MITIGATED NEGATIVE DECLARATION

FILE: Site Plan Review SPR15-0003

PROJECT NAME: Shingle Springs Drive Improvements-Encroachment Permit

NAME OF APPLICANT: Shingle Springs Band of Miwok Indians

ASSESSOR'S PARCEL NO.: Shingle Springs Dr. ROW **SECTION:** 31 **T:** 10N **R:** 10E

LOCATION: Shingle Springs Drive ROW between US Highway 50 and Buckeye Road

☐ **GENERAL PLAN AMENDMENT:** **FROM:** **TO:**

☐ **REZONING:** **FROM:** **TO:**

☐ **TENTATIVE PARCEL MAP** ☐ **SUBDIVISION TO SPLIT** **ACRES INTO** **LOTS**
SUBDIVISION (NAME):

☐ **SPECIAL USE PERMIT TO ALLOW:**

☒ **OTHER:** Site Plan Review Permit analyzing the impacts from the construction and operation of a 12-inch, 2,400 linear foot water main, a 6-inch, 3,335 linear foot sewer force main pipeline, and a 36 foot x 40 foot paved driveway within the El Dorado County ROW of Shingle Springs Drive.

REASONS THE PROJECT WILL NOT HAVE A SIGNIFICANT ENVIRONMENTAL IMPACT:

☐ **NO SIGNIFICANT ENVIRONMENTAL CONCERNS WERE IDENTIFIED DURING THE INITIAL STUDY.**

☒ **MITIGATION HAS BEEN IDENTIFIED WHICH WOULD REDUCE POTENTIALLY SIGNIFICANT IMPACTS.**

☐ **OTHER:**

In accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), State Guidelines, and El Dorado County Guidelines for the Implementation of CEQA, the County Environmental Agent analyzed the project and determined that the project will not have a significant impact on the environment. Based on this finding, the Planning Department hereby prepares this MITIGATED NEGATIVE DECLARATION. A period of thirty (30) days from the date of filing this mitigated negative declaration will be provided to enable public review of the project specifications and this document prior to action on the project by COUNTY OF EL DORADO. A copy of the project specifications is on file at the County of El Dorado Planning Services, 2850 Fairlane Court, Placerville, CA 95667.

This Mitigated Negative Declaration was adopted by the Board of Supervisors on ***(date).***

_____

Executive Secretary

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

INITIAL STUDY
ENVIRONMENTAL CHECKLIST

Project Title: Site Plan Review SPR15-0003/Shingle Springs Drive Improvements-Encroachment Permit

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

Contact Person: Mel Pabalinas, Senior Planner | **Phone Number:** (530) 621-5363

Applicant's Name and Address: Shingle Springs Band of Miwok Indians, Tamara Murray-Guerrero, Chairperson, Board of Directors, P.O. Box 1340, Shingle Springs, CA 95682

Project Agent's Name and Address: Tamara Murray-Guerrero, Chairperson, Board of Directors, P.O. Box 1340, Shingle Springs, CA 95682

Project Engineer's Name and Address: Baker Williams Engineering Group, 6020 Rutland Drive Ste. 19, Carmichael, CA 95608

Project Location: Shingle Springs, CA United States Geological Survey (USGS) 7.5-minute quadrangle (Latitude: 38°40'43.4"N Longitude: 120°54'55.0"W). (Exhibit 1)

Assessor's Parcel Number: Shingle Springs Dr. ROW **Acres:** 0.85 acres

Sections: Sec.31 **T:** 10N **R:** 10E

General Plan Designation: County Right-of-way, Low Density Residential (LDR) surrounding (Exhibit 2)

Zoning: County Right-of-way, Residential Estate (RE-5) surrounding (Exhibit 3)

Description of Project: Site Plan Review Permit analyzing the impacts from the construction and operation of a 12-inch, 2,400 linear foot water main, a 6-inch, 3,335 linear foot sewer force main pipeline, and a 36 foot x 40 foot paved driveway within the El Dorado County ROW of Shingle Springs Drive.

Surrounding Land Uses and Setting:

	Zoning	General Plan	Land Use/Improvements
Site	Estate Residential 5-acre (RE-5)	Low Density Residential (LDR)	County right-of-way
North	Estate Residential 5-acre (RE-5)	Low Density Residential (LDR)	U.S. Interstate 50 and associated on/off-ramps
South	Estate Residential 5-acre (RE-5)	Low Density Residential (LDR)	Rural Residences
East	Estate Residential 5-acre/Planned Development (RE-5/PD)	Low Density Residential, Commercial (LDR, C)	Rural residences, California Montessori Project school at Buckeye Road, undeveloped commercially-designated land under ownership and jurisdiction of the Bureau of Indian Affairs held in trust for the Shingle Springs Band of Miwok Indians near U.S. 50 (zoned Planned Development)
West	Estate Residential 5-acre (RE-5)	Low Density Residential, Public Facilities (LDR, PF)	Undeveloped land under ownership and jurisdiction of the Shingle Springs Band of Miwok Indians, rural residences, a church and Buckeye Elementary School

Briefly describe the environmental setting: The Project is located within the existing County right-of-way

(ROW) on Shingle Springs Drive. This is a paved two-lane roadway within a rural residential area with access to U.S. 50. The right-of-way includes the paved roadway, overhead utility lines and poles, roadside drainage ditches and culverts, and roadside grasses, with some trees and shrubs. The surrounding area is rural with distant oak woodlands and grasslands, rural residences, schools, and a church. The Project area is bound to the north by the U.S. 50 on/off-ramps and to the south by Buckeye Road. (Exhibit 4)
Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement) • El Dorado Irrigation District – Responsible Agency • Central Valley Regional Water Quality Control Board–Section 402 NPDES construction permit • El Dorado County Air Quality Management District • El Dorado County –Encroachment Permit • Sacramento Placerville Transportation Corridor Joint Powers Authority – Encroachment Permit

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

	Aesthetics		Agriculture and Forestry Resources		Air Quality
X	Biological Resources		Cultural Resources		Geology / Soils
	Greenhouse Gas Emissions		Hazards & Hazardous Materials	X	Hydrology / Water Quality
	Land Use / Planning		Mineral Resources	X	Noise
	Population / Housing		Public Services		Recreation
X	Transportation/Traffic		Tribal Cultural Resources	X	Utilities / Service Systems

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: 5/19/16

Printed Name: Mel Pabalinas, Senior Planner For: El Dorado County

Signature: _____ Date: 05/19/16

Printed Name: Tiffany Schmid, Principal Planner For: El Dorado County

PROJECT DESCRIPTION

Introduction

This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts resulting from the Shingle Springs Drive Improvements-Encroachment Permit (Project). The Project would allow installation of a new water pipeline and a new sanitary sewer line within public right-of-ways as well as the development of an access driveway extending from and within the right-of-way of Shingle Springs Drive to parcel 319-220-18, which is owned by and under the jurisdiction of the Bureau of Indian Affairs held in trust for the Shingle Springs Band of Miwok Indians (Grant Deed 2011-0010599). Since actions are proposed within the County right-of-way and the proposed actions include extension of the El Dorado Irrigation District (EID) water and sewer main pipelines along Shingle Springs Drive to provide a new service connection, both El Dorado County (County) and EID have jurisdiction over aspects of this portion of the Project, as such each agency must complete it's respective CEQA environmental review prior to providing their respective approvals. The Shingle Springs Band of Miwok Indians will also be required to obtain an encroachment permit on Shingle Springs Drive pursuant to the requirements and conditions of the County. EID must approve the construction plans prior to construction. Other responsible agencies with potential approval authorities over the Project are listed above.

Background

The Shingle Springs Band of Miwok Indians is planning to construct and operate a 5,012 square foot fueling station, carwash, and associated convenience store under Phase I of their Shingle Springs Village Project. Phase II of their Shingle Springs Village Project includes: a restaurant, retail space, office space, and an entertainment venue within a 46,200 square foot structure and a 4,050 square foot structure; two fast food facilities measuring 3,230 square feet and 3,275 square feet, respectively; and a three story, 45,000 square foot 80-room hotel and conference center. The CEQA Project description addresses only the driveway access for Phase I of the Shingle Springs Village Project (as Phase II is not currently proposed but discussed herein in order to consider cumulative traffic effects) and planned water and sewer connections to meet demands of the ultimate buildout of the Shingle Springs Village Project (Phases I and II). The El Dorado Irrigation District (EID) has requested that all aspects of the extension of EID facilities be constructed during Phase I to meet anticipated demands associated with all phases of the eventual Tribal development. The timing of development for Phase II is currently undetermined and will be dependent on the Tribe's budgetary process.

The majority of the proposed Phase I development is located on Tribal land and is therefore not subject to CEQA. The action to be considered in this CEQA Initial Study/Mitigated Negative Declaration is the proposed access driveway for Phase I development, which will require an encroachment permit, and EID water and sewer utility extensions necessary to serve the ultimate buildout of the facilities/phases. Because the Shingle Springs Band of Miwok Indians is proposing development on their Tribal land, they are not required to obtain approvals for those actions from the County, and may proceed with the development proposed on Tribal land prior to obtaining approvals from the County; however, the County ROW encroachment permit for the driveway and approvals from the EID for water and sewer services, must be obtained prior to opening services to the public.

Project Location

The Project is located in El Dorado County, within the Shingle Springs, CA United States Geological Survey (USGS) 7.5-minute quadrangle, the central portion of Section 31 of Township 10 North, Range 10 East, M.D.B.&M. The Project is situated along Shingle Springs Drive at the US 50 eastbound Exit 39 off-ramp. The water and sewer facility extensions and driveway project within the County right-of-way of Shingle Springs Drive (ROW Project) extends from the intersection of Shingle Springs Drive and Buckeye Road north towards the U.S. 50 on/off-ramps (Exhibit 1). The driveway location is 3920 Shingle Springs Drive. The total project length is approximately 13,750 linear feet and the project area is approximately 0.8 acre.

Latitude: 38°40'43.4"N
Longitude: 120°54'55.0"W

The driveway, water and sewer facilities would support the first phase of a commercial project on tribal land adjacent to U.S. 50 and Shingle Springs Drive. The commercial project site is within a portion of El Dorado County Assessor's Parcel Number 319-220-18, which totals 34.63 acres, and is located along Shingle Springs Drive and the US Highway 50 eastbound off-ramp #39 Phase I of the commercial project would develop approximately 7% (2.5 acres) of the total parcel and Phase II would develop an additional 32% of the parcel (11 acres).

Project Objectives

The Project would allow the Shingle Springs Band of Miwok Indians to provide the population in the surrounding community with a fueling station/carwash/convenience store. The Project objectives are to:

- Provide access to tribal land.
- Support current and future phases of the Shingle Springs Village project.

Site Characteristics

The locations for proposed EID utility line extensions within the Shingle Springs right-of-way range in elevation from approximately 1,370 feet msl near the US 50 exit to 1,415 feet msl near proposed Entrance 1, and then gradually declining down to 1,380 feet msl.

Current Zoning, Use, and Structures

The Project lies within the County right-of-way. The General Plan Designation for the area surrounding the Project area is Low Density Residential (LDR) with some Commercial and Public Facility in the vicinity, and has an overlay designation of IBC "Important Biological Corridor". The land surrounding the Project area is zoned RE – Residential Estate 5 acres. The tribal land to the west of the Project area is currently undeveloped and contains no structures other than fencing along the right-of-way (ROW) line, traffic directional signage along the ROW, and grasses and other vegetation. Utility poles are located along and crossing Shingle Springs Drive. Other adjacent land uses include the U.S. Highway 50 corridor to the north, rural residences and a school to the east, a church and undeveloped land to the west, and residential uses to the south. The closest residence is located approximately 300 feet from the Project.

ROW Project Features

Ingress/Egress Driveway

Extending from the southeast corner of the parcel, a three-lane asphalt concrete ingress/egress driveway would allow for access to and from the proposed Shingle Springs Band of Miwok Indians Phase I commercial project fueling station. One lane would be dedicated for ingress and the two southernmost lanes would be left- and right-hand egress turn lanes onto Shingle Springs Drive. The entrance driveway (Entrance 3 on plans in Exhibit 5) would be approximately 36 feet wide by approximately 40 feet deep. The paved area of the driveway would extend and widen the roadway at the area where Shingle Springs Drive and the driveway meet. The proposed driveway is located within El Dorado County right of way, outside of Tribal land and is subject to CEQA review. The driveway includes a new 24-inch corrugated metal pipe culvert beneath the driveway pavement parallel to the road. Six inches of angular rock erosion control measuring a minimum of 5-feet by 10-feet would be located at each end of the culvert. The total temporary disturbance area needed to construct the driveway would be approximately 8,050 square feet and the total new permanent pavement area of the driveway would be approximately 2,457 square feet.

Utility Lines

Utility plans are in the process of development and have not been formally approved by EID. Conceptually, the Project includes installation of approximately 2,400 linear feet of a 12-inch diameter PVC water main and approximately 3,335 linear feet of a 6-inch diameter PVC sewer force main meeting all applicable District requirements and in accordance with the District's current Design and Construction Standards. The 12-inch water

main would be located on the east side (northbound lane) of Shingle Springs Drive and the pipe would be placed at a minimum of 30-inches beneath the roadway subgrade. Trench width for the water main would be approximately 30 inches (2.5 feet), with a temporary surface disturbance area of approximately five feet. Although the trench and pipe alignment would be located beneath existing roadway pavement, construction movement has the potential to disturb areas immediately adjacent to and within three to five feet of the edge of pavement. The potential disturbance area, including paved and unpaved disturbance is approximately 0.8 acre within the County ROW. The water main would run from the proposed driveway ingress point located at the northwest corner of the Project Site to the east side of Shingle Springs Drive and continue south within the County ROW to an existing connection point north of Buckeye Road near Maggie Lane. The Tribe will be required to install fire hydrants, air release valves, blow off valves, and other appurtenances at various locations along the extension of EID facilities. At the point of connection near the northwest driveway the District will provide a master meter that will meet all domestic water needs, including fire protection as the Tribe determines appropriate. Immediately downstream of the meter the Tribe will be required to install a District-approved backflow prevention assembly, which will be tested initially and annually thereafter consistent with District standard practices. A separate master irrigation meter may also be installed to facilitate billing of sewer charges, subject to approval.

The 6-inch sewer force main would be located on the west (south bound) side of Shingle Springs Drive. The pipe would be placed a minimum of 51 inches beneath the roadway subgrade and the maximum trench width would be approximately 2 feet. The sewer force main would run from within the right-turn egress lane along the west side of Shingle Springs Drive and within the roadway ROW to an existing sewer force main at the intersection of Buckeye Road and Shingle Springs Drive. Near Maggie Lane the sewer force main would need to bore under an existing 21-inch water main, placed within a 16-inch steel casing pipe per EID specifications and would also need to bore under the railroad track crossing within a 16-inch steel casing pipe. Onsite within Tribal-owned sewer facilities EID would require that the Tribe apply for a Wastewater Discharge Permit, provide for review onsite sewer line plans to demonstrate proper configuration of pretreatment devices, and install and provide regular unimpeded access to inspect for proper function and maintenance appropriate District-approved pretreatment treatment device(s) that may include, but not be limited to, grease interceptor(s), grease trap(s), oil-water separator(s), sampling ports or other sampling access points, or facilities that the District determines necessary depending on the nature of business conducted and/or profile of waste stream generated. Under no circumstances will construction debris (e.g., concrete wash water or other liquid or solid waste), stormwater, and/or drains from fueling station area be connected to or allowed entry into the EID sewer system. Prior to implementing Phase II or any other phases of the Shingle Springs Village Project, it will be the Tribe's responsibility and obligation to again apply for a Wastewater Discharge Permit, provide for review onsite sewer line plans to demonstrate proper configuration of pretreatment devices, and obtain District approval of all required pretreatment devices to avoid any delays in project implementation and/or interruption of wastewater service. All customers, including the Tribe, must meet all District pretreatment requirements and discharge prohibitions as a condition of service. The Tribe will be required to construct and operate a private sewer lift station that will discharge to the force main.

The water main and sewer force main would be located beneath the existing roadway pavement, and would not result in additional land coverage. About five feet of pavement width would be replaced over both trenches, with the extent of pavement replacement following the requirements of the County encroachment permit, possibly including a chip seal. Replacement pavement would typically include 3 inches of asphalt concrete over 8 inches of aggregate sub-base; however if the existing asphalt concrete is thicker, the El Dorado County encroachment permit may require the replacement pavement match the existing pavement thickness or complete resurfacing to maintain consistency and avoid dips in the roadway. Roadway striping would be repaired following installation of the new pavement, as needed. Existing roadway culverts would be protected and retained during construction. Since both lines cross under Placerville & Sacramento Valley Railroad (S.P.R.R.) ROW, an encroachment crossing permit from El Dorado County, as the jurisdictional member of the Sacramento Placerville Transportation Corridor Joint Powers Authority, will be required of the Tribe to install the pipelines on behalf of EID who will retain the right of the facilities, even though the railroad is not currently in use. The railroad crossing would be accomplished using bore and jack construction to avoid disturbance to the track.

One EID easement area would be located on the Phase I site to accommodate the onsite water facilities discussed above. The easement area would measure approximately 20 feet by 30 feet (600 square feet) and would be located at the property line. Within the easement area, a 12-inch PVC pipe would be located to allow master meter water

service for future use once the proposed commercial structures are constructed, and would also include an appropriately sized line for irrigation of the entire site. The sewer connection would terminate at the property line and would not be associated with the easement. However, as described above the District would be provided unimpeded regular access to the parcel for the previously described purposes associated with any required sewer pretreatment devices as well as the backflow prevention assembly. As shown in the plan sheets (Exhibit 5), the proposed facilities within the easement area include: a backflow prevention device and meter for the 1-inch irrigation line (if ultimately determined necessary), and a 12-inch gate valve, reducer, 8-inch water meter, and an 8-inch gate valve between the meter and 8-inch backflow prevention device on the water line, all per EID requirements.

An electrical transformer is proposed to be located along Shingle Springs Drive near the location of the existing utility pole on the parcel.

