around the elderberry shrubs as shown on the Tentative Subdivision Map shall be marked by orange construction fencing prior to commencement of any grading or building permit on Lots. Said fencing shall have signs posted on them that read, "This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment." The signs shall be readable from a distance of 20 feet, and must be maintained for the duration of construction.

Monitoring Responsibility: Planning Services.

Monitoring Requirement: This requirement shall be placed on all future grading or building permit plans for the area shown within proposed Lot 18 for TM10-1497. Planning Services shall review the submitted plans for inclusion of said mitigation prior to issuance of any future grading or building permit. The applicants shall provide Planning Services with proof that said fencing has been installed as described above, prior to initiation of any work allowed by an issued building and/or grading permit for Lot 18.

The project could have an impact on nesting raptors or other protected migratory birds by the estimated 0.59-acre of potential oak tree canopy removal reported by the submitted *Proposed Oak Tree Canopy Retention Map for Diamond View Subdivision* (Oak Canopy Map), Chad Dykstra, Consulting Arborist, dated February 2, 2009. Depending on the timing of construction, site disturbance could result in disturbance of breeding and nesting activity of this species. According to the California Department of Fish and Game Code 3503, "take" of the nest or eggs of any bird is prohibited, except upon approval from the California Department of Fish and Game. Disturbance of active nests can be avoided during construction through appropriate measures. To the extent feasible, ground disturbance and removal of vegetation should be avoided in the vicinity of the ponds during the typical breeding and nesting period for this species (approximately April through July). If construction activities cannot be avoided during the typical breeding season, the applicant would be required to retain a qualified biologist to conduct a pre-construction survey (approximately one week prior to construction) to determine presence/absence of active nests. If no nesting activities are detected within proposed work areas, construction activities may proceed. If, however, active nests are found, construction should be avoided until after the young have fledged from the nest and achieved independence, or upon approval from the California Department of Fish and Game. Impacts to biological resources are considered less than significant with adherence to General Plan Policies, and the following mitigation incorporated into the project description:

BIO-2: Pre-construction Survey Required: If vegetation removal is conducted within the nesting period for most migratory bird species and nesting raptor species (between March 1 and August 15), a pre-construction survey for active bird nests shall be conducted by a qualified biologist. If vegetation removal activities are delayed or suspended more than one month after the pre-construction survey, the area shall be re-surveyed. If active bird nests are identified, vegetation removal in these areas shall be postponed until after the nesting season, or a qualified biologist has determined the young have fledged and are independent

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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of the nest site. No known active nests shall be disturbed without a permit or other authorization from USFWS or CDFG.

Monitoring Responsibility: Planning Services.

Monitoring Requirement: The applicant shall conduct all construction activities outside the nesting season or perform a pre-construction survey and obtain all necessary permits prior to initiation of construction activities. This requirement shall be placed on the grading plans. Planning Services shall review the surveys prior to issuance of a grading permit.

Other impacts to wildlife would be mitigated with the one-acre parcel sizes and protection of water features with easements to be required to be recorded on the Tentative Map and would be addressed by required adherence to General Plan Policies required mitigations. Impacts would be less than significant.

As mitigated, impacts to riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service anticipated as a result of the project, would be less than significant.

b-c. Riparian Habitat, Wetlands: 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). The *Preliminary Delineation of Potential Waters of the U.S.-Diamond View Subdivision*, LSA Associates, Inc., dated June 18, 2008 prepared for the project identified one 0.005-acre seasonal wetland potentially subject to Clean Water Act jurisdiction. The applicants have located this wetland on the submitted Tentative Subdivision Map at the location identified in Figure 4 of the submitted study and identified it with a proposed permanent 50-foot non-building setback. Implementing a 50-foot buffer from the drainage and proposed development is expected to protect riparian habitat values and quality of the drainage.

The submitted wetland study was reviewed by the U.S. Army Corps of Engineers who have required Corps verification of the findings of the study. The following mitigation measures are recommended in order to bring potential impacts to a wetland feature to a less than significant level:

BIO-3: Wetland Delineation Verification: Prior to potential disturbance of any waters of the United States including any wetland features, the wetland delineation study for the project site shall be submitted to the Corps for their verification and approval. If fill of any potential waters of the U.S are 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 should be replaced or rehabilitated at a “no-net-loss” basis in accordance with the Corps’ mitigation guidelines. Habitat restoration, rehabilitation, and/or replacement should be at a location and by methods agreeable to the Corps. A total of 0.3092 acres of channels and 0.0497 acres of seasonal wetlands were mapped in the combined study area and infrastructure corridors. Wetland mitigation for this project shall be required. 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.

Monitoring Responsibility: Planning Services.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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Monitoring Requirement: This requirement shall be placed on all future grading or building permit plans for the area shown within proposed Lots 16, 17 and 18 for TM10-1497. Planning Services shall review the submitted plans for inclusion of said mitigation prior to issuance of any future grading or building permit. The applicants shall provide Planning Services with proof that said fencing has been installed as described above, prior to initiation of any work allowed by an issued building and/or grading permit for Lot 18. The applicant shall provide a copy of the 404 permit, if required, to Development Services prior to issuance of the grading permit. If no permits are required by the Corps, a letter from the Corps shall be provided to Development Services stating that no permit shall be required for this project.

BIO-4: No Disturbance Buffer: A 50-foot setback line shall be recorded on the Final Map that begins at all high-water marks or the outer boundary of any adjacent wetlands identified in the area identified in Figure 4 of the Preliminary Delineation of Potential Waters of the U.S.-Diamond View Subdivision, LSA Associates, Inc., dated June 18, 2008, and as determined by the Corps of Engineer's verified wetland delineation of waters of the United States. No development shall occur within the setback area. No proposed lot boundary lines shall infringe on said setback lines. The identification shall be made on the Final Map, Site Plan Review, grading and building plans where applicable.