Commercial Project Features

The separate Phase I commercial project on tribal land is discussed only for reference as the commercial development will affect cumulative impacts of this ROW Project in regard to drainage and traffic impacts. Phase I of the Shingle Springs Village proposes a canopy-covered 12-bay fueling center with six fueling islands and a 5,012 square foot convenience store and carwash, all of which would be located on Tribal land and outside of the review authority of the County and EID, except that EID and its authorized representatives and state and/or federal regulatory oversight agencies would be granted unimpeded regular access for the purposes of inspection, sampling, testing, repair, and/or enforcement of required Tribal-owned water backflow prevention and sewer pretreatment devices that would be required as a condition of uninterrupted connection to EID. The commercial development would also include a dog run, 22 parking stalls, including an electric vehicle charging space, walkways, exterior lighting, landscaping, and signage. The carwash would collect and recycle water for operations. The commercial development would include an underground storm drainage system beneath the pavement surrounding the gas station, convenience store, and car wash, ranging in diameter from 12 to 24 inches with the larger diameter pipe located along the internal drive-through at the eastern side of the development. Drainage would continue to flow in the existing pattern, with flows collected and directed into the existing 48-inch storm drain at the northern limit of the Project area that runs beneath Shingle Springs Drive. Drainage calculations are included in Attachment 1.

Table 1

Shingle Springs Village Phase I Project Components

Component	Impervious Coverage (sf)	Pervious Coverage (sf)	Total Size (sf)
Fueling Bays	7,089		7,089
Convenience Store	3,910	0	3,910
Carwash and Equipment/Storage Room	1,102	0	1,102
Dog Run	0	1,650	1,650
Parking / Paving	64,237		64,237
Concrete Walkways / Patio	6,300		6,300
Landscaping	0	27,289	
Total Within Tribal Land:	82,638	28,939	111,577

Phasing and Construction

Construction Schedule

Construction within the Shingle Springs Drive ROW is expected to occur over a 2 month period. Construction of the related fueling station and convenience store on tribal land would occur over a 5- to 6-month period with

completion expected by 2017. The construction of the Project would begin once applicable approvals and permits have been obtained, which would likely occur in 2016. Construction would not occur during inclement weather.

Construction Phases and Duration

Construction of the water and sewer facilities and driveway within the County right-of-way would begin with site preparation and grading, and include excavation, installation of the water and sewer infrastructure, paving, and striping. Access corridors, buried utility lines, and the location of access points would be flagged and staked in order to guide construction activities. Any identified sensitive resource areas would be temporarily fenced to prevent construction activity from occurring in these areas.

Site Preparation

Drainage and runoff controls and barriers would be installed per the submitted Erosion and Sediment Control Plan and in accordance with the County encroachment permit to ensure both on and off site erosion would not result from construction activities.

The total disturbed area within the County ROW would be approximately 36,800 square feet (0.8 acre), with approximately 2,457 square feet (0.06 acre) of new impervious coverage from the driveway.

Grading

As part of the project engineering process, detailed civil engineering drawings that fit the specific soil and site characteristics of the Project area would be established. The engineered plans will address run-off, drainage and slope stability. Grading activities include cut and fill activities at the proposed driveway location. Preliminary earthwork estimates are provided in Table 2; however, it should be noted that these estimates include grading of the commercial development as well as this project within the County ROW. Only a small amount of the total reported below would be associated with the ROW Project addressed in this analysis.

Vegetation Removal

Low laying vegetation will be kept intact, as feasible, during construction to help with dust control and water run-off. A non-noxious ground cover native to the area will be used to control dust and issues arising from runoff. Slopes around the driveway will be stabilized with a hydroseed mix. Revegetation shall occur in coordination with the El Dorado County Resource Conservation District and shall be accomplished between September 15 and October 15, if not sooner, to comply with County erosion control requirements for the rainy season. Temporary erosion and sediment controls will be implemented during stages of vegetation establishment.

Table 2

Earthwork Estimates

Overall Disturbance Area	117,600 sf
Cut	4,500 cy
Fill	3,500 cy
Net	+1,000 cy

Note: Earthwork estimates include all Project components both on and outside of Tribal land.

Staging

Equipment and materials will be located in a designated staging area located within tribal land adjacent to Shingle Springs Drive. No staging would occur outside the construction disturbance area off tribal land. A staging area, stockpile area, and concrete washout area are proposed on the Shingle Springs Band of Miwok Indians' Phase II commercial development parcel.

Erosion Control

Erosion control measures for the project include, but are not limited to:

- Hydroseeding slopes, particularly around the proposed driveway, and application of straw mulch or other temporary erosion controls;
- Installing 6-inch minimum sized riprap 12 inches deep for inlet/outlet protection at the driveway culverts;
- Sweeping and cleaning soil tracking on existing pavement daily and/or as needed;
- Placing fiber roll or a gravel bag perimeter around the staging area;
- Installing a concrete washout area, dumpsters with lids, and portable toilets;
- Installing a stabilized construction access to reduce tire tracking;
- Installing fiber roll along the boundary of disturbed areas and, during the wet season installing a 20-foot buffer zone of straw mulch and tackifier in addition to the fiber roll;
- Placing gravel bag sediment control barriers at pipe inlets; and
- Constructing a stockpile area with a gravel bag perimeter, in which all materials shall be properly stored and covered so as not to pollute runoff and to decrease dust.

Each of these measures is identified in the plan sheets for the project, including additional detail and requirements. If grading is not complete by October 15, the plan sheets for the project indicate that additional winterization measures may be employed or restrictions may be enforced between October 15th and May 1st. El Dorado County Resource Conservation District erosion control requirements and specifications will be implemented and are integrated into the project action. An Erosion and Sediment Control Plan showing the placement of each best management practice (BMP) listed above and on Plan Set Sheets 10 and 11 (Exhibit 5) will be submitted to the County prior to construction. This Erosion and Sediment Control Plan includes specific BMPs to protect the drainage for both the east and west sides of Shingle Springs Drive at County culvert locations. In addition, specific site stabilization measures that are planned to be installed following construction will be defined and mapped.

Construction Workers, Hours and Equipment

The on-site workforce would consist of laborers, electricians, supervisory personnel, support personnel and construction management personnel. Construction would generally be conducted during day light hours, five days a week. Construction activities would be conducted in a manner consistent with County requirements regarding construction and noise disturbance. Therefore, construction is anticipated to occur during daylight working hours between 6 AM and 7 PM Monday through Friday. If construction should occur on Saturday, activities would be limited to between 9 AM and 6 PM. The County allows exceptions to these hours if it can be shown that construction outside these hours is necessary to alleviate congestion and safety hazards. Should the water line and sewer force main tie in process require service disruption, this activity may need to occur at night to minimize service impacts. This typically requires a few hours to complete and a temporary exemption may be required should the tie in process require service disruption; however, it is possible to make the tie in connections without disrupting service and this will be attempted first to avoid noise and service disturbance. Since the County will not allow the use of steel plates on the bore pits for safety reasons, the bore and jack crossing under the railroad tracks and the existing water main at Maggie Lane would occur on a continuous 24-hour basis until the bore and jack construction is complete.

The Project would source local labor, equipment and materials to the extent they are available. Development of the Project would utilize locally available materials as much as possible.

Regulatory Compliance Measures

Regulatory compliance measures are included in the description of the Project to minimize potential environmental impacts. Regulatory compliance measures include measures such as installation of Best Management Practices (BMPs), agency permit requirements, and air quality protection measures and are considered part of the Project under CEQA processes because compliance is required to construct and operate the Project. Regulatory compliance measures of the Project are discussed in the sub-sections below.

1. Implement BMPs to Reduce Air Pollutant Emissions

A Fugitive Dust Plan will be submitted to the El Dorado County Air Quality Management District (EDCAQMD) prior to project trenching for the water and sewer extensions as required by the conditions of the Grading Permit. Dust control shall follow the latest version of the EDCAQMD Fugitive Dust and Asbestos Rules (Rule 223), as listed in Rule 223-1 Tables 1 and 3, including but not limited to:

- Visible emissions shall not exceed the shade designated as No. 0 on the Ringelmann Chart, or 0% opacity as determined in accordance with US EPA Method 9, at 50 feet from the point-of-origin and at the property line. Visible emissions shall not exceed the shade designated as No. 1 on the Ringelmann Chart, or 20% opacity as determined in accordance with US EPA Method 9 at the point-of-origin. Applicable Best Management Practices included in Table 1 through 4 of this Rule or similar effective measures shall be utilized to comply with fugitive dust standards of this rule from each fugitive dust source type within the active operation.
    - An owner/operator shall limit the speed of vehicles traveling within construction sites if necessary to prevent visible dust emissions in excess of the standards in Section 223-1.4 A. When sustained wind speeds result in visible dust emissions in excess of the standards in Section 223-1.4 A, despite the application of dust mitigation measures, grading and earthmoving operations except water trucks shall be suspended.
- Owners/operators shall prevent carryout and trackout, or immediately remove carryout and trackout when it extends 50 feet or more from the nearest unpaved surface exit point of a site and at the minimum remove all other visible carryout and trackout at the end of each workday
  Cleanup of carryout and trackout shall be accomplished by:
    - Manually sweeping and picking-up; or
    - Operating a rotary brush or broom accompanied or preceded by sufficient wetting; or
    - Operating a PM10-efficient street sweeper.
    - Flushing with water, if curbs or gutters are not present, and where the use of water will not result in a source of trackout material or result in adverse impacts on storm water drainage systems or violate any National Pollutant Discharge Elimination System permit program.
- Haul truck covering – Trucks used to haul soil or aggregate materials during construction shall be maintained to prevent spillage and the material will be covered or wetted to prevent the generation of dust. Freeboard must be 6 inches or greater.
- Stabilize backfill material, soil during clearing and grubbing and cut and fill operations, loose materials, and disturbed soil. Watering, prewatering, use of stabilizing agents, minimizing drop heights, and reducing speeds can effectively address dust resulting from such activities.

2. Time of Day Construction Restrictions

This compliance measure restricts construction activities to between the hours of 6:00 AM and 7:00 PM Monday through Friday and 9:00 am to 6:00 pm on Saturdays to minimize noise impacts to sensitive receptors. The County allows exceptions to these hours if it can be shown that construction outside these hours is necessary to alleviate congestion and safety hazards. An exception to this measure would occur during bore and jack construction beneath

the railroad tracks and the existing water main at Maggie Lane because the County will not allow the use of steel plates to cover the bore pits due to safety hazards and is requiring 24-hour construction of the bore and jack operation. An exception may also occur during the tie-in process for the water and sewer lines; however, that process will most likely occur mid-week during regular daytime construction hours.

3. Construction Equipment Muffling

Shrouding or shielding of impact tools and muffling or shielding intake and exhaust ports on construction equipment will be implemented to reduce construction noise levels. The machinery shall be maintained to ensure the mufflers are operating consistent with manufacturers' standards. Machinery used for bore and jack operations occurring outside daytime construction hours shall be shielded to reduce nighttime noise levels and stationary construction equipment shall be placed so that sound is emitted away from the nearest sensitive receptors.

4. Erosion and Sediment Control Plan

The Erosion and Sediment Control Plan (ESCP), shown on Sheets 10 and 11 of Exhibit 5, is required for County permitting. The ESCP includes best management practices (BMPs), water quality protection measures, staging ingress/egress practices, and other construction-related details, as discussed above under Erosion Control. The Project is required to meet the County Grading and Erosion and Sediment Control Ordinance, the Stormwater Ordinance, and the Storm Water Management Plan. The Project will implement the County's conditions of approval related to erosion and sediment control.

Although ground disturbance is estimated to equal approximately 0.85 acre within the County ROW, should ground disturbance within the Project area exceed one acre, the Project would be subject to the Statewide Stormwater Construction General Permit requirements of the NPDES program. Under those circumstances, permit coverage must be obtained from the Regional Water Quality Control Board with evidence of a state-issued WDID number or filing of a Notice of Intent (NOI) and fees prior to start of construction, and a Stormwater Pollution Prevention Plan (SWPPP) would be required under Construction General Permit Order NO 2009-0009-DWQ for discharges of stormwater runoff associated with construction activity involving land disturbance. However, this permit is not anticipated due to the Project's estimated total disturbance of less than one acre.

5. Utility Coordination

Coordination will occur with utility providers prior to construction regarding the exact location of each underground utility line within the construction area. The "ABC Plan" will be used to coordinate with utility providers. Underground Service Alert North's Design Inquiry Tool will be used to develop a list of contacts and utility providers in the area. Then "A" letters are sent with preliminary plans showing the project limits, roads, and features to each utility to provider for markup. This step has been completed during development of the route study and was used to determine pipeline route alternatives. Next, "B" letters are sent to the utility providers to identify conflicts with location or schedule and to determine if relocation is necessary. This occurs prior to construction during the engineering phase. Finally, "C" letters are sent to the utility providers with final plans showing the proposed utility, relocations, and construction. Utility providers within the project area include:

- PG&E – Overhead and underground electric
- EID – Water/Sewer
- El Dorado County – Storm drain and roads
- Private Properties – Irrigation and roads

Underground and overhead utilities will be shown on project construction specifications within the civil engineering plans and the pipeline design and specifications will address the location of the existing utilities, location of the proposed pipelines in relation to the existing utilities, and the required separation distance and spacing between utilities.

Construction contractors will contact Underground Service Alert (USA 811/1-800-227-2600) to ensure buried lines are properly marked and located. Utility companies will be provided with an accurate schedule noting when construction occurs near their facilities. Utility facilities will be identified on construction specifications.

The design of the water and sewer pipelines within public ROW will be developed per EID standards. EID approval of the Improvement Plans and easements will be obtained prior to commencing work. Line extension agreements with EID will be required. All EID facilities will be subject to EID inspection. Connection of extensions to EID utilities will require prior approval and presence of EID staff onsite during connection. An encroachment permit will be obtained by the Tribe from El Dorado County for the construction within Shingle Springs Drive. The encroachment permit will specify pavement repair standards, work hours and traffic control.

It is not anticipated that the tie in to the existing water line and sewer force main will result in disruption of service. The force main will be "hot tapped" while the sewer is active and the existing water line stub out allows connection to occur without resulting in a service outage. The tie in activity to the existing water line and sewer force main requires a few hours to complete. Should a service outage be required, EID would notify impacted customers; however this may be minimized by conducting tie in activities at night.

The specifications shall identify points of contact for the contractor and the utility companies, EID, Caltrans, and El Dorado County, and measures, specific to each utility/entity, to be taken to rectify damage. If service is interrupted due to damage, construction will cease in the vicinity of the incident, and work will begin immediately to repair the damage at the contractor's expense. If damage occurs to infrastructure that does not affect service levels, the infrastructure will be repaired following construction.

6. Inadvertent Discovery Actions

If, during construction activities, an unusual amount or accumulation of non-native stone (obsidian, fine-grained silicates, basalt), bone, shell, or prehistoric or historic period artifacts (purple glass, etc.), or if areas that contain dark-colored sediment that do not appear to have been created through natural processes are discovered, work will cease in the immediate area of discovery and a professionally qualified archeologist will be contacted immediately for an on-site inspection of the discovery.

If any bone is uncovered that appears to be human, work will cease in the immediate area of discovery, and the El Dorado County Coroner must be contacted by law (State Health and Safety Code Section 7050.5 and Public Resource Code Section 5097.98). The Shingle Springs Band of Miwok Indians will also be contacted as portions of the Project are located on tribal lands. If the coroner determines that the bone most likely represents a Native American interment, the Coroner has 24 hours to contact the Native American Heritage Commission in Sacramento so that they can identify the most likely descendants, who will then help determine what course of action shall be taken in handling the remains.

Required Permits and Approvals

The water/sewer pipeline and access driveway are within County ROW, and the County is the Lead Agency for the preparation of environmental documentation for the Project under Article 4, §15051 of CEQA. After adoption of the Mitigated Negative Declaration (MND), the County and responsible agencies will use the information and analysis in the MND to make decisions regarding the Project. Because the Project includes extension of EID water and sewer mains, EID serves as a responsible agency. Other agencies may also take responsible agency roles in project approvals.

The Lead Agency must consult with and seek comments from public agencies with jurisdiction by law with respect to projects including neighboring cities and counties, and federal, state, and local agencies that exercise authority over resources that may be affected by the Project (CEQA Guidelines §15073). A Responsible Agency has responsibility for carrying out or approving an aspect of a project and complying with CEQA (CEQA Guidelines §15041[b]), §15042, and §15381). Responsible agencies may need to review the analysis conducted by the lead agency or conduct separate environmental analyses and documentation for aspects of the Project. Trustee Agencies have jurisdiction by law over certain natural resources affected by a project that are held in trust for the people of

California (CEQA Guidelines §15386). The following summarizes Responsible or Trustee agencies, or agencies with jurisdiction by law, for the Project.

Additional permits may be required for the Tribe and facility operator to construct and operate the Phase I facilities on Tribal land (gas station, convenience store and car wash). Those permits or compliance actions are not listed below, as they are not included in the action analyzed under this CEQA document.

Federal Agencies

- The U.S. Army Corps of Engineers (Corps), responsible for permitting impacts to jurisdictional wetlands and other waters of the United States (WoUS), including perennial and seasonal streams, wetlands, and lakes under the federal Clean Water Act (CWA) §404;
- United States Environmental Protection Agency (USEPA), responsible for enforcement water and air quality laws and regulations; and
- United States Department of Fish and Wildlife (USFWS), responsible for permitting incidental take of federally-listed Threatened and Endangered Species under the federal Endangered Species Act, species protected by the Bald and Golden Eagle Protection Act, and nesting bird species listed under the Migratory Bird Treaty Act (MBTA).

State Agencies

- California Department of Fish and Wildlife (CDFW), responsible for impacts to wildlife under the California Endangered Species Act (CESA) and State Fish and Game (F&G) Code; rare or listed plants and wildlife under CESA and the California Native Plant Protection Act (CNPPA), and streams under F&G Code; and
- Central Valley Regional Water Quality Control Board, responsible for water quality protection and issuance of Storm Water Pollution Prevent Plans (SWPPP) pursuant to the National Pollution Discharge Elimination System (NPDES), and responsible for federal CWA §401 Water Quality Certifications or Waivers.

Local Agencies

- El Dorado Irrigation District – Responsible Agency, also responsible for Design Review and Construction Inspection of water and sewer utility extensions.
- El Dorado County Air Quality Management District (EDCAQMD), responsible for air quality management and attainment of State and federal air quality standards;
- El Dorado County Planning Department, Transportation Department, and Board of Supervisors, responsible for Project planning and approval, storm drainage oversight, and encroachment within roadway ROW and railroad ROW (El Dorado County issues the railroad encroachment as the jurisdictional member of the Sacramento Placerville Transportation Corridor Joint Powers Authority);
- El Dorado County Fire District and El Dorado County Sheriff's Department, responsible for fire suppression and emergency response services.