Monitoring Responsibility: Planning Services.

Monitoring Requirement: Prior to submittal of Final Map, Site Plan Review (SPR), grading and/or building plan approval, Development Services shall verify that the identification has been made on the Final Map, Site Plan Review, grading and building plans where applicable. The setback lines shall be shown on any submitted development plans submitted for the grading permit and Development Services shall verify this prior to issuance of any development permit.

- d. **Migration Corridors.** The Biological Resource Assessment performed for the project site determined that the habitat onsite would not be suitable for a migration corridor. The ability of wildlife to move across the site would not be unique to the other undeveloped areas in the project area. Review of the California Department of Fish and Game California Wildlife Habitat Relationship System indicates that there are no mapped critical deer migration corridors on the project site. The project would not appear to substantially interfere with the movement of any native resident or migratory fish or wildlife species or with any established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites. Impacts would be less than significant.
- e. **Local Policies:** El Dorado County Code and General Plan Policies pertaining to the protection of biological resources would include protection of rare plants, setbacks to riparian areas, and mitigation of impacted oak woodlands. The project site is located in Rare Plant Mitigation Area 2 which is defined as lands not known to contain special status plant species, or to contain soil types capable of sustaining the Pine Hill Endemic plant species. As required by the County Code, the project would be required to pay the Rare Plant Mitigation Fee for each of the proposed lots during the building permit process.

As discussed above, riparian areas are located on the project site. The El Dorado County General Plan Policy 7.3.3.4 requires setbacks from intermittent and ephemeral riparian areas. The areas are located outside of the proposed development areas and the most significant wetland identified by the submitted *Diamond View Subdivision-Preliminary Delineation of Potential Waters of the U.S.*, LSA Associates, dated June 18, 2008 would be protected by a permanent 50-foot non-building setback to be recorded on the Final Map. The applicant has demonstrated that all proposed disturbance as a result of the project would be located outside of the required setbacks for the riparian areas.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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Policy 7.4.4.4 establishes the native oak tree canopy retention and replacement standards. Impacts to oak woodlands have been addressed in the El Dorado County General Plan EIR, available for review online at <http://co.el-dorado.ca.us/Planning/GeneralPlanEIR.htm> or at El Dorado County Planning Services offices located at 2850 Fairlane Court, Placerville, CA, 95667. Mitigation in the form of General Plan policies has been developed to mitigate impacts to less than significant levels. In this instance, adherence to General Plan Policy 7.4.4.4 and measures contained within the Oak Woodlands Management Plan would mitigate impacts to oak woodland to less than significant levels.

The subject parcel area contains 30.95 acres (1,348,182 square feet). The submitted Oak Canopy Map found that the project area has 10 percent oak canopy coverage. General Plan Policy 7.4.4.4 would therefore require the retention of 90 percent of the indigenous oak tree canopy for the project area. The project would remove approximately 25,576.94 square feet of canopy for road and lot development which is 18 percent of the total canopy coverage. In lieu of the replanting and monitoring requirements set forth in Option A, the applicants have chosen mitigate the impacts to oak woodland by complying with the oak conservation in-lieu fee requirements (Option B) of the Oak Woodland Management Plan. With the adoption of the recommended Condition of Approval for 2,557.70 square-feet to be paid at a 1 to 1 ratio, and 2,046.15 square feet to be paid at a 2 to 1 ratio to the County, the project would be compliant with Policy 7.4.4.4. The applicant would initiate compliance with that Condition during the grading and building permit processes.

- f. **Adopted Plans:** This project, as designed, would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. There would be a less than significant impact in this category.

FINDING: Potentially significant impacts relating to Biological Resources include impacts to riparian areas, impacts to protected animal species, and removal of oak woodland habitat. For this 'Biological Resources' category, the above Mitigation Measures would be required to reduce potentially significant impacts to a less than significant level.

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

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

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- 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-c. **Historic or Archeological Resources:** The submitted *Updated Cultural Resources Study of the Diamond View Estates Subdivision Project*, Historic Resources Associates, September 2010, reported that for a short period of time, approximately 75 percent of the subject property had undergone extensive surface placer mining. A previous 1992 had found artifact scatter but they were collected at that time and *no surface artifacts were* (subsequently) *observed within the boundaries of the feature*. No prehistoric sites or artifacts were found within the project area. Standard Conditions of Approval would be required which require protective measures be implemented during project construction in the event of accidental discovery of historic or archeological resources. Adherence with the required Conditions of Approval would reduce the impacts to a less than significant level.

d. **Human Remains:** There is a small likelihood of human remain discovery on the project site. During all grading activities, standard Conditions of Approval would be required that address accidental discovery of human remains. Impacts would be less than significant.

FINDING: No significant cultural resources were identified on the project site. Standard Conditions of Approval would be required with requirements for accidental discovery during project construction. This project would have a less than significant impact within the Cultural Resources category.

VI. GEOLOGY AND SOILS. <i>Would the project:</i>				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
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	

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VI. GEOLOGY AND SOILS. <i>Would the project:</i>			
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. Seismic Hazards:

i) According to the California Department of Conservation, Division of Mines and Geology, there are no Alquist- Priolo fault zones within El Dorado County. The nearest such faults are located in Alpine and Butte Counties. There would be no impact.

ii) The potential for seismic ground shaking in the project area would be considered less than significant. Any potential impacts due to seismic impacts would be addressed through compliance with the Uniform Building Code. All structures would be built to meet the construction standards of the UBC for the appropriate seismic zone. Impacts would be less than significant.

iii) El Dorado County is considered an area with low potential for seismic activity. The potential areas for liquefaction on the project site would be the wetlands which would be filled as part of the project. Impacts would be less than significant.

iv) All grading activities onsite would be required to comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance. Compliance with the Ordinance would reduce potential landslide impacts to less than significant.

b. Soil Erosion: According to the Soil Survey for El Dorado County, the soil types onsite are classified as Awd (Auburn silt loam with 2 to 30 percent slopes), and TaD (Tailings, cobbly and stony tailings from dredge mining) which have a slight to moderate and none to slight, respectively, erosion hazard.

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All grading activities exceeding 250 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, August 10, 2010 (Ordinance #4949). 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. Project grading and improvements would occur on-site and off-site. Improvements that would be required for the project for access roads and driveway, water and sewer line connections. All grading plans and activities would be designed to address pre-and post construction Best Management Practices (BMPs) for erosion and sediment controls. As a result, impacts within this category would be less than significant.

- c. **Geologic Hazards:** The onsite soil types have a slow to medium runoff potential with zero to moderate erosion potentials. All grading activities would comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance. Impacts would be less than significant.
- d. **Expansive Soils:** All grading activities would comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance; impacts would be less than significant. According to the *Soil Survey of El Dorado Area, California, 1974* Based on the *Soil Survey of El Dorado Area, CA*, issued April 1974, and the Geotechnical Engineering Study prepared for the project, the area where development would occur has stable soil types that are suitable for residential development. There are no fault lines on the property and the project is not located within a seismic fault buffer. Any future development of the property must be designed to conform to the *County of El Dorado Grading, Erosion, and Sediment Control Ordinance* and the *Uniform Building Code (UBC)*. As a result, impacts within this category would be less than significant.
- e. **Septic Capability.** The project would be served by EID for wastewater services. There would be no impacts related to septic systems.

FINDING: A review of the soils and geologic conditions of the property finds that the site comprises of stable soils that are suitable for the type of development that a project approval would allow. The site has areas of variable slopes with different degrees of steepness, including some of which that are 30 percent and steeper. All grading would be designed to meeting *County of El Dorado Grading and Drainage* standards. Any future construction of residential development would be designed to meet the *Uniform Building Code (UBC)* Seismic Safety Zone 3 construction standards that would apply to residential development. In this category, the threshold of impacts has not been exceeded.

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

a. **Generate Greenhouse Gas Emissions:** The project 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.

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b. Conflict with Policy: 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. Impacts would be less than significant.

FINDING: The project would generate amounts of greenhouse gases would be negligible compared to global emissions or emissions in the County. For this 'Greenhouse Gas Emissions' category impacts would be less than significant.

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

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

- Expose people and property to hazards associated with the use, storage, transport, and disposal of hazardous materials where the risk of such exposure could not be reduced through implementation of Federal, State, and local laws and regulations;

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- 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 Materials:** The project may involve transportation, use, and disposal of hazardous materials such as construction materials, paints, fuels, landscaping materials, and household cleaning supplies. The use of these hazardous materials would only occur during construction. Any uses of hazardous materials would be required to comply with all applicable federal, state, and local standards associated with the handling and storage of hazardous materials. Prior to any use of hazardous materials, the project would be required to obtain a Hazardous Materials Business Plan through the Environmental Health- Hazardous Waste Division of El Dorado County. The impact would be a less than significant level.
- c. **Hazardous Materials near Schools:** The project would not directly allow any operations that would use acutely hazardous materials or generate hazardous air emissions. There are no schools within one-quarter mile of the project. The closest school to the project site is the Kids Kampus Learning Center located approximately 0.5 miles to the northeast. There would be no direct impact.
- d. **Hazardous 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). 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. **Aircraft Hazards:** The project site is not within any airport safety zone or airport land use plan area. There would be no impact.
- f. **Private Airstrips:** There are no private airstrips in the vicinity of the project site. There would be no impact.
- g. **Emergency 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. There would be no impact.
- h. **Wildfire 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 conditions required by the Diamond Springs-El Dorado Fire Protection District, approved Fire Safe Plan, and implementation of California Building Codes would reduce the impacts of wildland fire to a less than significant level.

FINDING: The proposed project would not expose the area to hazards relating to the use, storage, transport, or disposal of hazardous materials. Any proposed use of hazardous materials would be subject to review and approval of a Hazardous Materials Business Plan issued by the Environmental Management. The Diamond Springs-El Dorado Fire Protection District would require Conditions of Approval to reduce potential hazards relating to wild fires. For this 'Hazards and Hazardous Materials' category, impacts would be less than significant.

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XI. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i>			
a. Violate any water quality standards or waste discharge requirements?			X
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or -off-site?			X
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X
f. Otherwise substantially degrade water quality?			X
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X
j. Inundation by seiche, tsunami, or mudflow?			X

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

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

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- a. **Water Quality Standards:** Project related construction activities would be required to adhere to the El Dorado County Grading, Erosion Control and Sediment Ordinance which would require Best Management Practices (BMP's) to minimize degradation of water quality during construction. Impacts would be less than significant.

Any grading and improvement plans required by the El Dorado County Department of Transportation (DOT) and/or Building Services would be prepared and designed to meet the *County of El Dorado Grading, Erosion and Sediment Control Ordinance*. These standards require that erosion and sediment control be implemented into the design of the project. Combined with the design standards outlined by the *El Dorado Design and Improvement Standards Manual (DISM)*, as well as the *Off-Street Parking and Loading Ordinance*, all stormwater and sediment control methods required by the ordinance would be implemented and engineered correctly for the final design, including those necessary for site grading and drainage facilities. Grading and drainage designs would be designed pursuant to a project specific Storm Water Mitigation Plan (SWMP). This would address Storm Water Prevention and Pollution Program (SWPPP) standards in order to adhere to the state requirements, as well as the federal, National Pollution Discharge Elimination System (NPDES) requirements for water quality and water discharge. As a result, impacts would be less than significant.