Trustee Agencies

In addition to the responsible agencies listed above, the CEQA analysis will be used by "trustee agencies," which are those state agencies having jurisdiction by law over natural resources that could be affected by the Project. There is one trustee agency identified for the project:

- California Department of Fish and Wildlife (CDFW), responsible for permitting impacts to:
    - Lakes, streams and associated riparian habitats under Lake or Stream Bed Alteration Agreements (LSAA) (Fish & Game Code §1602),

- Rare plants under the California Native Plant Protection Act (CNPPA),
- Fish and wildlife protected under Fish & Game Code, and
- State-listed Threatened or Endangered species under the California Endangered Species Act (CESA).

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. If the lead agency has determined that a particular physical impact may occur, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is a fair argument that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of Mitigation Measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the Mitigation Measures, and briefly explain how they reduce the effect to a less than significant level.

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:

   a. Earlier Analysis Used. Identify and state where they are available for review.

   b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

   a. the significance criteria or threshold, if any, used to evaluate each question; and
   b. the mitigation measure identified, if any, to reduce the impact to less than significant.

ENVIRONMENTAL IMPACTS

I. AESTHETICS. *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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	

Regulatory Setting:

Federal Laws, Regulations, and Policies

No federal regulations are applicable to aesthetics in relation to the proposed project.

State Laws, Regulations, and Policies

In 1963, the California State Legislature established the California Scenic Highway Program, a provision of the Streets and Highways Code, to preserve and enhance the natural beauty of California (Caltrans, 2015). The state highway system includes designated scenic highways and those that are eligible for designation as scenic highways.

There are no officially designated state scenic corridors in the vicinity of the project site.

Local Laws, Regulations, and Policies

The County has several standards and ordinances that address issues relating to visual resources. Many of these can be found in the County Zoning Ordinance (Title 130 of the County Code). The Zoning Ordinance consists of descriptions of the zoning districts, including identification of uses allowed by right or requiring a special-use permit and specific development standards that apply in particular districts based on parcel size and land use density. These development standards often involve limits on the allowable size of structures, required setbacks, and design guidelines. Included are requirements for setbacks and allowable exceptions, the location of public utility distribution and transmission lines, architectural supervision of structures facing a state highway, height limitations on structures and fences, outdoor lighting, and wireless communication facilities.

Visual resources are classified as 1) scenic resources or 2) scenic views. Scenic resources include specific features of a viewing area (or viewshed) such as trees, rock outcroppings, and historic buildings. They are specific features that act as the focal point of a viewshed and are usually foreground elements. Scenic views are elements of the broader viewshed such as mountain ranges, valleys, and ridgelines. They are usually middle ground or background elements of a viewshed that can be seen from a range of viewpoints, often along a roadway or other corridor.

A list of the county's scenic views and resources is presented in Table 5.3-1 of the El Dorado County General Plan EIR (p. 5.3-3). This list includes areas along highways where viewers can see large water bodies (e.g., Lake Tahoe and Folsom Reservoir), river canyons, rolling hills, forests, or historic structures or districts that are reminiscent of El Dorado County's heritage.

Several highways in El Dorado County have been designated by the California Department of Transportation (Caltrans) as scenic highways or are eligible for such designation. These include U.S. 50 from the eastern limits of the Government Center interchange (Placerville Drive/Forni Road) in Placerville to South Lake Tahoe, all of SR 89 within the county, and those portions of SR 88 along the southern border of the county.

Rivers in El Dorado County include the American, Cosumnes, Rubicon, and Upper Truckee rivers. A large portion of El Dorado County is under the jurisdiction of the USFS, which under the Wild and Scenic Rivers Act may designate rivers or river sections to be Wild and Scenic Rivers. To date, no river sections in El Dorado County have been nominated for or granted Wild and Scenic River status.

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 or Resource:** The Project area consists of the roadway ROW on Shingle Springs Drive. The roadway is paved and the remaining ROW adjacent to the paved travelway consists of roadway drainage and grasses. Adjacent to the ROW, the physical attributes include some trees and shrubs, utility poles, fences, mailboxes and similar roadside attributes on private property. The land under Tribal ownership is undeveloped and includes grasses, disked firebreaks, and oaks in the distance. No scenic vistas have been officially designated for the project site or vicinity in the General Plan (El Dorado County, 2003). There are no designated scenic vistas in the Project area. The Project area is not located near nor will it be visible from a designated state scenic highway. The site is visible from U.S. 50 and adjacent private property, but the development of a driveway and drainage along Shingle Springs Drive and underground utilities would not affect the visual character or quality of views from U.S. 50 or surrounding private properties. Impacts would be less than significant.

b. **Scenic Resources:** The Project area is not located near nor will it be visible from a designated state scenic highway, public park, or scenic vista. Since the improvements occur within the designated ROW on Shingle Springs Drive, there are no significant trees or historic buildings within the ROW that would be affected. No impact would occur.

c. **Visual Character:** Currently, the Shingle Springs Drive ROW consists of the paved roadway and roadside drainage and grasses. Beyond the ROW, the character of the area is rural with residences, schools, and a church visible along the roadway, as well as U.S. 50, interspersed with oak woodland and grassland. There are existing driveways connecting to the residences, schools, and church, as well as existing roadside drainage. Installation of underground water and sewer infrastructure and paved driveway and drainage features within the existing roadway ROW would not result in modifications to the existing character of the area or obstruct views of the surrounding area. These uses are visually compatible with the existing development in the area. Construction activities will be visible; however, the construction activities will be short-term and temporary. Some vegetation removal may occur; however, the vegetation to be removed is sparse and removal would be minimal, so as not to result in a notable visual change. The indirect effect of the addition of more vehicles on Shingle Springs Drive and the proposed driveway would not result in a significant change. The permanent visual change from the driveway and drainage would not be significant or affect the visual character of the area.

d. **Light and Glare:** Installation and operation of the sewer and water pipeline extensions would not result in new light sources. No lighting fixtures would be located within the proposed driveway. Temporary construction night lighting may occur during bore and jack operations beneath the railroad tracks and water line near Maggie Lane. Lighting would be directional to illuminate the work area. Since the nearest residences are at least 300 feet from the construction area, and the lighting would be directed downward toward the bore and jack operations, lighting would not adversely impact nighttime lighting conditions at nearby residences. The temporary use of night lighting for bore and jack construction would be less than significant.

FINDING: As conditioned and with adherence to El Dorado County Code of Ordinances (County Code), for this Aesthetics category, impacts would be less than significant.

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 Department 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:

	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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
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?				X

Regulatory Setting:

Federal Laws, Regulations, and Policies

No federal regulations are applicable to agricultural and forestry resources in relation to the proposed project.

State Laws, Regulations, and Policies

Farmland Mapping and Monitoring Program

The Farmland Mapping and Monitoring Program (FMMP), administered by the California Department of Conservation (CDC), produces maps and statistical data for use in analyzing impacts on California's agricultural resources (CDC 2008). FMMP rates and classifies agricultural land according to soil quality, irrigation status, and other criteria. Important Farmland categories are as follows (CDC 2013a):

Prime Farmland: Farmland with the best combination of physical and chemical features able to sustain long-term agricultural production. These lands have the soil quality, growing season, and moisture supply needed to produce

sustained high yields. Prime Farmland must have been used for irrigated agricultural production at some time during the 4 years before the FMMP's mapping date.

Farmland of Statewide Importance: Farmland similar to Prime Farmland, but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Farmland of Statewide Importance must have been used for irrigated agricultural production at some time during the 4 years before the FMMP's mapping date.

Unique Farmland: Farmland of lesser quality soils used for the production of the state's leading agricultural crops. These lands are usually irrigated but might include non-irrigated orchards or vineyards, as found in some climatic zones. Unique Farmland must have been cropped at some time during the 4 years before the FMMP's mapping date.

Farmland of Local Importance: Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.

California Land Conservation Act of 1965 (Williamson Act)

The California Land Conservation Act of 1965 (commonly referred to as the Williamson Act) allows local governments to enter into contracts with private landowners for the purpose of preventing conversion of agricultural land to non-agricultural uses (CDC 2013b). In exchange for restricting their property to agricultural or related open space use, landowners who enroll in Williamson Act contracts receive property tax assessments that are substantially lower than the market rate.

Z'berg-Nejedly Forest Practice Act

Logging on private and corporate land in California is regulated by the 1973 Z'berg-Nejedly Forest Practice Act. This Act established the Forest Practice Rules (FPRs) and a politically-appointed Board of Forestry to oversee their implementation. The California Department of Forestry (CALFIRE) works under the direction of the Board of Forestry and is the lead government agency responsible for approving logging plans and for enforcing the FPRs.

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 Project is located on County ROW along Shingle Springs Drive in an area primarily designated as Low Density Residential. Surrounding land uses include rural residences, undeveloped land, a church, and schools. The Project site is County right-of-way; therefore, it is not currently used for farming activities and is not located within an area designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, according to the State of California Resources Agency (DOC 2012 and NRCS 2015).

The California Department of Conservation (DOC) applies the United States Department of Agriculture, National Resources Conservation Service (NRCS) soil classifications to identify agricultural lands. These designations are used in planning California's present and future agricultural land resources. Maps of important farmlands are prepared by the DOC as part of its Farmland Mapping and Monitoring Program (FMMP). The 2012 map for El Dorado County shows the project contains "Urban and Built-Up Land" and "Other Land," or land not mapped as farmland, grazing land, or urban. According to the USDA and the NRCS, the Project site contains Auburn silt loam, 2-30% slopes (AwD) at the U.S. 50 offramp and along Shingle Springs Drive between Sleepy Creek Lane and the railroad tracks, and Sobrante silt loam, 3-15% slopes (SuC) on Shingle Springs Drive north of Sleepy Creek Lane and south of the railroad tracks. Auburn silt loam is not considered prime farmland and Sobrante silt loam is characterized as farmland of local importance by NRCS, although it is not listed as such on the Department of Conservation maps. NRCS rates Sobrante silt loam as 3e irrigated and 3e non-irrigated capability class, which is soil with severe limits, primarily due to erosion. NRCS rates Auburn silt loam and Auburn very rocky silt loam as irrigated and non-irrigated capability class 6e, indicating severe limitations due to erosion and limiting use to

rangeland, pasture or wildlife habitat. The California Storie Index measures a soil's potential cultivation productivity. The Storie Index for Auburn silt loam and Auburn very rocky silt loam is Grade 4 – poor and for Sobrante silt loam is Grade 3 – fair; therefore, agricultural potential onsite is limited. (DOC 2012, NRCS 2015) Since the land is not designated as Prime, Unique, or Farmland of Statewide Importance, the Project will not convert designated farmland and will result in no impact.

b. **Agricultural Uses:** There are no Williamson Act contracts associated with the property or adjacent properties. No impact would occur.

c-d. **Loss of Forest land or Conversion of Forest land:** The Project site is identified in the County General Plan as Low Density Residential, and zoned RE Residential Estate. The project site and surrounding area are not designated as Timberland Preserve Zone (TPZ) or other forestland according to the General Plan and Zoning Ordinance. Some tree trimming or removal of a couple of trees may occur within the ROW; however this would not be considered loss of forestland or conversion of forestland as the project is located within the County ROW and the number of trees affected would be few. There would be no impact.

e. **Conversion of Prime Farmland or Forest Land:** The land is not zoned for agricultural use or located within an Agricultural District, and is not currently used for agriculture or timber harvesting; therefore no conversion from prime farmland or forest land would occur and there would be no impact.

FINDING: For this Agriculture category, the thresholds of significance have not been exceeded and no impacts would be anticipated to result from the project.

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

Regulatory Setting:

Federal Laws, Regulations, and Policies

The Clean Air Act is implemented by the U.S. Environmental Protection Agency (USEPA) and sets ambient air limits, the National Ambient Air Quality Standards (NAAQS), for six criteria pollutants: particulate matter of aerodynamic radius of 10 micrometers or less (PM10), particulate matter of aerodynamic radius of 2.5 micrometers or less (PM2.5), carbon monoxide (CO), nitrogen dioxide (NO2), ground-level ozone, and lead. Of these criteria pollutants, particulate matter and ground-level ozone pose the greatest threats to human health.

State Laws, Regulations, and Policies

The California Air Resources Board (CARB) sets standards for criteria pollutants in California that are more stringent than the NAAQS and include the following additional contaminants: visibility-reducing particles, hydrogen sulfide, sulfates, and vinyl chloride. The proposed project is located within the Mountain Counties Air Basin, which is comprised of seven air districts: the Northern Sierra Air Quality Management District (AQMD), Placer County Air Pollution Control District (APCD), Amador County APCD, Calaveras County APCD, the Tuolumne County APCD, the Mariposa County APCD, and a portion of the El Dorado County AQMD, which consists of the western portion of El Dorado County. The El Dorado County Air Quality Management District manages air quality for attainment and permitting purposes within the west slope portion of El Dorado County.

USEPA and CARB regulate various stationary sources, area sources, and mobile sources. USEPA has regulations involving performance standards for specific sources that may release toxic air contaminants (TACs), known as hazardous air pollutants (HAPs) at the federal level. In addition, USEPA has regulations involving emission criteria for off-road sources such as emergency generators, construction equipment, and vehicles. CARB is responsible for setting emission standards for vehicles sold in California and for other emission sources, such as consumer products and certain off-road equipment. CARB also establishes passenger vehicle fuel specifications.

Air quality in the project area is regulated by the El Dorado County Air Quality Management District. California Air Resources Board and local air districts are responsible for overseeing stationary source emissions, approving permits, maintaining emissions inventories, maintaining air quality stations, overseeing agricultural burning permits, and reviewing air quality-related sections of environmental documents required to comply with CEQA. The AQMD regulates air quality through the federal and state Clean Air Acts, district rules, and its permit authority. National and state ambient air quality standards (AAQS) have been adopted by the Environmental Protection Agency and State of California, respectively, for each criteria pollutant: ozone, particulate matter, carbon monoxide, nitrogen dioxide, and sulfur dioxide.

The Environmental Protection Agency and State also designate regions as "attainment" (within standards) or "nonattainment" (exceeds standards) based on the ambient air quality. The County is in nonattainment status for both federal and state ozone standards and for the state PM10 standard, and is in attainment or unclassified status for other pollutants (California Air Resources Board 2013). County thresholds are included in the chart below.

Criteria Pollutant	**El Dorado County Threshold**	
Reactive Organic Gasses (ROG)	82 lbs/day	
Nitrogen Oxides (NOx)	82 lbs/day	
Carbon Monoxide (CO)	8-hour average: 9 parts per million (ppm)	1-hour average: 20 ppm
Particulate Matter (PM10):	Annual arithmetic mean: 20 µg/m3	24-hour average: 50 µg/m3
Particulate Matter (PM2.5):	Annual arithmetic mean: 12 µg/m3	24-hour average: 35 µg/m3
Ozone	8-hour average: 0.070 ppm	1-hour average: .09

The guide includes a table (Table 5.2) listing project types with potentially significant emissions. ROG and NOx Emissions may be assumed to not be significant if:

- The project encompasses 12 acres or less of ground that is being worked at one time during construction;
- At least one of the recommended mitigation measures related to such pollutants is incorporated into the construction of the project;
- The project proponent commits to pay mitigation fees in accordance with the provisions of an established mitigation fee program in the district (or such program in another air pollution control district that is acceptable to District); or
- Daily average fuel use is less than 337 gallons per day for equipment from 1995 or earlier, or 402 gallons per day for equipment from 1996 or later

If the project meets one of the conditions above, AQMD assumed that exhaust emissions of other air pollutants from the operation of equipment and vehicles are also not significant.

For Fugitive dust (PM10), if dust suppression measures will prevent visible emissions beyond the boundaries of the project, further calculations to determine PM emissions are not necessary. For the other criteria pollutants, including CO, PM10, SO2, NO2, sulfates, lead, and H2S, a project is considered to have a significant impact on air quality if it will cause or contribute significantly to a violation of the applicable national or state ambient air quality standard(s).

Naturally occurring asbestos (NOA) is also a concern in El Dorado County because it is known to be present in certain soils and can pose a health risk if released into the air. The AQMD has adopted an El Dorado County Naturally Occurring Asbestos Review Area Map that identifies those areas more likely to contain NOA (El Dorado County 2005).

Discussion: The El Dorado County Air Quality Management District (AQMD) has developed a Guide to Air Quality Assessment (2002) to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. 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 (Table 3.2);
- Emissions of PM_{10}, CO, SO_2 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:** The ROW Project would disturb less than one acre of land. El Dorado County has adopted the Rules and Regulations of the El Dorado County Air Quality Management District (2000) establishing rules and standards for the reduction of stationary source air pollutants (ROG/VOC, NOx, and O3). The EDC/State Clean Air Act Plan has set a schedule for implementing and funding transportation contract measures to limit mobile source emissions. The project would not conflict with or obstruct implementation of either plan. Roadway improvements will require an encroachment permit and grading permit and will undergo review to determine if any further actions or approvals are needed, including any measures for sediment control. Any activities associated with future plans for grading and construction would require a Fugitive Dust Mitigation Plan (FDMP) for 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 to a less than significant level. The Project includes Regulatory Compliance Measures to ensure construction activities comply with regulations and requirements. Regulatory Compliance Measure 1 Implement BMPs to Reduce Air Pollutant Emissions would ensure dust control measures are employed per EDCAQMD Fugitive Dust and Asbestos Rules. These measures include, but are not limited to stabilization of exposed soils, street sweeping, tire washing, stockpile management, speed limits, and visible emissions monitoring. The potential impacts of the project are anticipated to be less than significant.

b-c. **Air Quality Standards and Cumulative Impacts:** Minor roadway improvements and water and sewer pipelines are proposed as part of the project. Operation of the water and sewer pipelines would not result in air pollutant emissions. Operation of the driveway would result in additional traffic as disclosed in the Traffic Analysis for the project. The Shingle Springs Band of Miwok Indians Phase I gas station/convenience store commercial project proposed on the tribal land is expected to generate 1,834 daily trips at the proposed driveway, with 142 trips occurring in the a.m. peak hour and 166 trips occurring in the p.m. peak hour; however, much of the traffic would be "pass-by" trips drawn from traffic already on roads within and adjacent to the project site such as Shingle Springs Drive and U.S. 50. Discounting for "pass-by" trips, the project is estimated to generate 807 new daily trips with 54 new trips in the a.m. peak hour and 73 trips in the p.m. peak hour. According to the 2002 Guide to Air Quality Assessment (Appendix D and Chapters 4, 5, 6), the addition of 807 new trips would generate the following operation emissions:

New Vehicle Trips	ROG	NO_x	PM_{10}	CO
807 trips	8.24	5.28	0.95 (lbs.)	60.4 (lbs.) 3.4 ppm 1 hour peak (with background levels) 0.4 ppm 8 hr (with background levels
Threshold	82	82	Annual arithmetic mean: 20 µg/m3 24-hour average: 50 µg/m3	8-hour average: 9 ppm 1-hour average: 20 ppm

Operation air emissions, as well as construction air emissions would be below significance thresholds. The project does not propose long-term heavy industrial operations or burning; therefore substantial emissions of SO_x and NO_x are not anticipated. Since the area intersections will continue to operate with Levels of Service that satisfy minimum standards no significant air emissions would result from traffic idling.