- b. **Groundwater Supplies:** The project would connect to public water and would not utilize any groundwater as part of the project. There is no evidence that the project would substantially reduce or alter the quantity of groundwater in the vicinity, or materially interfere with groundwater recharge in the area of the proposed project. Construction activities may have a short-term impact as a result of groundwater discharge however; adherence to the Grading Ordinance would ensure that impacts would be less than significant.

- c, d. **Drainage Patterns:** All grading and drainage activities would be required to implement *El Dorado County Grading, Erosion and Sediment Control Ordinance* standards to ensure that grading and/or ground disturbance include proper designs that would reduce and/or eliminate run-off pre-and post construction. Should the backyards of the higher lots drain to the backyards of the lower lots, interceptor drains would be necessary and required and should be shown on the improvement plans. Offsite drainage easements would need to be obtained for any offsite drainage. All stair-step effects from grading would be required to be minimized through the use of Contour Grading. The final drainage plan would be required to be designed to meet the *El Dorado County Grading Erosion and Sediment Control Ordinance*. As conditioned and with strict adherence to County Code, there would be a less than significant impact in these categories.

- e. **Stormwater Runoff:** The project would alter drainage patterns slightly due to grading activities and road improvements. Stormwater runoff has the potential to increase due to the introduction of impervious surfaces into areas not previously developed. Primary increases in runoff would be attributed to road surfaces and the future single-family dwellings and supporting infrastructure. The rate of surface runoff from development would be minimized through the application review process; there would be a less than significant impact from the current proposal's minor road improvements and future impervious surfaces created with development on the new parcels. The access roads and lot pad areas would require modifications to comply with DOT and Fire Code regulations, and strict adherence to Resource Conservation District Best Management Practices.

The Drainage Manual Sections 1.3 & 1.4 requires that a project mitigate for increased runoff. The pre-project runoff and post-project 10-year flows must be equal or post-project flows must be less. If post-project flows exceed pre-project flows, the project must incorporate detention for the stormwater drainage. An area would be required by DOT to be set aside for stormwater detention due to stormwater runoff to

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assure stormwater is handled as discussed above. As conditioned by DOT and with strict adherence to County Code, impacts would be reduced to less than significant levels.

- f. **Degradation of Water Quality:** The project would not result in substantial degradation of water quality in either surface or sub-surface water bodies in the vicinity of the project area. Stormwater and sediment control measures outlined by the *Grading, Erosion and Sediment Control Ordinance* that implement a project specific Storm Water Mitigation Plan (SWMP), the state's Storm Water Pollution and Prevention Program (SWPPP) and National Pollutant Discharge Elimination Systems (NPDES) would be required to be designed with grading and drainage plans. The designs would also include and implement pre- and post-construction Best Management Practices (BMPs), as well as permanent drainage facilities, in order to address the issue of water quality. As discussed above in the *Biological Resources* section, a 50-foot building setback line would be required from the high-water mark surrounding the wetland located within proposed Lot 17. As a result, there would be less than significant impacts.
- g-j. **Flood-related Hazards.** The project site is not located within any mapped 100-year flood areas and would not result in the construction of any structures that would impede or redirect flood flows. No dams are located in the project area which would result in potential hazards related to dam failures. The risk of exposure to seiche, tsunami, or mudflows would be remote. There would be no impact.

FINDING: The drainage facilities on and off-site would be conditioned to handle the run-off that would be associated to the project. Water would be provided for this project by connections to the EID system, as well as adequate capacity to connect to the existing EID wastewater system. All grading, drainage, to include BMPs for pre-and-post-construction for erosion and sediment controls would be incorporated into the final grading and drainage design for the project. Impacts within this category would remain below significant.

X. 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.

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- a. **Established Community.** The project would not create any physical divisions of an established community. The project area is part of the El Dorado – Diamond Springs Community Region and is designated by the General Plan for Medium Density Residential land uses. By rezoning the approximately two-acre portion of the project parcel to R1A, the project would provide an appropriate density of single-family residential development in an area where similar development is planned to exist in the future. The locations of the new lots consider the sensitive environmental resources that exist on the property, including potential migratory corridors and riparian habitat. It could be found that the density and pattern of parcel development for the project vicinity has been established and this project is consistent and compatible with the dominant pattern of the land adjoining the parcel to the north, south and west, also similarly designated by the General Plan. The parcel to the east would have each commercial and/or industrial use analyzed for potential impacts to the surrounding residential areas through the discretionary review process prior to issuance of a building permit. As a result, impacts would remain below significant.
- b. **Land Use Consistency:** The parcel is zoned One-Acre Residential and One-Family Residential-Planned Development (R1A & R1-PD) which would be inconsistent with the Medium Density land use designation and therefore a rezone request for a two-acre portion of the 30.95-acre project area zoned R1-PD to R1A is requested. The proposed rezone and Tentative Subdivision Map, as conditioned and mitigated, could 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.
- 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: For the ‘Land Use Planning’ category, the project would have a less than significant impact. With an approved rezone, the proposed use of the land would be consistent with the zoning and the General Plan policies for medium density residential uses. With that approval and as mitigated, 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.

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

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

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

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a, b. Mineral Resources: The project site is not located within a Mineral Resource Zone (MRZ) as mapped by the State of California Division of Mines and Geology and is not classified or affected by any Mineral Resource overlays of the El Dorado County General Plan.

The western portion of El Dorado County is divided into four, 15 minute quadrangles (Folsom, Placerville, Georgetown, and Auburn) mapped by the State of California Division of Mines and Geology showing the location of Mineral and Resource Zones (MRZ). Those areas which are designated MRZ-2 contain discovered mineral deposits that have been measured or indicate reserves that have been identified and calculated. Land in this category is considered to contain mineral resources of known economic importance to the County and/or State. Review of the mapped areas of the County indicates that this site does not contain any mineral resources of known local or statewide economic value. There would be no impact.

FINDING: There are no mapped mineral resources or deposits on this property. No impacts to energy and mineral resources are expected with the proposed project either directly or indirectly. For this "Mineral Resources" category, there would be no impact.

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

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

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

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- a. **Noise Exposures:** Table 6-1 of the General Plan provides details for projects as being a use subject to maximum allowable noise exposures from transportation source. Table 5.10-3 of the Draft Environmental Impact Report, May 2003, lists noise level specifications for the portion of Forni Road between State Route 49/Pleasant Valley and north to Enterprise Drive. In order to reduce the outdoor exposure to noise levels that would meet the 60dB level defined in Table 6.1, a 172.5-foot, non-building setback would be required measured from the centerline of the near-travel lane of Forni Road. The submitted map shows the closest proposed lot to Forni Road to be Lot 16 which has building areas measured approximately 190 feet from the near travel lane. Therefore, the project would meet the County's 60 dB Ldn/CNEL exterior and 45 dB Ldn/CNEL interior noise level standards for new residential projects; therefore, additional noise mitigation measures would not be required. Impacts in this category would be less than significant.
- b. **Ground borne Shaking:** The project may generate ground borne vibration or shaking events during project construction. These potential impacts would be limited to project construction. Adherence to the time limitations of construction activities to 7:00am to 7:00pm Monday through Friday and 8:00am to 5:00pm on weekends and federally recognized holidays would limit the ground shaking effects in the project area. Impacts would be less than significant.
- c. **Permanent Ambient Noise Increases:** The existing ambient noise in the project vicinity is defined primarily by existing traffic on Forni Road. This project would not add significantly to the existing ambient noise levels of the surrounding area. The overall types and volumes of noise would not be anticipated to be excessive and would be similar in character to surrounding land uses on the north, south and west which are also medium density residential in nature. The parcel to the east is designated by the General Plan for industrial uses and has an active application in progress for commercial and industrial parcels but no uses or structures are proposed. Should that project be approved as proposed, each building and use that would be proposed would require discretionary approval. Prior to approval of any use which may generate noise beyond established thresholds, an acoustical analysis would be required which would ensure that the proposed uses would not exceed the established thresholds or Mitigation Measures would be required to reduce the noise impacts. Impacts would be less than significant.
- d. **Temporary Ambient Noise Increases:** The construction phase of the project would result in an increase in noise levels to surrounding residences as individual homes were built on lots. Construction noise would be temporary and would be minimized by compliance with Policy 6.5.1.11 of the El Dorado County General Plan Noise Element. Project operation would also result in periodic noise generation above current levels from the use of vehicles, landscaping equipment, etc. The overall types and volumes of noise from project operation would not be excessive and would be similar in character to anticipated and expected surrounding land uses within a medium-density designated area. Thus, as a result, this impact would be less than significant.
- e-f. **Aircraft Noise:** The project is not located adjacent to or in the vicinity of a private airstrip and would not experience noise from a private airport. There would be no impacts within this category.

FINDING: No significant impacts to or from noise is expected directly as a result of this proposal. For this "Noise" category, the thresholds of significance have not been exceeded.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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XIII. POPULATION AND HOUSING. <i>Would the project:</i>			
a. Induce substantial population growth in an area, either directly (i.e., by proposing new homes and businesses) or indirectly (i.e., through extension of roads or other infrastructure)?			X
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			X
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?			X

Discussion: A substantial adverse effect on Population and Housing would occur if the implementation of the project would:

- Create substantial growth or concentration in population;
 - Create a more substantial imbalance in the County's current jobs to housing ratio; or
 - Conflict with adopted goals and policies set forth in applicable planning documents.
- a. **Population Growth:** 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 because the land use designation would not change and the existing designation of Medium Density Residential (MDR) permits one dwelling unit per 1.0 acre and the project proposes 26 lots for 30.95 total acres or 1.2 units per acre. If approved as proposed, the project would ultimately result in the addition of 26 new single-family dwellings. 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 approval of the applications as proposed would potentially add 26 single-family units which at 2.70 persons/occupied unit could potentially add approximately 70.2 persons to the neighborhood. Assuming all residential units include a primary and secondary unit, the population could increase to approximately 140.4 persons. Each of those could potentially have second dwelling units, however pursuant to El Dorado County Building Permit data, out of 10,597 building permits issued between the years of 2001 to 2006, 323 were second dwelling units which is three percent which could lead to the conclusion that they are an insignificant factor when looking at population impacts. The proposed project would not induce growth in the area that was not previously anticipated when the General Plan Medium-Density Residential land use designation was adopted. Impacts would be less than significant.
- b. **Housing Displacement.** The project would result in the creation of 26 residential lots. No displacement or relocation housing would result as part of the project. There would be no impact.
- c. **Population Displacement:** The proposed project would not displace any people. 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. Impact due to substantial growth with the proposed rezone, and Tentative Subdivision Map either directly or indirectly as the project site was designated by the General Plan for the proposed density. For this "Population and Housing" category, the thresholds of significance have not been exceeded.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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XIV. PUBLIC SERVICES. <i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>			
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 Diamond Springs–El Dorado Fire Protection District (Fire 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, and State Fire Safe Regulations as adopted by El Dorado County and the 2007 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 Tentative Subdivision Map, with adherence to the Fire Safe Plan approved by Fire District and Cal Fire staff as well as the District recommended Conditions of Approval contained in the project Staff Report. Development of the project would result in a minor increase in demand for fire protection services. The District would review building permit plans to determine compliance with their fire standards. Fire districts have been granted the authority by the State Legislature to collect impact fees at the time a building permit is secured. The impacts would be less than significant.

b. **Police Protection:** The project site would be served by the El Dorado County Sheriff's Department (Department) with a response time depending on the location of the nearest patrol vehicle. The minimum Department service standard is an eight-minute response to 80 percent of the population within Community Regions and their stated goal is to achieve a ratio of one sworn officer per 1,000 residents. If approved as proposed, the proposed Tentative Subdivision Map would create 26 residential lots. The development of additional residential lots on the project site may result in a small increase in calls for service but would not be anticipated to significantly impact the Department any more than was anticipated by the General Plan

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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for lands designated for medium density residential uses. An approved project would not be anticipated to significantly impact current Sheriff's response times to the project area as well. The impacts would be less than significant.