Although the project includes a driveway to access a proposed gas station on Tribal land, air emissions associated with the gas station are not addressed in this CEQA document as the action occurs outside County or CEQA jurisdiction due to Tribal ownership of the land. Therefore, the air emissions will address traffic on the driveway, but do not address emissions from stationary sources on the site.

Existing regulations implemented at issuance of building and grading permits would ensure that any construction related PM10 dust emissions would be reduced to acceptable levels. The Project includes Regulatory Compliance Measures to ensure construction activities comply with regulations and requirements. Regulatory Compliance Measure 1. "Implement BMPs to Reduce Air Pollutant Emissions" would ensure dust control measures are employed per EDCAQMD Fugitive Dust and Asbestos Rules. These measures include, but are not limited to stabilization of exposed soils, street sweeping, tire washing, stockpile management, speed limits, and visible emissions monitoring. The conditions would be implemented, reviewed, and approved by the AQMD prior to and concurrently with any grading, improvement, or building permit approvals. Impacts are anticipated to be less than significant.

d. **Sensitive Receptors:** The CEQA Guidelines (14 CCR 15000) identify sensitive receptors as facilities that house or attract children, the elderly, people with illnesses, or others that are especially sensitive to the effects of air pollutants. Hospitals, schools, and convalescent hospitals are examples of sensitive receptors. The nearest sensitive receptors are the nearest residences located in close proximity to the west and east of the Project at distances ranging from 100 to over 200 feet east to over 200 feet west, and Buckeye Elementary and the California Montessori Project schools located at Buckeye Road and Shingle Springs Drive. No sources of substantial pollutant concentrations will be emitted by the water or sewer main pipelines, during construction or following construction. The largest toxic air contaminant emission would be PM_{10} from construction equipment exhaust, which is conservatively considered to be identical to Diesel exhaust particulate. The low emission rates and short-term construction schedule will not result in significant long-term, chronic exposures to diesel particulate matter at nearby sensitive receptors. The traffic analysis indicates, 807 new vehicle trips per day. Primarily near the U.S. 50 on/off-ramp and driveway, away from the residences, schools, and church. The impact would be less than significant.

e. **Objectionable Odors:** Table 3-1 of the Guide to Air Quality Assessment (AQMD, 2002) does not list the proposed Project components as a use known to create objectionable odors. The underground water main and sewer force main and access driveway would not generate or produce objectionable odors. There would be no impact.

FINDING: The proposed project would not affect the implementation of regional air quality regulations or management plans. The proposed project would not be anticipated to cause substantial adverse effects to air quality, nor exceed established significance thresholds for air quality impacts.

IV. BIOLOGICAL RESOURCES. *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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 Wildlife 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

Regulatory Setting:

Federal Laws, Regulations, and Policies

Endangered Species Act

The Endangered Species Act (ESA) (16 U.S. Code [USC] Section 1531 *et seq.*; 50 Code of Federal Regulations [CFR] Parts 17 and 222) provides for conservation of species that are endangered or threatened throughout all or a substantial portion of their range, as well as protection of the habitats on which they depend. The U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) share responsibility for implementing the ESA. In general, USFWS manages terrestrial and freshwater species, whereas NMFS manages marine and anadromous species.

Section 9 of the ESA and its implementing regulations prohibit the "take" of any fish or wildlife species listed under the ESA as endangered or threatened, unless otherwise authorized by federal regulations. The ESA defines the term "take" to mean "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct" (16 USC Section 1532). Section 7 of the ESA (16 USC Section 1531 *et seq.*) outlines the procedures for federal interagency cooperation to conserve federally listed species and designated critical habitats. Section 10(a)(1)(B) of the ESA provides a process by which nonfederal entities may obtain an incidental take permit from USFWS or NMFS for otherwise lawful activities that incidentally may result in "take" of endangered or threatened species, subject to specific conditions. A habitat conservation plan (HCP) must accompany an application for an incidental take permit.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) (16 USC, Chapter 7, Subchapter II) protects migratory birds. Most actions that result in take, or the permanent or temporary possession of, a migratory bird constitute violations of the MBTA. The MBTA also prohibits destruction of occupied nests. USFWS is responsible for overseeing compliance with the MBTA.

Bald and Golden Eagle Protection Act

The federal Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c), first enacted in 1940, prohibits "taking" bald eagles, including their parts, nests, or eggs. The Act provides criminal penalties for persons who "take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof." The Act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." The definition for "Disturb" includes injury to an eagle, a decrease in its productivity, or nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior. In addition to immediate impacts, this definition also covers impacts that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present.

Clean Water Act

Clean Water Act (CWA) section 404 regulates the discharge of dredged and fill materials into waters of the U.S., which include all navigable waters, their tributaries, and some isolated waters, as well as some wetlands adjacent to the aforementioned waters (33 CFR Section 328.3). Areas typically not considered to be jurisdictional waters include non-tidal drainage and irrigation ditches excavated on dry land, artificially irrigated areas, artificial lakes or ponds used for irrigation or stock watering, small artificial waterbodies such as swimming pools, vernal pools, and water-filled depressions (33 CFR Part 328). Areas meeting the regulatory definition of waters of the U.S. are subject to the jurisdiction of U.S. Army Corps of Engineers (USACE) under the provisions of CWA Section 404. Construction activities involving placement of fill into jurisdictional waters of the U.S. are regulated by USACE through permit requirements. No USACE permit is effective in the absence of state water quality certification pursuant to Section 401 of CWA.

Section 401 of the CWA requires an evaluation of water quality when a proposed activity requiring a federal license or permit could result in a discharge to waters of the U.S. In California, the State Water Resources Control Board (SWRCB) and its nine Regional Water Quality Control Boards (RWQCBs) issue water quality certifications. Each RWQCB is responsible for implementing Section 401 in compliance with the CWA and its water quality control plan (also known as a Basin Plan). Applicants for a federal license or permit to conduct activities that may result in the discharge to waters of the U.S. (including wetlands or vernal pools) must also obtain a Section 401 water quality certification to ensure that any such discharge will comply with the applicable provisions of the CWA.

State Laws, Regulations, and Policies

California Fish and Game Code

The California Fish and Game Code includes various statutes that protect biological resources, including the Native Plant Protection Act of 1977 (NPPA) and the California Endangered Species Act (CESA). The NPPA (California Fish and Game Code Section 1900-1913) authorizes the Fish and Game Commission to designate plants as endangered or rare and prohibits take of any such plants, except as authorized in limited circumstances.

CESA (California Fish and Game Code Section 2050–2098) prohibits state agencies from approving a project that would jeopardize the continued existence of a species listed under CESA as endangered or threatened. Section 2080 of the California Fish and Game Code prohibits the take of any species that is state listed as endangered or threatened, or designated as a candidate for such listing. California Department of Fish and Wildlife (CDFW) may issue an incidental take permit authorizing the take of listed and candidate species if that take is incidental to an otherwise lawful activity, subject to specified conditions.

California Fish and Game Code Section 3503, 3513, and 3800 protect native and migratory birds, including their active or inactive nests and eggs, from all forms of take. In addition, Section 3511, 4700, 5050, and 5515 identify species that are fully protected from all forms of take. Section 3511 lists fully protected birds, Section 5515 lists fully protected fish, Section 4700 lists fully protected mammals, and Section 5050 lists fully protected amphibians.

Streambed Alteration Agreement

Sections 1601 to 1606 of the California Fish and Game Code require that a Streambed Alteration Application be submitted to CDFW for any activity that may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake. As a general rule, this requirement applies to any work undertaken within the 100-year floodplain of a stream or river containing fish or wildlife resources.

California Native Plant Protection Act

The California Native Plant Protection Act (California Fish and Game Code Section 1900–1913) prohibits the taking, possessing, or sale of any plants with a state designation of rare, threatened, or endangered (as defined by CDFW). The California Native Plant Society (CNPS) maintains a list of plant species native to California that has low population numbers, limited distribution, or are otherwise threatened with extinction. This information is published in the Inventory of Rare and Endangered Plants of California (CNPS 2001). Potential impacts to populations of CNPS-listed plants receive consideration under CEQA review.

Forest Practice Act

Logging on private and corporate land in California is regulated by the Z'Berg-Nejedly Forest Practices Act (FPA), which took effect January 1, 1974. The act established the Forest Practice Rules (FPRs) and a politically-appointed Board of Forestry to oversee their implementation. The California Department of Forestry (CALFIRE) works under the direction of the Board of Forestry and is the lead government agency responsible for approving logging plans and for enforcing the FPRs. A Timber Harvest Plan (THP) must be prepared by a Registered Professional Forester (RPF) for timber harvest on virtually all non-federal land. The FPA also established the requirement that all non-federal forests cut in the State be regenerated with at least three hundred stems per acre on high site lands, and one hundred fifty trees per acre on low site lands.

Local Laws, Regulations, and Policies

The County General Plan also include policies that contain specific, enforceable requirements and/or restrictions and corresponding performance standards that address potential impacts on special-status plant species or create opportunities for habitat improvement. The El Dorado County General Plan designates the Important Biological Corridor (IBC) (Exhibits 5.12-14, 5.12-5 and 5.12-7, El Dorado County, 2003). Lands located within the overlay district are subject to the following provisions, given that they do not interfere with agricultural practices:

- Increased minimum parcel size;
- Higher canopy-retention standards and/or different mitigation standards/thresholds for oak woodlands;
- Lower thresholds for grading permits;
- Higher wetlands/riparian retention standards and/or more stringent mitigation requirements for wetland/riparian habitat loss;
- Increased riparian corridor and wetland setbacks;
- Greater protection for rare plants (e.g., no disturbance at all or disturbance only as recommended by U.S. Fish and Wildlife Service/California Department of Fish and Wildlife);
- Standards for retention of contiguous areas/large expanses of other (non-oak or non-sensitive) plant communities;
- Building permits discretionary or some other type of "site review" to ensure that canopy is retained;
- More stringent standards for lot coverage, floor area ratio (FAR), and building height; and
- No hindrances to wildlife movement (e.g., no fences that would restrict wildlife movement).

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:** The Project site is located within the United States Geological Survey (USGS) Shingle Springs 7.5-minute topographic quadrangle. The California Department of Fish and Game Natural Diversity Database (CNDDB) for records of special-status species occurrences within the Shingle Springs 7.5 min Quad map and surrounding 7.5 min Quads (Pilot Hill, Coloma, Garden Valley, Placerville, Fiddletown, Latrobe, Folsom SE, and Clarksville) was run on 1/11/16. Additionally a species list was obtained from the US Fish and Wildlife Service for the Quads noted above on 1/11/16 and the California Native Plant Society (CNPS) on-line electronic inventory of rare and endangered plants was run on 1/11/16 based on the Quad maps listed above. A reconnaissance level field survey to assess habitat conditions and evaluate the site's potential to support special-status plant and/or animal species occurred on 1/12/16. Results of the site visit and data searches are discussed and analyzed in the Special Status Species Habitat Assessment prepared for the Project on 1/20/16 by Cal Ecology.

Wildlife species assemblage information was based upon existing documentation and information gathered from the *California Wildlife Habitat Relationships System* (CDFG 1999) and *A Guide to Wildlife Habitats of California* (Mayer and Laudenslayer 1988). Plant communities in the Project area include Urban and Annual Grassland habitats since the project is within an existing roadway ROW, with Valley Oak Woodland, Blue Oak Woodland, and Montane Hardwood found in the surrounding area. Based on a search of the CNDDB occurrences for the Shingle Springs and eight surrounding USGS 7.5-Minute quadrangles, Central Valley Drainage Hardhead/Squawfish Stream has been documented approximately six miles southeast of the project site along the North Fork of the Cosumnes River. However, this sensitive community is not present in the project site.

Vegetation within the project site consists of ruderal grassland dominated by a nearly continuous cover of medusahead grass (*Taeniatherum caput-medusae*), an aggressively invasive winter annual grass. Newly emergent non-native forbs occurred in small numbers and included redstem filaree (*Erodium cicutarium*), storkbill filaree (*Erodium botrys*), yellow star-thistle (*Centaurea solstitialis*) and sheep sorrel (*Rumex acetosella*). An area mapped as a potential seasonal wetland swale in the north-central portion of the project site supports the same plant species composition and relative cover as surrounding grassland areas. Scattered shrubs occurring in a dense patch at the northeast corner of the site and around the site perimeter include coyote brush (*Baccharis pilularis*), buck brush (*Ceanothus cuneatus*), whiteleaf manzanita (*Arctostaphylos viscida*), and chamise (*Adenostoma fasciculatum*). Occasional mature valley oak (*Quercus lobata*), black oak (*Quercus kelloggii*), interior live oak (*Quercus wislizeni*), and foothill pine (*Pinus sabiniana*) trees occur throughout the edges of grassland areas and within the County ROW along the shoulders of Shingle Springs Drive.

Although disturbed/ruderal areas are not likely to provide valuable habitat for special-status wildlife species, grasslands and shrub/tree dominated areas within and adjacent to the project site provide foraging and nesting opportunities for common species that are typically found in the region. Several common bird species were observed in flight, singing, foraging, and/or perching in shrubs and trees during the site reconnaissance. Observed species include bushtit (*Psaltriparus minimus*), white-crowned sparrow (*Zonotrichia leucophrys*), house finch (*Carpodacus mexicanus*), Brewers blackbird (*Euphagus cyanocephalus*), dark-eyed Junco (*Junco hyemalis*), mourning dove (*Zenaida macroura*), oak titmouse (*Baeolophus inornatus*), spotted towhee (*Pipilo maculatus*), and acorn woodpecker (*Melanerpes formicivorus*). In addition, a red-tailed hawk (*Buteo jamaicensis*) was observed foraging in grasslands to the south of the proposed development area.

Exhibits 6 and 7 summarize the database searches noted above for species that may occur in the project area, including the ROW and land owned by the Tribe. Since the project is confined to the existing disturbed roadway ROW, it is not anticipated that project development or operation would result in a significant impact.

One CDFW Species of Special Concern, grasshopper sparrow (*Ammodramus savannarum*), is considered to have a moderate potential to nest in shrubs within 50 feet of the proposed development. Due to the limited amount and quality of suitable habitat, it was determined that there is a low probability for site occupation by two bat species

(Yuma myotis [*Myotis yumanensis*] and silver-haired bat [*Lasionycteris noctivagans*]) and five bird species (golden eagle [*Aquila chrysaetos*], burrowing owl [*Athene cunicularia*], Swainson's hawk [*Buteo swainsoni*], white-tailed kite [*Elanus leucurus*], and bald eagle (*Haliaetus leucocephalus*]). For more information regarding the regulatory status and habitat requirements of these species, refer to the species table (Exhibit 6). All remaining special-status wildlife species are not expected to occur in or near the project site due to a lack of specific habitat types (e.g., marshlands, perennial water bodies, vernal pools, limestone caves, etc.) and are not discussed further.

Based on the data compilation, background research and a site survey, 17 special-status plant species have been recorded from habitats in the project vicinity (within the Shingle Springs and eight surrounding USGS quadrangles). Ruderal vegetation that is regularly disked for fire protection along the County ROW of Shingle Springs Drive (outside of Tribal lands) is not expected to support habitat for any special status plant species. Therefore, no additional surveys are recommended in these areas to confirm presence or absence of special-status species.

b-c. **Riparian Habitat and Wetlands:** There are no rivers or streams within the project site; however, a tributary to Tennessee Creek is located near the northern extent of the project and Sawmill Creek is located near the southern extent of the project. No direct impacts to these waterways would occur during construction or operation. A drainage culvert is located near the northern extent of the project and conveys water from the project area, under Shingle Springs Drive, and into the tributary of Tennessee Creek. This culvert would not be removed or affected by construction. Drainage ditches and roadside depressions are located along the shoulders and within the ROW of Shingle Springs Drive.

On January 12, 2016, a preliminary jurisdictional determination of the boundaries of potential federally jurisdictional areas was conducted that followed standard methodologies as described in the Corps Wetland Delineation Manual (Environmental Laboratory 1987) and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Corps 2008a). Out of the 2.71 acre area surveyed, no potential WOUS were identified within the Shingle Springs Drive ROW. A culvert carries water beneath the roadway that daylights into a creek to the northeast of the project limit, but does not disperse waters within the project boundary. A Preliminary Jurisdictional Determination Report is currently in preparation and has not yet been submitted to the Corps to verify the location, extent, and jurisdictional status of the mapped wetland and water features; however, since no potential WOUS were identified within the County ROW, no impact to these features would occur as a result of this project. There would be no impact to riparian habitat or wetlands as a result of construction within the ROW.

d. **Migration Corridors:** The project is not located within a migratory deer herd corridor. The Project Area is within a County-designated Important Biological Corridor (IBC) as the undeveloped areas on each side of U.S. 50 provide a species movement corridor. This project would result in the construction of utility pipelines within the Shingle Springs Drive ROW and a commercial access driveway within the existing roadway ROW. The utility pipelines would be located beneath existing pavement, and would not result in a significant change to the existing roadway. The driveway would add a vehicle access point along an existing roadway that currently provides access to other land uses along its length. Species could continue to use the roadway as a movement corridor following construction. Trenches within travel lanes will be covered when construction is not active.

Trees and shrubs within and adjacent to the project site may provide suitable nesting habitat for non-status migratory birds and raptors protected under the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code. Although no nests (inactive or active) were observed during the reconnaissance-level field survey (nor would they be expected to be present in January), species that are commonly associated with mature oaks and foothill pines, such as red-tailed hawk and other raptor species, have potential to establish nests adjacent to the project site prior to the initiation of construction. The nesting season is a critical period for the maintenance of bird populations and the physical removal or harm to nests, or disturbance activities that cause birds to abandon an active nest, could adversely impact bird populations. Noise and vibration generated from construction activities within the County ROW have a potential to result in direct (i.e. death or physical harm) and indirect (i.e., nest abandonment) adverse impacts to nesting birds adjacent to project construction areas.

Mature trees (greater than 25-inch diameter at breast height) in and adjacent to the County ROW could provide suitable roost habitat for two special status bat species: Yuma myotis and silver-haired bat. Noise/vibration and

human intrusion from construction activities may result in disturbance of hibernation or maternal roost sites, if they are present. This would constitute a significant impact as it may result in direct mortality and reduction in reproductive success. In addition, impacts to individual bats through removal of occupied roost habitat during the bat hibernation or maternity season has potential to result in harm, death, displacement and/or disruption of bats and/or nursery colony roosts; these impacts would be considered significant under CEQA.