- c. **Schools:** Elementary and middle school students are served by the Mother Lode Union School District. Students would attend Indian Creek School for grades K-5 and then attend Herbert Green Middle School. High school students are served by the El Dorado Union High School District, and would attend either Union Mine or Shenandoah High Schools. Neither school district responded with concerns about having the available capacity to handle the potential additional students. Fees for schools would be collected at the time of building permit issuance. The impacts would be less than significant.
- d. **Parks:** If approved as proposed, the project would add 26 lots of housing units and would create a slight increase in the population in the County as a result. The additional units, however, would not trigger a significant impact that would require the project to develop new park facilities. Section 16.12.090 of County Code establishes the method and procedures to account the acquisition and development of parklands with discretionary subdivisions of land. This section outlines the in-lieu fee options available for residential projects of this size. For this project, a Condition of Approval is added to the project permit that would require the payment of park acquisition fees prior to Final Map recording. Park impact fees would also be assessed during the building permit review phase to offset general park facility impacts. Impacts would be less than significant.
- e. **Government Services:** Other local services such as libraries would experience minor impacts. No other government services would be required as a result of the rezone and Tentative Subdivision Map. The impacts are expected to be incremental and would be less than significant.

FINDING: Adequate public services are available to serve the project. Increased demands to services would be addressed through the payment of established impact fees. The project would not result in a significant increase of public services to the project. For this 'Public Services' category, impacts would be less than significant.

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

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

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

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- a. **Parks:** Park facilities are maintained by the El Dorado County Environmental Health Department. The approval of the applications would potentially add 26 single-family lots to the neighborhood. As discussed above in the Population and Housing Section, the proposed rezone, and Tentative Subdivision Map would not result in a significant population increase not anticipated by the General Plan for medium density residential land uses. Therefore, the project is not anticipated to contribute significantly to increased demand on recreation facilities or contribute to increased use of existing facilities. Impacts to parks would be less than significant.
- b. **Recreational Services:** There would be no other construction or expansion of recreational facilities proposed for this project. The increased demand for services would be mitigated by the payment of the in-lieu fees as discussed above. Impacts would be less than significant.

FINDING: No significant impacts to open space or park facilities would result as part of the project. For this 'Recreation' category, impacts would be less than significant.

XVI. TRANSPORTATION/TRAFFIC. <i>Would the project:</i>			
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X
e. Result in inadequate emergency access?			X
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X

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

- Result in an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system;
- Generate traffic volumes which cause violations of adopted level of service standards (project and cumulative); or

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- 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. **Traffic Increases.** An ADH TS Diamond View Final Traffic Impact Study, Prism Engineering, November 17, 2010 was prepared for the project to evaluate the potential traffic impacts generated. That study was analyzed by Dowling and Associates, DOT and Cal Trans. DOT summed up the collective findings as follows:

The approved Traffic Impact Study identifies two intersections which require mitigation for the Forni Road/Pleasant Valley Road (SR-49) and Oakdell Road/Pleasant Valley Road (SR-49). In order for the signalization to be effective at the Forni Road/Pleasant Valley Road (SR-49) intersection, Forni Road requires to be realigned. This project only increases traffic by 0.5 percent at this intersection. DOT has therefore determined that its fair share thru the TIM fees will be an acceptable mitigation for this intersection. Caltrans is in concurrence with DOT's recommended mitigation for the Forni Road/Pleasant Valley Road (SR-49) intersection.

Although the signalization at the Oakdell Road/Pleasant Valley Road (SR-49) would help alleviate the LOS problem, the intersection is closely spaced (within 500-feet) of an existing signalized intersection (Koki Lane/Pleasant Valley Road (SR-49)). Therefore the proposed mitigation is not acceptable, as the preferred signal spacing is 1,200-feet. Additionally, this project only increases traffic by 0.2 percent at this intersection. DOT has therefore determined that its fair share thru the TIM fees will be an acceptable mitigation for this intersection. Caltrans is in concurrence with DOT's recommended mitigation for the Oakdell Road/Pleasant Valley Road (SR-49) intersection.

With the inclusion of the Conditions of Approval recommended by DOT that are listed in full detail in the subject project staff report for this project, the direct and cumulative impacts would be reduced to a less than significant level.

- b. **Levels of Service Standards.** The traffic study prepared for the project determined that the project would cumulatively impact the levels of service of the access roads, therefore improvements have been required. DOT has determined that the project impacts would not exceed the level of service thresholds established by the General Plan with the approval of the recommended project Conditions of Approval. Impacts would be less than significant.
- c. **Air Traffic:** The project would not result in a change in established air traffic patterns for publicly or privately operated airports or landing field in the project vicinity. No impacts would occur.
- d. **Design Hazards.** The project would not create any significant traffic hazards. The proposed encroachments would be designed and constructed to County standards. The traffic analysis did not identify any hazards associated with the design of the project. The project would provide adequate secondary access for emergency ingress and egress constructed in accordance with the County Design Manual. Impacts would be less than significant.
- e. **Emergency Access.** The project would be required to construct new access roads which would be built to County Design Standards and Diamond Springs-El Dorado Fire Protection District Fire Safe standards to connect to existing roadways in the project area. Adequate primary and secondary access would be provided throughout the project site. The applicant would also to adhere to the approved Diamond View

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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Estates Wildland Fire Safe Plan, Bill Draper, Registered Professional Forester #898, March 7, 2009. As conditioned, impacts would be less than significant.