Implementation of the following measures is recommended to avoid potential impacts to protected birds and bats and reduce the impact to a less than significant level.

Mitigation Measure BIO-1. Measures to Avoid Disturbance of Nesting Raptors and Songbirds or Destruction of Active Nests

If ground disturbing activities are scheduled during the nesting season (typically February 1 to August 31), it is recommended that a focused survey for active nests be conducted by a qualified biologist (as determined by a combination of academic training and professional experience in biological sciences and related resource management activities) within 14 days prior to the beginning of project-related noise and vibration producing activities. Surveys would be conducted in proposed work areas, staging and storage areas, along equipment transportation routes, and soil, equipment, and material stockpile areas. For passerines and small raptors, surveys should be conducted within a 250-foot radius surrounding the work area. For larger raptors such as buteos, the survey area should be 500 feet. Surveys would be conducted at the appropriate times of day, and during appropriate nesting times and would concentrate on areas of suitable habitat. If a lapse in project-related work of 14 days or longer occurs, an additional nest survey will be required before work can be reinitiated. If nests are encountered during any preconstruction survey, the qualified biologist would determine, depending on conditions specific to each nest and the relative location and rate of construction activities, if it may be feasible for construction to occur as planned without impacting the success of the nest, as long as the nest is monitored by a qualified biologist during active construction. If, in the professional opinion of the biologist, construction activities have the potential to adversely affect the nest, the biologist would immediately inform the construction manager to stop construction activities within minimum exclusion buffer of 25 to 50 feet for songbird nests, and 200 to 500 feet for raptor nests, depending on the species and location. The perimeter of the exclusion buffer zone should be fenced or adequately demarcated with staked flagging at 20-foot intervals, and construction personnel should be restricted from the area. A survey report by the qualified biologist verifying that the young have fledged should be submitted to the County for review and concurrence prior to initiation of construction activities within the exclusion buffer zone. Construction activities would proceed after either the nest is no longer active or the project receives approval to continue from CDFW.

Monitoring Responsibility: Development Services Division- Planning Services

Monitoring Requirement: Mitigation Measure BIO-1 shall be incorporated as noted in the Improvement Plans for the project, subject to verification by Development Services Division- Planning Services.

Mitigation Measure BIO-2. Measures to Avoid Disturbance of Protected Bats

To avoid impacting breeding or hibernating bats in or near the County ROW protected by CDFW, pre-construction surveys of potential bat roost habitat are recommended to be performed in all trees within 25 feet of the project limit for evidence of bat use (guano accumulation, acoustic or visual detections). If evidence of bat use is found, then acoustic surveys would be conducted by a qualified biologist to determine whether a site is occupied. The survey would determine if the roost is a maternity roost (if construction work is being performed in the spring), hibernacula or day roost. If a maternity roost is present, delay of the demolition may be necessary until after the roost is vacated. If bat species are detected/observed within the trees, measures would be taken to clear the bats prior to construction activities. Measures to exclude of bats from occupied roosts may include but are not limited to: disturbance to roosting individuals through introduction of light and/or noise to create an undesirable setting and to encourage the bats to vacate the roost. Once it has been concluded that no bat species are present, project activities may commence upon final approval of the County. To offset the loss of any occupied bat roost, it is recommended that bat boxes be installed at a suitable location in the vicinity of project site (e.g., on Tribal lands) to provide roosting opportunities and locations for the displaced bats. The County would be encouraged to work with CDFW to agree

upon the number of bat boxes and their respective installation locations prior to removal of the bat roost/demolition activities.

Monitoring Responsibility: Development Services Division- Planning Services

Monitoring Requirement: Mitigation Measure BIO-2 shall be incorporated as noted in the Improvement Plans for the project, subject to verification by Development Services Division- Planning Services.

e. **Local Policies:** Local protection of biological resources includes the IBC overlay, oak woodland preservation, rare plants and special-status species, and wetland preservation with the goal to preserve and protect sensitive natural resources within the County. The project is located in the IBC, as addressed above. The ROW includes few trees, and substantial tree removal is not anticipated, although some trees within the ROW may be removed or trimmed to allow for construction. Trees found within the ROW include valley oak, black oak, interior live oak, and non-native landscape trees; however, removal has not been quantified. Approximately seven oak trees are located within the ROW near the railroad track; and two small oaks are located within the ROW near the tribal land. Landscape trees and shrubs on private property on the east side of Shingle Springs Drive have grown over into the ROW, but are not sensitive resources. Other trees are located outside the ROW, and while trimming may be necessary, removal of trees outside the ROW is not anticipated. According to policy 7.4.4.4 of the general plan, all new development projects that would result in soil disturbance on parcels that (1) are over an acre and have at least 1 percent total canopy cover, or (2) are less than an acre and have at least 10 percent total canopy cover by woodlands habitats, shall adhere to the tree canopy retention and replacement standards or contribute to the County Integrated Natural Resources Management Plan conservation fund. However, this project is less than one acre and does not have at least a 10 percent canopy cover and mitigation is not warranted. Therefore this impact is less than significant.

f. **Adopted Plans**: This project would not conflict with the provisions of an adopted Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. There would be no impact.

FINDING: There is potential for nesting/roosting species impacts to occur for this project. For this Biological Resources category, impacts would be less than significant for all other impacts. Implementation of mitigation measures BIO-1 and 2 would reduce impacts to a less than significant level

V. CULTURAL RESOURCES. *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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	

Regulatory Setting:

Federal Laws, Regulations, and Policies

The National Register of Historic Places

The National Register of Historic Places (NRHP) is the nation's master inventory of known historic resources. The NRHP is administered by the National Park Service and includes listings of buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archaeological, or cultural significance at the national, state, or local level. The criteria for listing in the NRHP include resources that:

A. Are associated with events that have made a significant contribution to the broad patterns of history (events);
B. Are associated with the lives of persons significant in our past (persons);
C. Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction (architecture); or
D. Have yielded or may likely yield information important in prehistory or history (information potential).

State Laws, Regulations, and Policies

California Register of Historical Resources

Public Resources Code Section 5024.1 establishes the CRHR. The register lists all California properties considered to be significant historical resources. The CRHR includes all properties listed as or determined to be eligible for listing in the National Register of Historic Places (NRHP), including properties evaluated under Section 106 of the National Historic Preservation Act. The criteria for listing are similar to those of the NRHP. Criteria for listing in the CRHR include resources that:

1. Are associated with the events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Are associated with the lives of persons important in our past;
3. Embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of an important creative individual, or possess high artistic values; or
4. Have yielded, or may be likely to yield, information important in prehistory or history.

The regulations set forth the criteria for eligibility as well as guidelines for assessing historical integrity and resources that have special considerations.

The California Register of Historic Places

The California Register of Historic Places (CRHP) program encourages public recognition and protection of resources of architectural, historical, archeological and cultural significance, identifies historical resources for state and local planning purposes, determines eligibility for state historic preservation grant funding and affords certain protections under the California Environmental Quality Act. The criteria for listing in the CRHP include resources that:

A. Are associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.
B. Are associated with the lives of persons important to local, California or national history.
C. Embody the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values.
D. Have yielded, or have the potential to yield, information important to the prehistory or history of the local area, California or the nation.

The State Office of Historic Preservation sponsors the California Historical Resources Information System (CHRIS), a statewide system for managing information on the full range of historical resources identified in California. CHRIS provides an integrated database of site-specific archaeological and historical resources information. The State Office of Historic

Preservation also maintains the California Register of Historical Resources (CRHR), which identifies the State's architectural, historical, archeological and cultural resources. The CRHR includes properties listed in or formally determined eligible for the National Register and lists selected California Registered Historical Landmarks.

Public Resources Code (Section 5024.1[B]) states that any agency proposing a project that could potentially impact a resource listed on the CRHR must first notify the State Historic Preservation Officer, and must work with the officer to ensure that the project incorporates "prudent and feasible measures that will eliminate or mitigate the adverse effects."

California Health and Safety Code Section 7050.5 requires that, in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

Section 5097.98 of the California Public Resources Code stipulates that whenever the commission receives notification of a discovery of Native American human remains from a county coroner pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, it shall immediately notify those persons it believes to be most likely descended from the deceased Native American. The decedents may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The descendants shall complete their inspection and make their recommendation within 24 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

CEQA and CEQA Guidelines

Section 21083.2 of CEQA requires that the lead agency determine whether a project may have a significant effect on unique archaeological resources. A unique archaeological resource is defined in CEQA as an archaeological artifact, object, or site about which it can be clearly demonstrated that there is a high probability that it:

- Contains information needed to answer important scientific research questions, and there is demonstrable public interest in that information;
- Has a special or particular quality, such as being the oldest of its type or the best available example of its type; or
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.
- Although not specifically inclusive of paleontological resources, these criteria may also help to define "a unique paleontological resource or site."

Measures to avoid, conserve, preserve, or mitigate significant effects on these resources are also provided under CEQA Section 21083.2.

Section 15064.5 of the CEQA Guidelines notes that "a project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment." Substantial adverse changes include physical changes to the historic resource or to its immediate surroundings, such that the significance of the historic resource would be materially impaired. Lead agencies are expected to identify potentially feasible measures to mitigate significant adverse changes in the significance of a historic resource before they approve such projects. Historic resources are those that are:

- listed in, or determined to be eligible for listing in, the California Register of Historical Resources (CRHR) (Public Resources Code Section 5024.1[k]);
- included in a local register of historic resources (Public Resources Code Section 5020.1) or identified as significant in an historic resource survey meeting the requirements of Public Resources Code Section 5024.1(g); or
- determined by a lead agency to be historically significant.

CEQA Guidelines Section 15064.5 also prescribes the processes and procedures found under Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.95 for addressing the existence of, or probable likelihood of, Native American human remains, as well as the unexpected discovery of any human remains within the project site. This includes consultation with the appropriate Native American tribes.

CEQA Guidelines Section 15126.4 provides further guidance about minimizing effects to historical resources through the application of mitigation measures. Mitigation measures must be legally binding and fully enforceable.

The lead agency having jurisdiction over a project is also responsible to ensure that paleontological resources are protected in compliance with CEQA and other applicable statutes. Paleontological and historical resource management is also addressed in Public Resources Code Section 5097.5, "Archaeological, Paleontological, and Historical Sites." This statute defines as a misdemeanor any unauthorized disturbance or removal of a fossil site or remains on public land and specifies that state agencies may undertake surveys, excavations, or other operations as necessary on state lands to preserve or record paleontological resources. This statute would apply to any construction or other related project impacts that would occur on state-owned or state-managed lands. The County General Plan contains policies describing specific, enforceable measures to protect cultural resources and the treatment of resources when found.

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

- Disrupt, alter, or adversely affect a prehistoric or historic archaeological site or property that is historically or culturally 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.** There are no unique geologic features or known paleontological resources on the Project site. The Project site consists of the Shingle Springs Drive ROW, much of which has been graded and paved. Shingle Springs Drive is not an historic or otherwise protected roadway, and there are no historic structures, uses, or known archaeological resources within the ROW. The Shingle Springs Band of Miwok Indians is the project applicant, and have not indicated any culturally significant resources are present in this location. This impact is less than significant.

d. **Human Remains.** The presence of buried remains is not anticipated; however, as established in Regulatory Compliance Measure 6. Inadvertent Discovery, if remains were to be unearthed during construction, earth disturbance would cease until the El Dorado County Coroner has made necessary findings as to the origin and disposition of such remains in accordance with State Health and Safety Code Section 7050.5 and Public Resource Code Section 5097.98. The Shingle Springs Band of Miwok Indians and Native American Heritage Commission may also be contacted to help determine the appropriate course of action. Due to the lack of known presence of human remains and the inclusion of Regulatory Compliance Measure 6, this impact is less than significant.

FINDING: No significant cultural resources have been identified on the project site. Standard conditions of approval would apply in the event of accidental discovery during any future construction. This project would be anticipated to have a less than significant impact within the Cultural Resources category.

VI. GEOLOGY AND SOILS. *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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	
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

Regulatory Setting:

Federal Laws, Regulations, and Policies

National Earthquake Hazards Reduction Act

The National Earthquake Hazards Reduction Act of 1977 (Public Law 95-124) and creation of the National Earthquake Hazards Reduction Program (NEHRP) established a long-term earthquake risk-reduction program to better understand, predict, and mitigate risks associated with seismic events. The following four federal agencies are responsible for coordinating activities under NEHRP: USGS, National Science Foundation (NSF), Federal Emergency Management Agency (FEMA), and National Institute of Standards and Technology (NIST). Since its inception, NEHRP has shifted its focus from earthquake prediction to hazard reduction. The current program objectives (NEHRP 2009) are to:

1. Develop effective measures to reduce earthquake hazards;
2. Promote the adoption of earthquake hazard reduction activities by federal, state, and local governments; national building standards and model building code organizations; engineers; architects; building owners; and others who play a role in planning and constructing buildings, bridges, structures, and critical infrastructure or "lifelines";
3. Improve the basic understanding of earthquakes and their effects on people and infrastructure through interdisciplinary research involving engineering; natural sciences; and social, economic, and decision sciences; and

4. Develop and maintain the USGS seismic monitoring system (Advanced National Seismic System); the NSF-funded project aimed at improving materials, designs, and construction techniques (George E. Brown Jr. Network for Earthquake Engineering Simulation); and the global earthquake monitoring network (Global Seismic Network).

Implementation of NEHRP objectives is accomplished primarily through original research, publications, and recommendations and guidelines for state, regional, and local agencies in the development of plans and policies to promote safety and emergency planning.

State Laws, Regulations, and Policies

Alquist–Priolo Earthquake Fault Zoning Act

The Alquist–Priolo Earthquake Fault Zoning Act (Public Resources Code Section 2621 *et seq.*) was passed to reduce the risk to life and property from surface faulting in California. The Alquist–Priolo Act prohibits construction of most types of structures intended for human occupancy on the surface traces of active faults and strictly regulates construction in the corridors along active faults (earthquake fault zones). It also defines criteria for identifying active faults, giving legal weight to terms such as "active," and establishes a process for reviewing building proposals in and adjacent to earthquake fault zones. Under the Alquist-Priolo Act, faults are zoned and construction along or across them is strictly regulated if they are "sufficiently active" and "well defined." Before a project can be permitted, cities and counties are required to have a geologic investigation conducted to demonstrate that the proposed buildings would not be constructed across active faults.

The Bear Mountains Fault Zone (prequaternary/inactive) is located just west of the Project and the Rescue Fault (late quaternary/potentially active) is located to the north of the Project according to the Department of Conservation Fault Activity Map (2010) (interactive map accessed 8/25/15, http://maps.conservation.ca.gov/cgs/fam/). Historical seismic activity and fault and seismic hazards mapping in the project vicinity indicate that the area has relatively low potential for seismic activity (El Dorado County 2003). No active faults have been mapped in the project area, and none of the known faults have been designated as an Alquist-Priolo Earthquake Fault Zone.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act of 1990 (Public Resources Code Sections 2690–2699.6) establishes statewide minimum public safety standards for mitigation of earthquake hazards. While the Alquist–Priolo Act addresses surface fault rupture, the Seismic Hazards Mapping Act addresses other earthquake-related hazards, including strong ground shaking, liquefaction, and seismically induced landslides. Its provisions are similar in concept to those of the Alquist–Priolo Act. The state is charged with identifying and mapping areas at risk of strong ground shaking, liquefaction, landslides, and other seismic hazards, and cities and counties are required to regulate development within mapped seismic hazard zones. In addition, the act addresses not only seismically induced hazards but also expansive soils, settlement, and slope stability.

Mapping and other information generated pursuant to the SHMA is to be made available to local governments for planning and development purposes. The State requires: (1) local governments to incorporate site-specific geotechnical hazard investigations and associated hazard mitigation, as part of the local construction permit approval process; and (2) the agent for a property seller or the seller if acting without an agent, must disclose to any prospective buyer if the property is located within a Seismic Hazard Zone. Under the Seismic Hazards Mapping Act, cities and counties may withhold the development permits for a site within seismic hazard zones until appropriate site-specific geologic and/or geotechnical investigations have been carried out and measures to reduce potential damage have been incorporated into the development plans.

California Building Standards Code

Title 24 CCR, also known as the California Building Standards Code (CBC), specifies standards for geologic and seismic hazards other than surface faulting. These codes are administered and updated by the California Building Standards Commission. CBC specifies criteria for open excavation, seismic design, and load-bearing capacity directly related to construction in California.

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 (DOC, 2007). 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 remote for the reason stated in Section i) above. 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. There are no landslide, liquefaction, or fault zones (DOC, 2007). There would be no impact.

iv) All grading activities onsite would be required to comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance. Trenches would be shored as recommended in the 2014 Geotechnical Report prepared by Krazan & Associates, Inc. There would be no impact.

b. **Soil Erosion:** For development proposals, all grading activities onsite would comply with the El Dorado County Grading, Erosion and Sediment Control Ordinance including the implementation of an Erosion and Sediment Control Plan with pre- and post-construction Best Management Practices (BMPs). Implemented BMPs are required to be consistent with County requirements. Any 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, Stormwater Ordinance and the Storm Water Management Plan (SWMP). Erosion control measures are provided on the plan specifications for the project in accordance with County requirements and are included as regulatory compliance measures implemented as part of the project as discussed in the project description. These measures include, but are not limited to, stabilized construction access, sediment barriers, exposed soil stabilizers, and sediment traps (Regulatory Compliance Measure 4. Erosion and Sediment Control Plan). This impact is less than significant.

c. **Geologic Hazards:** Based on the Seismic Hazards Mapping Program administered by the California Geological Survey, no portion of El Dorado County is located in a Seismic Hazard Zone or those areas prone to liquefaction and earthquake-induced landslides (DOC, 2013). Therefore, El Dorado County is not considered to be at risk from liquefaction hazards. Lateral spreading is typically associated with areas experiencing liquefaction. Because liquefaction hazards are not present in El Dorado County, the county is not at risk for lateral spreading. All grading activities would comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance. Grade change will not occur in the topography to the point where the Project could expose people or structures to potential substantial adverse effects on, or offsite, such as landslides, lateral spreading, liquefaction or collapse. The Project site has a low risk of subsidence. Impacts would be less than significant as discussed in the 2014 Geotechnical Report prepared for the project.

d. **Expansive Soils:** Expansive soils are those that greatly increase in volume when they absorb water and shrink when they dry out. When buildings are placed on expansive soils, foundations may rise each wet season and fall each dry season. This movement may result in cracking foundations, distortion of structures, and warping of doors and

windows. The central portion of the county has a moderate expansiveness rating while the eastern and western portions have a low rating. Linear extensibility is used to determine the shrink-swell potential of soils.

According to the USDA and the NRCS, the Project site contains Auburn silt loam, 2-30% slopes (AwD) at the US 50 offramp and along Shingle Springs Drive between Sleepy Creek Lane and the railroad tracks, Auburn very rocky silt loam, 2-30% slopes (AxD) on the forested portion of the Tribal land, and Sobrante silt loam, 3-15% slopes (SuC) on the Tribal land and Shingle Springs Drive north of Sleepy Creek Lane and south of the railroad tracks, as shown on the figure in Exhibit 8. These soils have low swelling potential and are described in Table 3, as well as the 2014 Geotechnical Report. No significant impact is anticipated.

Table 3

NRCS Soils in the Project Area

Soil Type[1]	Auburn silt loam, 2-30% slopes (AwD)	Auburn very rocky silt loam, 2-30% slopes (AxD)	Sobrante silt loam, 3-15% slopes (SuC)
Parent Material[2]	Residuum weathered from basic igneous rock and/or basic residuum from metamorphic rock	Residuum weathered from basic igneous rock and/or basic residuum from metamorphic rock	Residuum weathered from metamorphic rock
Surface Runoff Class[3]	Low	Medium	Medium
Slowest Permeability[4]	Moderate	Moderate	Moderate
Shrink-Swell Potential[5]	Low	Low	Low
Corrosivity[6]	Low/Low	Low/Low	Low/Low
Drainage Class[7]	Well drained	Well drained	Well drained
Available Water Capacity[8]	Very low (2.3 inches)	Very low (2.3 inches)	Low (3.9 inches)
Hydrologic Soil Group[9]	D	D	C

Source: NRCS Soil Survey Maps of Shingle Springs Area, Hauge Brueck Associates 2015

Table Notes:

1. See Exhibit 8 for locations

2. Parent material. The unconsolidated and chemically weathered mineral and organic material in which the solum of a soil is formed as a result of pedogenic processes.

3. Runoff. The precipitation discharged into stream channels from an area. The water that flows off the surface of the land without sinking into the soil is called surface runoff. Water that enters the soil before reaching surface streams is called ground-water runoff or seepage flow from ground water.

4. Permeability. The quality of the soil that enables water or air to move downward through the profile. The rate at which a saturated soil transmits water is accepted as a measure of this quality.

5. Shrink/Swell Potential provides criteria for determination of expansive soil properties.

6. Ratings are for Concrete/Steel. The ratings provided are the most conservative and based on the highest % representative aggregate. Site-specific soil resistivity analysis will be necessary prior to site development.

7. Drainage class (natural). Refers to the frequency and duration of wet periods under conditions similar to those under which the soil formed. Alterations of the water regime by human activities, either through drainage or irrigation, are not a consideration unless they have significantly changed the morphology of the soil. Seven classes of natural soil drainage are recognized—excessively drained, somewhat excessively drained, well drained, moderately well drained, somewhat poorly drained, poorly drained, and very poorly drained. These classes are defined in the "Soil Survey Manual."

8. Available water capacity (AWC) (available moisture capacity). The volume of water that should be available to plants if the soil, inclusive of fragments, were at field capacity. It is commonly estimated as the difference between the amount of water at field capacity and the amount at wilting point with adjustments for salinity, fragments, and rooting depth. It is commonly expressed as inches of water per inch of soil. The capacity, in inches, in a 60-inch profile or to a limiting layer is expressed as: Very low 0 to 2.5; Low 2.5 to 5.0; Moderate 5.0 to 7.5; High 7.5 to 10.0; Very high more than 10.0.

9. Hydrologic soil groups. Refers to soils grouped according to their runoff potential. The soil properties that influence this potential are those that affect the minimum rate of water infiltration on a bare soil during periods after prolonged wetting when the soil is not frozen. These properties are depth to a seasonal high water table, the infiltration rate and permeability after prolonged wetting, and depth to a very slowly permeable layer. The slope and the kind of plant cover are not considered but are separate factors in predicting runoff. Hydrologic Soils Group Definitions: A =low runoff

potential (0.30 to 0.45 in/hr); B=moderate runoff potential (0.15 to 0.30 in/hr); C=moderately high runoff potential (0.05 to 0.5 in/hr); D=high runoff potential (less than 0.05 in/hr)

e. **Septic Capability:** No septic tank or alternative wastewater disposal system or facilities are proposed. The Project includes an extension of the sewer force main. The 6-inch sewer force main would be located on the west (south bound) side of Shingle Springs Drive. The pipe would be placed approximately 51 inches beneath the surface of the roadway pavement and the maximum trench width would be approximately 2 feet. The sewer force main would run from within the right-turn egress lane along the west side of Shingle Springs Drive and within the roadway ROW to an existing sewer force main at the intersection of Buckeye Road and Shingle Springs Drive. There would be no impact as no septic systems are proposed.

FINDING: A review of the soils and geologic conditions on the project site determined that the project would not result in a substantial adverse effect. All grading activities would be required to comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance which would address potential impacts related to soil erosion, landslides and other geologic impacts. Future development would be required to comply with the Uniform Building Code, which would address potential seismic related impacts. For this Geology and Soils category, impacts would be less than significant.

VII. GREENHOUSE GAS EMISSIONS. *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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	

Background/Science

Cumulative greenhouse gases (GHG) emissions are believed to contribute to an increased greenhouse effect and global climate change, which may result in sea level rise, changes in precipitation, habitat, temperature, wildfires, air pollution levels, and changes in the frequency and intensity of weather-related events. While criteria pollutants and toxic air contaminants are pollutants of regional and local concern (see Section III. Air Quality above); GHG are global pollutants. The primary land-use related GHG are carbon dioxide (CO_2), methane (CH_4) and nitrous oxides (N_2O). The individual pollutant's ability to retain infrared radiation represents its "global warming potential" and is expressed in terms of CO_2 equivalents; therefore CO_2 is the benchmark having a global warming potential of 1. Methane has a global warming potential of 21 and thus has a 21 times greater global warming effect per metric ton of CH_4 than CO_2. Nitrous Oxide has a global warming potential of 310. Emissions are expressed in annual metric tons of CO_2 equivalent units of measure (i.e., $MTCO_2e/yr$). The three other main GHG are Hydroflourocarbons, Perflourocarbons, and Sulfur Hexaflouride. While these compounds have significantly higher global warming potentials (ranging in the thousands), all three typically are not a concern in land-use development projects and are usually only used in specific industrial processes.

GHG Sources

The primary man-made source of CO_2 is the burning of fossil fuels; the two largest sources being coal burning to produce electricity and petroleum burning in combustion engines. The primary sources of man-made CH_4 are natural gas systems losses (during production, processing, storage, transmission and distribution), enteric fermentation (digestion from livestock) and landfill off-gassing. The primary source of man-made N_2O is agricultural soil management (fertilizers), with fossil fuel combustion a very distant second. In El Dorado County, the primary source of GHG is fossil fuel combustion mainly in the transportation sector (estimated at 70% of countywide GHG emissions). A distant second are residential sources

(approximately 20%), and commercial/industrial sources are third (approximately 7%). The remaining sources are waste/landfill (approximately 3%) and agricultural (<1%).

Regulatory Setting:

Federal Laws, Regulations, and Policies

At the federal level, USEPA has developed regulations to reduce GHG emissions from motor vehicles and has developed permitting requirements for large stationary emitters of GHGs. On April 1, 2010, USEPA and the National Highway Traffic Safety Administration (NHTSA) established a program to reduce GHG emissions and improve fuel economy standards for new model year 2012-2016 cars and light trucks. On August 9, 2011, USEPA and the NHTSA announced standards to reduce GHG emissions and improve fuel efficiency for heavy-duty trucks and buses.

Federal Laws, Regulations, and Policies

In September 2006, Governor Arnold Schwarzenegger signed Assembly Bill (AB) 32, the *California Climate Solutions Act of 2006* (Stats. 2006, ch. 488) (Health & Safety Code, Section 38500 et seq.). AB 32 requires a statewide GHG emissions reduction to 1990 levels by the year 2020. AB 32 requires the California Air Resources Board (CARB) to implement and enforce the statewide cap. When AB 32 was signed, California's annual GHG emissions were estimated at 600 million metric tons of CO_2 equivalent ($MMTCO_2e$) while 1990 levels were estimated at 427 $MMTCO_2e$. Setting 427 $MMTCO_2e$ as the emissions target for 2020, current (2006) GHG emissions levels must be reduced by 29%. CARB adopted the AB 32 Scoping Plan in December 2008 establishing various actions the state would implement to achieve this reduction (CARB, 2008). The Scoping Plan recommends a community-wide GHG reduction goal for local governments of 15%.

In June 2008, the California Governor's Office of Planning and Research's (OPR) issued a Technical Advisory (OPR, 2008) providing interim guidance regarding a proposed project's GHG emissions and contribution to global climate change. In the absence of adopted local or statewide thresholds, OPR recommends the following approach for analyzing GHG emissions: Identify and quantify the project's GHG emissions, assess the significance of the impact on climate change; and if the impact is found to be significant, identify alternatives and/or Mitigation Measures that would reduce the impact to less than significant levels (CEC, 2006).

Discussion:

CEQA does not provide clear direction on addressing climate change. It requires lead agencies identify project GHG emissions impacts and their "significance," but is not clear what constitutes a "significant" impact. As stated above, GHG impacts are inherently cumulative, and since no single project could cause global climate change, the CEQA test is if impacts are "cumulatively considerable." Not all projects emitting GHG contribute significantly to climate change. CEQA authorizes reliance on previously approved plans (i.e., a Climate Action Plan (CAP), etc.) and mitigation programs adequately analyzing and mitigating GHG emissions to a less than significant level. "Tiering" from such a programmatic-level document is the preferred method to address GHG emissions. El Dorado County does not have an adopted CAP or similar program-level document; therefore, the project's GHG emissions must be addressed at the project-level.

Unlike thresholds of significance established for criteria air pollutants in EDCAQMD's *Guide to Air Quality Assessment* (February 2002) ("CEQA Guide"), the District has not adopted GHG emissions thresholds for land use development projects. While EDCAQMD has no adopted GHG thresholds of significance, the District recommends using Sacramento Metropolitan AQMD's GHG thresholds, which were developed in conjunction with El Dorado County, Placer County, Yolo-Solano, and Feather River Air Districts. Because data from projects in El Dorado County, along with the other counties in the Sacramento region, were used to develop these thresholds, it is AQMD's opinion that these regional GHG thresholds represent "substantial evidence" for CEQA purposes and are appropriate for use as CEQA thresholds of significance. Supporting documents on the thresholds can be found on SMAQMD's website (Chapter 6): http://airquality.org/ceqa/ceqaguideupdate.shtml

A substantial adverse effect in regard to Greenhouse Gas Emissions would occur if the implementation of the project would exceed the following thresholds:

Significance Determination Thresholds	
GHG Emission Source Category	**Operational Emissions**
Construction Phase	1,100 $MTCO_2e/yr$
Non-stationary Sources	1,100 $MTCO_2e/yr$
Stationary Sources	10,000 $MTCO_2e/yr$

Projects below screening levels identified above are estimated to emit less than the applicable threshold. No further GHG analysis would be required.

Analysis Methodology

El Dorado County Air Quality Management District (EDCAQMD) prefers the use of the California Emissions Estimator Model (CalEEMod) for quantification of project-related GHG and criteria pollutant emissions. CalEEMod is a statewide model providing a uniform GHG analysis platform for government agencies, land use planners, and environmental professionals. It quantifies direct emissions from construction and operation (including vehicle use), and indirect emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. The software incorporates the most recent vehicle emission factors from the Emission Factors (EMFAC) model provided by CARB, and average trip generation factors published by the Institute of Transportation Engineers (ITE). The model uses and quantifies mitigation measures reduction benefits found in the California Air Pollution Control Officers Association's (CAPCOA) document *Quantifying Greenhouse Gas Mitigation Measure (2010)*, and is accepted by CARB.

a. **Greenhouse Gas Emissions Generation:** Using the SMAQMD Road Construction Emissions Model (2013) the construction of the pipelines and driveway are estimated to produce 73 tons of CO_2e during the construction period, which would be less than the threshold limit.

Operation of the pipelines is not anticipated to produce substantial GHG emissions. The driveway itself will not produce emissions, however, GHG emissions are associated with the traffic using the driveway to access the Tribes Phase I gas station development and the operation of the gas station and convenience store. Therefore, the mobile emissions associated with the gas station development were analyzed for impacts associated with use of the driveway. Approximately 807 new daily trips are associated with the use of the driveway. According to CalEEMod calculations for the gas station development, the unmitigated operational emissions are estimated to be 247 $MTCO_2e$ per year, which is below the threshold limit. This impact would be less than significant.

b. **Conflict with GHG Policy:** As discussed above, the Project will not generate significant emissions of greenhouse gases and will not exceed GHG threshold levels and therefore will not conflict with applicable plan, policies, or regulations adopted for the purpose of reducing the emissions of greenhouse gases. Development and operation of the ROW Project would not interfere with implementation of such plans, policies, or regulations. Impacts associated with greenhouse gas emissions are less than significant.

Conclusion

Short-term construction GHG emissions are a one-time release of GHG and are not expected to significantly contribute to global climate change over the lifetime of the proposed project.. No significant GHG impact would occur.

FINDING: The project would result in less than significant impacts to greenhouse gas emissions. For this Greenhouse Gas Emissions category, there would be no significant adverse environmental effect as a result of the project.

VIII. HAZARDS AND HAZARDOUS MATERIALS. *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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	

Regulatory Setting:

Hazardous materials and hazardous wastes are subject to extensive federal, state, and local regulations to protect public health and the environment. These regulations provide definitions of hazardous materials; establish reporting requirements; set guidelines for handling, storage, transport, and disposal of hazardous wastes; and require health and safety provisions for workers and the public. The major federal, state, and regional agencies enforcing these regulations are USEPA and the Occupational Safety and Health Administration (OSHA); California Department of Toxic Substances Control (DTSC); California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA); California Governor's Office of Emergency Services (Cal OES); and EDCAPCD.

Federal Laws, Regulations, and Policies

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, also called the Superfund Act; 42 USC Section 9601 *et seq.*) is intended to protect the public and the environment from the effects of past hazardous waste disposal activities and new hazardous material spills. Under CERCLA, USEPA has the authority to seek the parties

responsible for hazardous materials releases and to ensure their cooperation in site remediation. CERCLA also provides federal funding (through the "Superfund") for the remediation of hazardous materials contamination. The Superfund Amendments and Reauthorization Act of 1986 (Public Law 99-499) amends some provisions of CERCLA and provides for a Community Right-to-Know program.

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act of 1976 (RCRA; 42 USC Section 6901 *et seq.*), as amended by the Hazardous and Solid Waste Amendments of 1984, is the primary federal law for the regulation of solid waste and hazardous waste in the United States. These laws provide for the "cradle-to-grave" regulation of hazardous wastes, including generation, transportation, treatment, storage, and disposal. Any business, institution, or other entity
that generates hazardous waste is required to identify and track its hazardous waste from the point of generation until it is recycled, reused, or disposed of.

USEPA has primary responsibility for implementing RCRA, but individual states are encouraged to seek authorization to implement some or all RCRA provisions. California received authority to implement the RCRA program in August 1992. DTSC is responsible for implementing the RCRA program in addition to California's own hazardous waste laws, which are collectively known as the Hazardous Waste Control Law.

Energy Policy Act of 2005

Title XV, Subtitle B of the Energy Policy Act of 2005 (the Underground Storage Tank Compliance Act of 2005) contains amendments to Subtitle I of the Solid Waste Disposal Act, the original legislation that created the Underground Storage Tank (UST) Program. As defined by law, a UST is "any one or combination of tanks, including pipes connected thereto, that is used for the storage of hazardous substances and that is substantially or totally beneath the surface of the ground." In cooperation with USEPA, SWRCB oversees the UST Program. The intent is to protect public health and safety and the environment from releases of petroleum and other hazardous substances from tanks. The four primary program elements include leak prevention (implemented by Certified Unified Program Agencies [CUPAs], described in more detail below), cleanup of leaking tanks, enforcement of UST requirements, and tank integrity testing.

Spill Prevention, Control, and Countermeasure Rule

USEPA's Spill Prevention, Control, and Countermeasure (SPCC) Rule (40 CFR, Part 112) apply to facilities with a single above-ground storage tank (AST) with a storage capacity greater than 660 gallons, or multiple tanks with a combined capacity greater than 1,320 gallons. The rule includes requirements for oil spill prevention, preparedness, and response to prevent oil discharges to navigable waters and adjoining shorelines. The rule requires specific facilities to prepare, amend, and implement SPCC Plans.

Occupational Safety and Health Administration

OSHA is responsible at the federal level for ensuring worker safety. OSHA sets federal standards for implementation of workplace training, exposure limits, and safety procedures for the handling of hazardous substances (as well as other hazards). OSHA also establishes criteria by which each state can implement its own health and safety program.

Federal Communications Commission Requirements

There is no federally mandated radio frequency (RF) exposure standard; however, pursuant to the Telecommunications Act of 1996 (47 USC Section 224), the Federal Communications Commission (FCC) established guidelines for dealing with RF exposure, as presented below. The exposure limits are specified in 47 CFR Section 1.1310 in terms of frequency, field strength, power density, and averaging time. Facilities and transmitters licensed and authorized by FCC must either comply with these limits or an applicant must file an environmental assessment (EA) with FCC to evaluate whether the proposed facilities could result in a significant environmental effect.

FCC has established two sets of RF radiation exposure limits—Occupational/Controlled and General Population/Uncontrolled. The less-restrictive Occupational/Controlled limit applies only when a person (worker) is exposed

as a consequence of his or her employment and is "fully aware of the potential exposure and can exercise control over his or her exposure," otherwise the General Population limit applies (47 CFR Section 1.1310).

The FCC exposure limits generally apply to all FCC-licensed facilities (47 CFR Section 1.1307[b][1]). Unless exemptions apply, as a condition of obtaining a license to transmit, applicants must certify that they comply with FCC environmental rules, including those that are designed to prevent exposing persons to radiation above FCC RF limits (47 CFR Section1.1307[b]). Licensees at co-located sites (e.g., towers supporting multiple antennas, including antennas under separate ownerships) must take the necessary actions to bring the accessible areas that exceed the FCC exposure limits into compliance. This is a shared responsibility of all licensees whose transmission power density levels account for 5.0 or more percent of the applicable FCC exposure limits (47CFR 1.1307[b][3]).