- f. **Alternative Transportation:** The proposed project does not conflict with the adopted General Plan policies, and adopted plans, or programs supporting alternative transportation. The project was distributed to the El Dorado County Transportation Commission as well as El Dorado County Transit. Neither responded with any concerns or recommendations about the project pertaining to alternative transportation. No public transportation systems, bicycle lanes or bicycle storage would be affected because such features are not present at or adjacent to the project site. There would be no impact.

FINDING: As discussed above, potentially significant traffic impacts at area intersections and roadways would be mitigated to levels of insignificance with planned or completed capital improvement plan projects (CIP), and with DOT-required conditions of approval. DOT reviewed the project and submitted traffic study based on their protocols. As discussed above, and as conditioned, no significant traffic impacts can directly be expected for the proposal. For this "Transportation/Traffic" category, the thresholds of significance have not been exceeded.

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

Discussion: 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;

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- 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. **Wastewater Requirements.** Wastewater treatment would be provided for the project by the El Dorado Irrigation District (EID). The Facility Improvement Letter, El Dorado Irrigation District, FIL0510-013, May 19, 2010 indicated that adequate public wastewater services exist to serve the project. The project is required to comply with requirements for the treatment, collection, processing, and disposal of waste as established by the Regional Water Quality Control Board (RWQCB). Impacts would be less than significant.

The preliminary drainage study prepared for this project identified minor discharge of water runoff in the various watersheds that were included. The study also identified that there is adequate land area within each shed and/or parcel to adequately address site drainage and flow of additional water with the addition of a drainage catch basin. Project specific conditions have been added to the Department of Transportation section of the project permit that would require the project to obtain an Engineer's Report addressing the issue of drainage and maintenance. In addition, the project would be reviewed during grading permit application to ensure that the project is designed to meet the *County of El Dorado Grading, Erosion, and Sediment Control Ordinance*. By implementing the requirements of the ordinance in the final grading and drainage design, including the implementation of pre- and post-construction Best Management Practices (BMPs), this project would have a less than significant level of impact in this category because such procedures are designed based on the RWQCB standards. Impacts would be less than significant.

b. **New Facilities:** No new water or wastewater treatment plants are proposed or are required because of the project. The resulting lots for the current proposal would be required to establish separate domestic water service accounts with EID. The applicant would be responsible for the installation of all extension improvements, to the District's Water, Sewer and Recycled water Design and Construction Standards, necessary to provide these services. The exact improvements required would be determined by an applicant supplied Facility Plan Report of the system which would be given to EID to analyze to see if the proposed system is adequate to supply the domestic water at the correct pressure. Upon satisfaction of the EID requirements for sewage and domestic water services, impacts would be less than significant.

c. **New Stormwater Facilities:** On-site storm water drainage facilities would be installed and maintained on and adjacent this property in order to control, reduce, and/or eliminate run-off from this development. All storm water drainage facilities shall be designed to meet the *El Dorado County Grading, Erosion, and Sediment Control Ordinance*, as well as the *Drainage Manual* standards in order to reduce discharge levels to County, state, and federal standards, and to maintain such flow based on the outcome identified by the preliminary drainage study prepared for this project. That study identified that the current facilities and drainages could handle the additional flow that would be generated with this project. No added improvements would be required as a result of three new parcels, homes, or driveway improvements. The Department of Transportation would review a future Engineer's Report to identify maintenance and fee responsibilities associated to project drainage facilities, as a condition of the permit. Impacts would be less than significant.

d. **Sufficient Water Supply.** The project would be served by EID public water. The Facilities Improvement Letter submitted for the project indicated that adequate public water is available to serve the project. No

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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new public water improvements would be required; the existing water lines in the area are capable of providing the required water meters and fire flow. Impacts would be less than significant.

- e. **Adequate Capacity.** EID that the project would require 25 Equivalent Dwelling Units (EDUs) of water supply based on the proposed project. The Facilities Improvement Letter prepared for the project indicated that 1,315 EDUs are available in the project area. Adequate services would be available and impacts would be less than significant.
- f. **Solid Waste Disposal.** In December of 1996, direct public disposal into the Union Mine Disposal Site was discontinued and the Material Recovery Facility/Transfer Station was opened. Only certain inert waste materials (e.g., concrete, asphalt, etc.) may be dumped at the Union Mine Waste Disposal Site. All other materials that cannot be recycled are exported to the Lockwood Regional Landfill near Sparks, Nevada. In 1997, El Dorado County signed a 30-year contract with the Lockwood Landfill Facility for continued waste disposal services. The Lockwood Landfill has a remaining capacity of 43 million tons over the 655-acre site. Approximately six million tons of waste was deposited between 1979 and 1993. This equates to approximately 46,000 tons of waste per year for this period.

After July of 2006, El Dorado Disposal began distributing municipal solid waste to Forward Landfill in Stockton and Kiefer Landfill in Sacramento. Pursuant to El Dorado County Environmental Management Solid Waste Division staff, both facilities have sufficient capacity to serve the County. Recyclable materials are distributed to a facility in Benicia and green wastes are sent to a processing facility in Sacramento. Impacts would be less than significant.

County Ordinance No. 4319 requires that new development provide areas for adequate, accessible, and convenient storing, collecting, and loading of solid waste and recyclables. On-site solid waste collection for the proposed lots would be handled through the local waste management contractor. Adequate space would be available at the site for solid waste collection. Impacts would be less than significant.

- f, g. **Solid Waste:** In December of 1996, direct public disposal into the Union Mine Disposal Site was discontinued and the Material Recovery Facility/Transfer Station was opened. Only certain inert waste materials (e.g., concrete, asphalt, etc.) may be dumped at the Union Mine Waste Disposal Site. All other materials that cannot be recycled are exported to the Lockwood Regional Landfill near Sparks, Nevada. In 1997, El Dorado County signed a 30-year contract with the Lockwood Landfill Facility for continued waste disposal services. The Lockwood Landfill has a remaining capacity of 43 million tons over the 655-acre site. Approximately six million tons of waste was deposited between 1979 and 1993. This equates to approximately 46,000 tons of waste per year for this period.