Code of Federal Regulations (14 CFR) Part 77

14 CFR Part 77.9 is designed to promote air safety and the efficient use of navigable airspace. Implementation of the code is administered by the Federal Aviation Administration (FAA). If an organization plans to sponsor any construction or alterations that might affect navigable airspace, a Notice of Proposed Construction or Alteration (FAA Form 7460-1) must be filed. The code provides specific guidance regarding FAA notification requirements.

State Laws, Regulations, and Policies

Safe Drinking Water and Toxic Enforcement Act of 1986 – Proposition 65

The Safe Drinking Water and Toxic Enforcement Act of 1986, more commonly known as Proposition 65, protects the state's drinking water sources from contamination with chemicals known to cause cancer, birth defects, or other reproductive harm. Proposition 65 also requires businesses to inform the public of exposure to such chemicals in the products they purchase, in their homes or workplaces, or that are released into the environment. In accordance with Proposition 65, the California Governor's Office publishes, at least annually, a list of such chemicals. OEHHA, an agency under the California Environmental Protection Agency (CalEPA), is the lead agency for implementation of the Proposition 65 program. Proposition 65 is enforced through the California Attorney General's Office; however, district and city attorneys and any individual acting in the public interest may also file a lawsuit against a business alleged to be in violation of Proposition 65 regulations.

The Unified Program

The Unified Program consolidates, coordinates, and makes consistent the administrative requirements, permits, inspections, and enforcement activities of six environmental and emergency response programs. CalEPA and other state agencies set the standards for their programs, while local governments (CUPAs) implement the standards. For each county, the CUPA regulates/oversees the following:

- Hazardous materials business plans;
- California accidental release prevention plans or federal risk management plans;
- The operation of USTs and ASTs;
- Universal waste and hazardous waste generators and handlers;
- On-site hazardous waste treatment;
- Inspections, permitting, and enforcement;
- Proposition 65 reporting; and
- Emergency response.

Hazardous Materials Business Plans

Hazardous materials business plans are required for businesses that handle hazardous materials in quantities greater than or equal to 55 gallons of a liquid, 500 pounds of a solid, or 200 cubic feet (cf) of compressed gas, or extremely hazardous substances above the threshold planning quantity (40 CFR, Part 355, Appendix A) (Cal OES, 2015). Business plans are required to include an inventory of the hazardous materials used/stored by the business, a site map, an emergency plan, and a training program for employees (Cal OES, 2015). In addition, business plan information is provided electronically to a

statewide information management system, verified by the applicable CUPA, and transmitted to agencies responsible for the protection of public health and safety (i.e., local fire department, hazardous material response team, and local environmental regulatory groups) (Cal OES, 2015).

California Occupational Safety and Health Administration

Cal/OSHA assumes primary responsibility for developing and enforcing workplace safety regulations in California. Cal/OSHA regulations pertaining to the use of hazardous materials in the workplace (CCR Title 8) include requirements for safety training, availability of safety equipment, accident and illness prevention programs, warnings about exposure to hazardous substances, and preparation of emergency action and fire prevention plans.
Hazard communication program regulations that are enforced by Cal/OSHA require workplaces to maintain procedures for identifying and labeling hazardous substances, inform workers about the hazards associated with hazardous substances and their handling, and prepare health and safety plans to protect workers at hazardous waste sites. Employers must also make material safety data sheets available to employees and document employee information and training programs. In addition, Cal/OSHA has established maximum permissible RF radiation exposure limits for workers (Title 8 CCR Section 5085[b]), and requires warning signs where RF radiation might exceed the specified limits (Title 8 CCR Section 5085 [c]).

California Accidental Release Prevention

The purpose of the California Accidental Release Prevention (CalARP) program is to prevent accidental releases of substances that can cause serious harm to the public and the environment, to minimize the damage if releases do occur, and to satisfy community right-to-know laws. In accordance with this program, businesses that handle more than a threshold quantity of regulated substance are required to develop a risk management plan (RMP). This RMP must provide a detailed analysis of potential risk factors and associated mitigation measures that can be implemented to reduce accident potential. CUPAs implement the CalARP program through review of RMPs, facility inspections, and public access to information that is not confidential or a trade secret.

California Department of Forestry and Fire Protection Wildland Fire Management

The Office of the State Fire Marshal and the California Department of Forestry and Fire Protection (CAL FIRE) administer state policies regarding wildland fire safety. Construction contractors must comply with the following requirements in the Public Resources Code during construction activities at any sites with forest-, brush-, or grass-covered land:

- Earthmoving and portable equipment with internal combustion engines must be equipped with a spark arrestor to reduce the potential for igniting a wildland fire (Public Resources Code Section 4442).
- Appropriate fire-suppression equipment must be maintained from April 1 to December 1, the highest-danger period for fires (Public Resources Code Section 4428).
- On days when a burning permit is required, flammable materials must be removed to a distance of 10 feet from any equipment that could produce a spark, fire, or flame, and the construction contractor must maintain the appropriate fire suppression equipment (Public Resources Code Section 4427).
- On days when a burning permit is required, portable tools powered by gasoline fueled internal combustion engines must not be used within 25 feet of any flammable materials (Public Resources Code Section 4431).

California Highway Patrol

CHP, along with Caltrans, enforce and monitor hazardous materials and waste transportation laws and regulations in California. These agencies determine container types used and license hazardous waste haulers for hazardous waste transportation on public roads. All motor carriers and drivers involved in transportation of hazardous materials must apply for and obtain a hazardous materials transportation license from CHP.

Local Laws, Regulations, and Policies

A map of the fuel loading in the County (General Plan Figure HS-1) shows the fire hazard severity classifications of the SRAs in El Dorado County, as established by CDF. The classification system provides three classes of fire hazards: Moderate, High, and Very High. Fire Hazard Ordinance (Chapter 8.08) requires defensible space as described by the State

Public Resources Code, including the incorporation and maintenance of a 30-foot fire break or vegetation fuel clearance around structures in fire hazard zones. The County's requirements on emergency access, signing and numbering, and emergency water are more stringent than those required by state law (Patton 2002). The Fire Hazard Ordinance also establishes limits on campfires, fireworks, smoking, and incinerators for all discretionary and ministerial developments.

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

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

a-b. **Hazardous Materials:**
Materials such as fuels, oils, and solvents may be used during the short-term, temporary construction period. These materials would be handled per manufacturer specification and would not require routine transport or disposal within the project area. Construction specifications include requirements for the proper handling and storage of construction materials. Future use of the driveway may include the routine transport of gasoline and fuel to the gas station; however transport of such materials would be in accordance with State regulations and requirements. Fuels and other materials are routinely transported on adjacent U.S. 50. This impact is less than significant.

c. **Hazardous Materials near Schools:** The nearest schools, California Montessori Project and Buckeye Elementary, are located within one-quarter mile of the EID utility lines, but are over a half-mile south of the Phase I development driveway. There are existing utility lines at the location of the schools and the extension of the water and sewer lines to the north would not result in a new hazard potential for the schools. Construction materials would be stored within the staging area over a half mile from the schools. This impact is less than significant.

d. **Hazardous Sites:** The Project is located along Shingle Springs Drive between US 50 and the Buckeye Road. There are three sites listed on the California Department of Toxic Substances Control Envirostor database in the vicinity of the Project; however, none of them are active. Two sites are school investigations for lead that are inactive or no action is required. Although the Envirostor mapping shows a third site that is a leaking underground storage tank (LUST) gasoline cleanup site on Shingle Springs Drive, this case which has been completed and the case closed in 1991, is listed as Kumars Corner 4151 S Shingle Springs Road, which is located west of the project area and its location incorrectly mapped in the Envirostor database. There are no active environmental conditions within 0.25-mile radius of the study area (www.envirostor.dtsc.ca.gov, site accessed 8/25/15). The project site is not included on a list of or near any hazardous materials sites pursuant to Government Code section 65962.5 (DTSC, 2015). There would be no impact.

e-f. **Aircraft Hazards, Private Airstrips:** The nearest airport, Cameron Airpark, is over four miles west of the Project site. The Project will not result in a safety hazard for people working in the Project area. There would be no impact.

g. **Emergency Plan:** The proposed project would not impair implementation of any emergency response plan or emergency evacuation plan. At least one travel lane would remain open during construction, with traffic controls utilized throughout the construction period. A traffic control plan will be developed and implemented by the construction contractor as approved by the County. As discussed in the traffic analysis to mitigate traffic impacts, no lane closures should occur during morning and afternoon peak school traffic periods. By maintaining access throughout construction and maintaining regular access during peak travel time, project construction would not significantly impair emergency response or evacuation. This impact is less than significant.

h. **Wildfire Hazards:** The El Dorado County General Plan Safety Element precludes development in areas of high wildland fire hazard unless such development can be adequately protected from wildland fire hazards as demonstrated in a Fire Safe Plan prepared by a Registered Professional Forester (RPF) and approved by the local

Fire Protection District and/or California Department of Forestry and Fire Protection. The surrounding lands consist of residential uses, the U.S. 50 corridor, a church and schools, and undeveloped land. Undeveloped areas include grassland and oak woodland. U.S. 50, Shingle Springs Drive, and area roadways serve as fire break corridors as well as emergency access corridors. According to the General Plan Figure HS-1 the Project site is located within a moderate fire hazard area. Development of the paved driveway and underground water and sewer pipelines will not increase the risk of wildfire, nor will such facilities be threatened by wildfire. Development within the project area would not expose people or structures to a significant fire risk. This Project will include fire hydrants and would supply water to the fire hydrants planned for the Shingle Springs Band of Miwok Indians project, thereby increasing overall access to water for fire suppression in the area. This impact is less than significant.

FINDING: The proposed project would not expose the area to hazards relating to the use, storage, transport, or disposal of hazardous materials. For this Hazards and Hazardous Materials category, impacts would be less than significant.

IX. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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

IX. HYDROLOGY AND WATER QUALITY. Would the project:				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
j. Inundation by seiche, tsunami, or mudflow?				X

Regulatory Setting:

Federal Laws, Regulations, and Policies

Clean Water Act

The Clean Water Act (CWA) is the primary federal law that protects the quality of the nation's surface waters, including lakes, rivers, and coastal wetlands. The key sections pertaining to water quality regulation for the Proposed Project are CWA Section 303 and Section 402.

Section 303(d) — Listing of Impaired Water Bodies

Under CWA Section 303(d), states are required to identify "impaired water bodies" (those not meeting established water quality standards), identify the pollutants causing the impairment, establish priority rankings for waters on the list, and develop a schedule for the development of control plans to improve water quality. USEPA then approves the State's recommended list of impaired waters or adds and/or removes waterbodies.

Section 402—NPDES Permits for Stormwater Discharge

CWA Section 402 regulates construction-related stormwater discharges to surface waters through the NPDES, which is officially administered by USEPA. In California, USEPA has delegated its authority to the State Water Resources Control Board (SWRCB), which, in turn, delegates implementation responsibility to the nine RWQCBs, as discussed below in reference to the Porter-Cologne Water Quality Control Act.

The NPDES program provides for both general (those that cover a number of similar or related activities) and individual (activity- or project-specific) permits. General Permit for Construction Activities: Most construction projects that disturb 1.0 or more acre of land are required to obtain coverage under SWRCB's General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order 2009-0009-DWQ as amended by 2010-0014-DWQ and 2012-0006-DWQ). The general permit requires that the applicant file a public notice of intent to discharge stormwater and prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). SWPPP must include a site map and a description of the proposed construction activities, demonstrate compliance with relevant local ordinances and regulations, and present a list of Best Management Practices (BMPs) that will be implemented to prevent soil erosion and protect against discharge of sediment and other construction-related pollutants to surface waters. Permittees are further required to monitor construction activities and report compliance to ensure that BMPs are correctly implemented and are effective in controlling the discharge of construction-related pollutants.

Municipal Stormwater Permitting Program

SWRCB regulates stormwater discharges from municipal separate storm sewer systems (MS4s) through its Municipal Storm Water Permitting Program (SWRCB, 2013). Permits are issued under two phases depending on the size of the urbanized area/municipality. Phase I MS4 permits are issued for medium (population between 100,000 and 250,000 people) and large (population of 250,000 or more people) municipalities, and are often issued to a group of co-permittees within a metropolitan

area. Phase I permits have been issued since 1990. Beginning in 2003, SWRCB began issuing Phase II MS4 permits for smaller municipalities (population less than 100,000).

El Dorado County is covered under two SWRCB Regional Boards. The West Slope Phase II Municipal Separate Storm Sewer Systems (MS4) NPDES Permit is administered by the Central Valley Regional Water Quality Control Board (RWQCB) (Region Five). The Lake Tahoe Phase I MS4 NPDES Permit is administered by the Lahontan RWQCB (Region Six). The current West Slope MS4 NPDES Permit was adopted by the SWRCB on February 5, 2013. The Permit became effective on July 1, 2013 for a term of five years and focuses on the enhancement of surface water quality within high priority urbanized areas. The current Lake Tahoe MS4 NPDES Permit was adopted and took effect on December 6, 2011 for a term of five years. The Permit incorporated the Lake Tahoe Total Maximum Daily Load (TMDL) and the Lake Clarity Crediting Program (LCCP) to account for the reduction of fine sediment particles and nutrients discharged to Lake Tahoe.

On May 19, 2015 the El Dorado County Board of Supervisors formally adopted revisions to the Storm Water Quality Ordinance (Ordinance 4992). Previously applicable only to the Lake Tahoe Basin, the ordinance establishes legal authority for the entire unincorporated portion of the County. The purpose of the ordinance is to 1) protect health, safety, and general welfare, 2) enhance and protect the quality of Waters of the State by reducing pollutants in storm water discharges to the maximum extent practicable and controlling non-storm water discharges to the storm drain system, and 3) cause the use of Best Management Practices to reduce the adverse effects of polluted runoff discharges on Waters of the State.

The West Slope of the County also has an approved Storm Water Management Plan (SWMP). Sections 4.4 (Construction Site Runoff Control) and 4.5 (Post Construction Runoff Control) of the SWMP will apply to this project.

National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program (NFIP) to provide subsidized flood insurance to communities complying with FEMA regulations that limit development in floodplains. The NFIP regulations permit development within special flood hazard zones provided that residential structures are raised above the base flood elevation of a 100-year flood event. Non-residential structures are required either to provide flood proofing construction techniques for that portion of structures below the 100-year flood elevation or to elevate above the 100-year flood elevation. The regulations also apply to substantial improvements of existing structures.

State Laws, Regulations, and Policies

Porter–Cologne Water Quality Control Act

The Porter–Cologne Water Quality Control Act (known as the Porter–Cologne Act), passed in 1969, dovetails with the CWA (see discussion of the CWA above). It established the SWRCB and divided the state into nine regions, each overseen by an RWQCB. SWRCB is the primary State agency responsible for protecting the quality of the state's surface water and groundwater supplies; however, much of the SWRCB's daily implementation authority is delegated to the nine RWQCBs, which are responsible for implementing CWA Sections 401, 402, and 303[d]. In general, SWRCB manages water rights and regulates statewide water quality, whereas RWQCBs focus on water quality within their respective regions.

The Porter–Cologne Act requires RWQCBs to develop water quality control plans (also known as basin plans) that designate beneficial uses of California's major surface-water bodies and groundwater basins and establish specific narrative and numerical water quality objectives for those waters. Beneficial uses represent the services and qualities of a waterbody (i.e., the reasons that the waterbody is considered valuable). Water quality objectives reflect the standards necessary to protect and support those beneficial uses. Basin plan standards are primarily implemented by regulating waste discharges so that water quality objectives are met. Under the Porter–Cologne Act, basin plans must be updated every 3 years.

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

- Expose residents to flood hazards by being located within the 100-year floodplain as defined by the Federal Emergency Management Agency;

- Cause substantial change in the rate and amount of surface runoff leaving the project site ultimately causing a substantial change in the amount of water in a stream, river or other waterway;
- Substantially interfere with groundwater recharge;
- Cause degradation of water quality (temperature, dissolved oxygen, turbidity and/or other typical stormwater pollutants) in the project area; or
- Cause degradation of groundwater quality in the vicinity of the project site.

a. **Water Quality Standards:** During the construction period, the proposed project will involve grading, excavation, and potential cut and fill activity. Ground disturbance associated with these activities has the potential to cause erosion of exposed surfaces during rainfall events and snowmelt. Runoff has the potential to cause sedimentation of on-site and off-site watercourses. The extent of erosion will vary depending on slope steepness/stability, vegetation/cover, concentration of runoff, and weather conditions. During the construction period, erosion and sediment control BMPs will be installed and maintained within the Project site in compliance with the ESCP.

Regulatory compliance measures are included in the Project to ensure water quality standards and waste discharge requirements are not violated. Regulatory Compliance Measure 4 includes the preparation and implementation of the Erosion and Sediment Control Plan (ESCP), including site-specific BMPs, stabilization BMPs, and other measures. The ESCP identifies the type and placement location of each BMP, including drainage protection measures at roadway culverts and post-construction site-stabilization measures. As part of the ESCP, the applicant and construction contractor will be required to install erosion and sediment control measures, wind erosion control measures and tracking control BMPs to protect the topsoil. Stockpiled soils will be properly located, watered and/or covered to prevent loss due to wind erosion. The site-specific ESCP includes erosion and sediment control BMPs and non-stormwater and material management BMPs. Each BMP would be mapped and detailed with CASQA specifications outlined. Implementation of the ESCP and its BMPs directed at sediment and erosion control and proper site management in conjunction with daily and storm event monitoring would ensure water quality standards and discharge requirements are maintained throughout the construction period. Grading plans required by the County are prepared and designed to meet the County of El Dorado Grading, Erosion and Sediment Control Ordinance and the construction plan sets for the Project would not be approved by the County until the design requirements are met.

Following project construction, creation of impervious surfaces for the driveway and slight changes of local topography along he roadway corridor has the potential to alter surface runoff rates and drainage patterns from the site. Impervious surfaces can increase surface runoff rates and drainage peak flows downstream. The total temporary disturbance area needed to construct the driveway would be approximately 8,050 square feet and the total new permanent pavement area of the driveway would be approximately 2,457 square feet. The existing drainage is an unpaved roadside channel that collects runoff from the roadway as well as the undeveloped land to the west of the roadway. The channel contains grasses and is primarily open along its length. There are culverts beneath existing driveways connecting to Shingle Springs Drive. At each driveway crossing, a 24-inch storm drain would be installed beneath the driveway pavement to maintain stormwater runoff flows along the ROW. On either side of the driveway and culvert, a six-inch angular rock erosion control feature measuring at least 5 feet by 10 feet would be installed to filter runoff. In addition, underground storm drain systems are proposed on the Tribal land to collect and convey onsite stormwater to the existing drainage system. The driveway alone would not be subject to Sections E.12.c. - E.12.e. of the State Water Board's National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4) Order #2013-0001-DWQ (Order) if the size of the driveway does not increase. Should the impervious surface area increase during final design or construction, the driveway may be subject to MS4 post-construction requirements for Regulated Projects.