After July of 2006, El Dorado Disposal began distributing municipal solid waste to Forward Landfill in Stockton and Kiefer Landfill in Sacramento. Pursuant to El Dorado County Environmental Management Solid Waste Division staff, both facilities have sufficient capacity to serve the County. Recyclable materials are distributed to a facility in Benicia and green wastes are sent to a processing facility in Sacramento. Impacts would be less than significant.

County Ordinance No. 4319 requires that new development provide areas for adequate, accessible, and convenient storing, collecting, and loading of solid waste and recyclables. On-site solid waste collection for the proposed lots would be handled through the local waste management contractor. Adequate space is available at the site for solid waste collection and storage of trash, recycling and related refuse containers. County Ordinance No. 4319 requires that new development provide areas for adequate, accessible, and convenient

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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storing, collecting, and loading of solid waste and recyclables. For residential development some on-site separation of materials is required and areas are required to be set aside for the storage of solid waste in accordance with Ordinance No. 4319. Chapter 8.42.640C of the county Ordinance requires that solid waste, recycling and storage facilities must be reviewed and approved by the County prior to building permit issuance. Impacts would be less than significant.

FINDING: Adequate water and sewer systems are available to serve the project. No significant utility and service system impacts are expected either directly or indirectly. There is a safe and reliable water source available for each lot, available capacity in the County refuse and recycling system, and associate collection areas that are available for this project. For this 'Utilities and Service Systems' category, impacts would be less than significant.

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

Discussion:

- a. The proposed project has the potential to significantly impact biological resources as well as cultural resources as discussed in this document. The project would require oak woodland habitat removal and potential modification an onsite riparian feature. The project would include Mitigation Measures requiring acquisition of permits for the modifications to the riparian areas, and surveys and protection measures to reduce impacts to protected animal species during project construction. As conditioned and mitigated, and with strict adherence to County General Plan policies and permit requirements, this rezone, and Tentative Subdivision Map and the typical residential uses expected to follow, would not appear to 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. Potential impacts from the project would be considered less than significant due to the design of the project and required standards and mitigations that would be implemented with the process of the Final Map and/or any required project specific improvements on or off the property
- b. Cumulative impacts are defined in Section 15355 of the California Environmental Quality Act (CEQA) Guidelines as "two or more individual effects, which when considered together, would be considerable or which would compound or increase other environmental impacts." Based on the analysis in this study, it has been determined that the project would have a less than significant impact based on the issue of

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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cumulative impacts. The project has impacts that could be considered cumulatively significant based on as well as off-site improvements necessary to develop the project. The project would connect to existing public water and sewer services and would not require the extension infrastructure or utilities outside of the Community Region. The project would be consistent with the existing General Plan Land Use Designation and the surrounding land use pattern. The primary cumulative impact on a project specific level would be to transportation and circulation. As discussed in the Transportation section above, the project has been examined by DOT and Cal Trans for its cumulative impact at the Forni Road/Pleasant Valley Road (SR-49) and Oakdell Road/Pleasant Valley Road (SR-49) intersections and both concurred that fair share payment of the project-related TIM fees would be an acceptable mitigation for those intersections. By implementing the Conditions of Approval recommended by DOT and with strict adherence to County permit requirements outlined by this document in the various sections and categories listed, impacts within this category would also be reduced below a level of significant.

- c. Environmental effects, which would appear to have the potential to cause substantial adverse effects on human beings directly or indirectly have not been identified during the project distribution and analysis of the project elements. The project includes mitigations and conditions which have been incorporated into the project from recommendations from the specialized agencies that reviewed the project. As conditioned and mitigated, and with strict adherence to County General Plan policies and permit requirements, this rezone, and Tentative Subdivision Map and the typical residential uses expected to follow, are not likely to cause project-related environmental effects which would result in substantial adverse effects on human beings, either directly or indirectly. Impacts would be less than significant.

SUPPORTING INFORMATION SOURCE LIST

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

El Dorado County General Plan Draft Environmental Impact Report
Volume 1 of 3 – EIR Text, Chapter 1 through Section 5.6
Volume 2 of 3 – EIR Text, Section 5.7 through Chapter 9
Appendix A
Volume 3 of 3 – Technical Appendices B through H

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)

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

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

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

County of El Dorado - Grading, Erosion, and Sediment Control Ordinance Adopted by the County of El Dorado Board of Supervisors, August 10, 2010 (Ordinance #4949)

El Dorado County Design and Improvement Standards Manual

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

Soil Survey of El Dorado Area, California

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

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

Project Specific Resource Material

Land Capability Report, Patterson Development, January 21, 2009

Diamond View Subdivision-Results of Special Status Plant Survey, LSA Associates, May 7, 2008

Diamond View Estates Wildland Fire Safe Plan, Bill Draper, Registered Professional Forester #898, March 7, 2009

Diamond View Subdivision-Preliminary Delineation of Potential Waters of the U.S., LSA Associates, June 18, 2008

Facility Improvement Letter, El Dorado Irrigation District, FIL0510-013, May 19, 2010

Diamond View Estates Subdivision Preliminary Geotechnical Engineering Study, Youngdahl Consulting Group, March 16, 2009

ADH TS Diamond View Final Traffic Impact Study, Prism Engineering, November 17, 2010

Preliminary Drainage Study, Diamond View Tentative Subdivision Map, Patterson Development, May 17, 2010

Proposed Oak Tree Canopy Retention Map for Diamond View Subdivision, Chad Dykstra, Consulting Arborist, dated February 2, 2009

Updated Cultural Resources Study of the Diamond View Estates Subdivision Project, Historic Resources Associates, September 2010.