The storm drainage technical memorandum for the project includes analysis showing no adverse impacts to the existing 48" culvert under Shingle Springs Road within the Caltrans ROW. The existing 48" culvert is sized to adequately convey the Shingle Springs Band Of Miwok Indians' proposed development runoff including runoff from Shingle Springs Road. The overall development project on Tribal land will reduce drainage impacts to the County right-of-way by redirecting over 20 acres that currently drain to Shingle Springs Road ROW to a proposed drain system on Tribal lands that would eventually drain to the 48" culvert that is within in the Caltrans right-of-way. While the driveway may add a small increase in runoff at the site of the pavement, the overall amount of

runoff entering the drainage along Shingle Springs Road right-of-way will decrease as a result of Phase I gas station development.

If the County requires construction of the two-way left turn (TWLT) lane for the Phase I gas station project as a result of transportation impacts, additional roadway paving will be created within the ROW, creating additional pervious surface and an increase in stormwater runoff levels. Since the current project design does not include the turn lane, the exact location or total square footage of additional pavement have not been identified; however, it is likely that the coverage would be at or exceed the 5,000 square foot threshold with the TWLT lane, and subject to Sections E.12.c. - E.12.e. of the State Water Board's National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4) Order #2013-0001-DWQ (Order). The left turn lane will change drainage within the County ROW and without coverage calculations, the extent of the impact is unknown. Therefore a potential impact may occur. If the County should require a TWLT lane in the future, the County would have the opportunity to consider the impact of the additional pavement on County drainage features during the design review process for the TWLT lane. To address this potential impact of the TWLT lane, the following mitigation measures shall be implemented if and when the County requires construction of the TWLT lane in the future to address drainage and coverage impacts of the TWLT lane, and reduce these potential impacts to a less than significant level.

Mitigation Measure HYDRO-1: Two-way Left Turn Lane Design and Drainage Calculations

The County shall determine if a TWLT lane is required for the Phase I gas station development. If a TWLT lane is required, project design shall include plans for the TWLT lane, by identifying the extent of additional paving within the R/W (right-of-way), striping, and any associated signage in accordance with County requirements. These plans shall also include drainage calculations to address runoff from the additional pavement and any necessary modifications to the drainage conveyance system to avoid impacts. If drainage calculations show that the additional pavement will result in impacts to the existing drainage system, the plans shall show the location of specific drainage improvements and the calculations used to determine their adequacy. The County shall review and approve the designs prior to construction of the TWLT. Any alterations required by the County shall be included in the construction specifications and final design.

Monitoring Responsibility: Development Services Division- Planning Services in coordination with the Transportation Division.

Monitoring Requirement: Mitigation Measure HYDRO-1 shall be incorporated and verified as a note on the Improvement Plans if required by the County.

Mitigation Measure HYDRO-2: NPDES General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4) Order #2013-0001-DWQ

If the total square footage of impervious coverage associated with the driveway increases or if the additional pavement required for the TWLT lane, combined with the 0.06 acre (2,457 square feet) of additional impervious coverage proposed for the project driveway, exceeds 5,000 square feet or more of new contiguous impervious surface, then that specific discrete location is subject to Sections E.12.c. - E.12.e. of the State Water Board's National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4) Order #2013-0001-DWQ (Order).

Post-construction measures to address additional driveway impervious coverage, should an increase occur, may include one or more of the following, to the satisfaction of the County: soil quality improvements and maintenance through soil amendments and creation of microbial community; tree planting and preservation of healthy established trees; porous pavement that allows runoff to pass through; and/or vegetated swales designed to treat and attenuate storm water runoff.

The TWLT lane and driveway shall include permanent Best Management Practices (BMP's) for stormwater management in accordance with the Order to the satisfaction of the County.

Monitoring Responsibility: Development Services Division- Planning Services in coordination with CDA Long Range Planning Stormwater Unit and Transportation Division.

Monitoring Requirement: Permanent BMP's as required by the Order shall be incorporated into the Improvement Plans, with construction verified by Transportation during inspection of permitted work in the County R/W.

b. **Groundwater Supplies:** The geology of the Western Slope portion of El Dorado County is principally hard, crystalline, igneous, or metamorphic rock overlain with a thin mantle of sediment or soil. Groundwater in this region is found in fractures, joints, cracks, and fault zones within the bedrock mass. These discrete fracture areas are typically vertical in orientation rather than horizontal as in sedimentary or alluvial aquifers. Recharge is predominantly through rainfall infiltrating into the fractures. Movement of this groundwater is very limited due to the lack of porosity in the bedrock. Wells are typically drilled to depths ranging from 80 to 300 feet in depth. There is no evidence that the project will substantially reduce or alter the quantity of groundwater in the vicinity, or materially interfere with groundwater recharge in the area of the proposed project. Operation of the utility lines and driveways would not require the use of groundwater and new impervious coverage from the driveways would drain to the existing drainage culverts along Shingle Springs Drive. Development of the driveways would not impair or reduce groundwater recharge processes. No new wells are proposed. This impact is less than significant.

c-f. **Drainage Patterns:** Installation of the water and sewer pipelines would be beneath existing pavement and would not alter existing drainage patterns. Development of the driveway would increase impervious surface coverage by adding 2,457 square feet of new pavement. Approximately 80 linear feet of 24-inch corrugated metal storm drainage pipe would be installed beneath the driveway. On either end of this driveway culvert, the project includes the installation of 5-foot by 10-foot section of angular rock erosion control. The existing roadside drainage ditch would be graded to meet the proposed culvert and the rest of the drainage conveyance system. Future development of the gas station/car wash would increase impervious surface coverage, which would reduce the pervious area and increase runoff flowing from the site into the roadside drainage. A series of onsite storm drains are planned within the Shingle Springs Village development. For Phase I, an onsite underground stormwater conveyance system would be located beneath the pavement of the development's interior circulation system. The storm drains would range from 24-inch diameter storm drain pipe at the eastern edge of the onsite pavement, to 18-inch pipe along the northern and western side of the carwash, convenience store, and gas station, to a 12-inch pipe between the gas pumps and access driveway. Onsite flows would follow the existing drainage patterns and would be directed into the onsite drainage that would flow toward the existing 48-inch storm drain that crosses Shingle Springs Drive near the northern limit of the Project. This existing drainage swale/ditch that drains to Shingle Springs Road and an existing below-ground 48-inch culvert south of the U.S. 50 off-ramp that would remain undisturbed. Drainage calculations and mapping are located in Attachment 1. If a TWLT lane is required by the County to be constructed concurrent with the driveway and utility extensions, the additional impervious surface necessary to accommodate the TWLT lane may affect existing drainage patterns and runoff levels, thereby affecting the existing stormwater conveyance system. Should the TWLT lane be required at some time in the future, as determined by the County, Mitigation Measures HYDRO-1 and -2 above would need to be implemented to reduce this impact to a less than significant level.

g-j. **Flood-related Hazards:** The Project site is located along Shingle Springs Drive in El Dorado County, at an elevation of approximately 1,400 feet above mean sea level. According to Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Flood Insurance Rate Map (FIRM) for Community Number 06017C0750E, the Project is located outside the floodplain within FEMA Zone "X", an area outside the 500-year flood zone with a less than 0.2 percent chance of flooding annually (https://msc.fema.gov/portal/search, Site accessed 8/26/15). No dams which would result in potential hazards related to dam failures are located in the project area. The risk of exposure to seiche, tsunami, or mudflows would be remote as there are no surface water bodies in the area. No impact would occur.

FINDING: For this project, no significant hydrological impacts are expected with the development of the project either directly or indirectly, unless the County requires the construction of the TWLT lane concurrently with development of the driveway and utility pipelines within the roadway ROW or if the size of the driveway should increase above the proposed square footage. Should the TWLT lane be required, the additional impervious surface coverage necessary to accommodate the TWLT lane, may affect stormwater systems, existing drainage patterns, and water quality should runoff or drainage

conflict with system capacity or design. For this hydrology category, impacts are anticipated to be less than significant with the implementation of Mitigation Measures HYDRO-1 and -2.

X. **LAND USE PLANNING.** *Would the project:*				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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	

Regulatory Setting:

California State law requires that each City and County adopt a general plan "for the physical development of the City and any land outside its boundaries which bears relation to its planning." Typically, a general plan is designed to address the issues facing the City or County for the next 15-20 years. The general plan expresses the community's development goals and incorporates public policies relative to the distribution of future public and private land uses. The El Dorado County General Plan was adopted in 2004. The 2013-2021 Housing Element was adopted in 2013.

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

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

a. **Established Community:** Development of the driveway and extension of water and sewer utility infrastructure would occur within the existing roadway ROW along Shingle Springs Drive. The driveway and utility infrastructure would serve commercial development proposed on parcel 319-220-18, which is Tribal land owned by the Shingle Springs Band of Miwok Indians. The parcel is zoned RE-5 (Residential Estate) and the land use designation is Low Density Residential. Surrounding designations are also Low Density Residential, with a Public Facilities parcel (Buckeye Elementary School) located near the south end of the project area, and a commercial property that is also Tribal land located at the US-50 onramp at Shingle Springs Drive. The area is zoned Estate Residential 5-acre, with the undeveloped area to the northeast outside the project footprint zoned as Planned Development. Land uses in the area include rural residences, a church, two schools, US-50, and undeveloped land.

The water and sewer utilities would be located below ground and would not divide the community, a portion of which is already served by EID infrastructure in the area. Development of the driveway consists of paving and drainage improvements along the west side of Shingle Springs Drive. This action would not conflict with the

existing land use pattern in the area, physically divide the existing community, or limit or remove existing access or movement in the area. No impact would occur.

b. **Land Use Consistency:** The project is located in a rural area along U.S. 50 and proposes to construct and operate underground water and sewer utility pipelines and an access driveway within the Shingle Springs Drive ROW. Currently water and sewer mains are located within the ROW south of the project, and the project would serve as an extension of those facilities in an area currently served by the utility provider. The surrounding area includes schools, a church, and low-density rural residential uses, as well as undeveloped land. Shingle Springs Drive is an on-ramp/off-ramp location for U.S. 50 and is currently a paved two lane roadway perpendicular to the highway. Since there are utilities and driveways currently within the roadway ROW, development of these uses would not conflict with the function of the roadway or area land use. The project is within an important biological corridor, and Valley Oak Woodland is located nearby. Shingle Springs Drive runs beneath U.S. 50 and provides a north/south movement corridor for species within the area, particularly since many parcels remain undeveloped or rural and maintain habitat values due to low use. While construction activities may deter some species from moving near the active construction area, the corridor would remain fairly unchanged following construction and use would not be significantly affected. A driveway is an appropriate use within a roadway ROW and underground utilities would also be considered a consistent use. This impact is less than significant.

c. **Habitat Conservation Plan:** The Project is located within an Important Biological Corridor. The Integrated Natural Resources Management Plan (INRMP) shows that Shingle Springs Drive undercrossing provides a north/south movement corridor between each side of U.S. 50. The project site is not within the boundaries of an adopted Natural Community Conservation Plan or any other conservation plan. As such, the proposed project would not conflict with an adopted conservation plan. There would be no significant impact.

FINDING: The proposed use of the land would be consistent with the Zoning Ordinance and General Plan. There would be no significant impact to land use goals or standards resulting from the project.

XI. MINERAL RESOURCES. *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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

Regulatory Setting:

Federal Laws, Regulations, and Policies

No federal laws, regulations, or policies apply to mineral resources and the Proposed Project.

State Laws, Regulations, and Policies

Surface Mining and Reclamation Act

The Surface Mining and Reclamation Act of 1975 (SMARA) requires that the State Mining and Geology Board identify, map, and classify aggregate resources throughout California that contain regionally significant mineral resources. Designations of land areas are assigned by CDC and California Geological Survey following analysis of geologic reports and maps, field investigations, and using information about the locations of active sand and gravel mining operations. Local jurisdictions are required to enact planning procedures to guide mineral conservation and extraction at particular sites and to incorporate mineral resource management policies into their general plans.

The California Mineral Land Classification System represents the relationship between knowledge of mineral deposits and their economic characteristics (grade and size). The nomenclature used with the California Mineral Land Classification System is important in communicating mineral potential information in activities such as mineral land classification, and usage of these terms are incorporated into the criteria developed for assigning mineral resource zones. Lands classified MRZ-2 are areas that contain identified mineral resources. Areas classified as MRZ-2a or MRZ-2b (referred to hereafter as MRZ-2) are considered important mineral resource areas.

Local Laws, Regulations, and Policies

El Dorado County in general is considered a mining region capable of producing a wide variety of mineral resources. Metallic mineral deposits, including gold, are considered the most significant extractive mineral resources. Exhibit 5.9-6 shows the MRZ-2 areas within the county based on designated Mineral Resource (-MR) overlay areas. The -MR overlay areas are based on mineral resource mapping published in the mineral land classification reports referenced above. The majority of the county's important mineral resource deposits are concentrated in the western third of the county.

According to General Plan Policy 2.2.2.7, before authorizing any land uses within the -MR overlay zone that will threaten the potential to extract minerals in the affected area, the County shall prepare a statement specifying its reasons for considering approval of the proposed land use and shall provide for public and agency notice of such a statement consistent with the requirements of Public Resources Code section 2762. Furthermore, before finally approving any such proposed land use, the County shall balance the mineral values of the threatened mineral resource area against the economic, social, or other values associated with the proposed alternative land uses. Where the affected minerals are of regional significance, the County shall consider the importance of these minerals to their market region as a whole and not just their importance to the County.

Where the affected minerals are of Statewide significance, the County shall consider the importance of these minerals to the State and Nation as a whole. The County may approve the alternative land use if it determines that the benefits of such uses outweigh the potential or certain loss of the affected mineral resources in the affected regional, Statewide, or national market.

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

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

a-b. **Mineral Resources.** The Project is located within the ROW of Shingle Springs Drive. The Project site is not delineated on the local land use plan as a locally important mineral resource recovery site, and is not mapped as such by the California Department of Conservation. The Project site is not located within a mineral resource zone district and is not delineated on local land use plans as a locally important mineral resource recovery site. The existence of the Project will not result in the loss of availability of any mineral resources There would be no impact.

FINDING: No impacts to mineral resources are expected either directly or indirectly. For this mineral resources category, there would be no impacts.

XII. NOISE. *Would the project result in:*	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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

Regulatory Setting:

No federal or state laws, regulations, or policies for construction-related noise and vibration that apply to the Proposed Project. However, the Federal Transit Administration (FTA) Guidelines for Construction Vibration in Transit Noise and Vibration Impact Assessment state that for evaluating daytime construction noise impacts in outdoor areas, a noise threshold of 90 dBA Leq and 100 dBA Leq should be used for residential and commercial/industrial areas, respectively (FTA 2006).

For construction vibration impacts, the FTA guidelines use an annoyance threshold of 80 VdB for infrequent events (fewer than 30 vibration events per day) and a damage threshold of 0.12 inches per second (in/sec) PPV for buildings susceptible to vibration damage (FTA 2006).

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.

TABLE 6-1
NOISE LEVEL PERFORMANCE PROTECTION STANDARDS FOR NOISE SENSITIVE LAND USES AFFECTED BY NON-TRANSPORTATION* SOURCES

Noise Level Descriptor	Daytime 7 a.m. - 7 p.m.		Evening 7 p.m. - 10 p.m.		Night 10 p.m. - 7 a.m.	
	Community	Rural	Community	Rural	Community	Rural
Hourly L_{eq}, dB	55	50	50	45	45	40
Maximum level, dB	70	60	60	55	55	50

Each of the noise levels specified above shall be lowered by five dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises. These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g., caretaker dwellings).

The County can impose noise level standards which are up to 5 dB less than those specified above based upon determination of existing low ambient noise levels in the vicinity of the project site.

In Community areas the exterior noise level standard shall be applied to the property line of the receiving property. In Rural Areas the exterior noise level standard shall be applied at a point 100' away from the residence. The above standards shall be measured only on property containing a noise sensitive land use as defined in Objective 6.5.1. This measurement standard may be amended to provide for measurement at the boundary of a recorded noise easement between all effected property owners and approved by the County.

*Note: For the purposes of the Noise Element, transportation noise sources are defined as traffic on public roadways, railroad line operations and aircraft in flight. Control of noise from these sources is preempted by Federal and State regulations. Control of noise from facilities of regulated public facilities is preempted by California Public Utilities Commission (CPUC) regulations. All other noise sources are subject to local regulations. Non-transportation noise sources may include industrial operations, outdoor recreation facilities, HVAC units, schools, hospitals, commercial land uses, other outdoor land use, etc.

a. **Noise Exposures:** Sources of ambient noise in the Project vicinity are primarily associated with traffic along U.S. 50 and Shingle Springs Drive, and to a lesser degree periodic noise associated with the two schools on Buckeye Road. In the vicinity of the project site, the primary noise sensitive land uses include residences and schools. These residences are located in close proximity to the west and east of the project site at distances ranging from over 100 feet east to over 300 feet west. Classroom facilities are located 200 feet or more from the proposed pipeline trenches. In addition, the Project's Regulatory Compliance Measure 3 requires muffling, shielding, or shrouding of construction equipment exhaust or impact tools. As discussed in the Traffic Report for the project, the increase in vehicle trips would not be substantial enough to raise noise levels beyond 60 dB or more than 3 dB above background levels, since most vehicle activity would be located near U.S. 50 away from the schools and residences. However, approximately 50 feet of bore and jack construction under the railroad track must occur on a continual 24-hour basis until the bore and jack construction is complete because the County will not allow the use of steel plates to cover the bore pits when not in use. Bore and jack construction requires the use of a jacking pit and receiving pit on either side of the railroad track. A bore machine is placed into the pit and a 16" steel casing pipe for the sewer force main and a 22" steel casing pipe for the water main are first installed, followed by the actual utility pipes. The nearest residence is over 300 feet northeast of the railroad track. Another bore and jack operation would occur near Maggie Lane where an existing 21" water main crosses Shingle Springs Drive. Approximately 20 feet of bore and jack construction would occur with a bore pit and receiving pit located at each end of the installation and a 16" steel casing pipe would be installed. A church is located over 300 feet southwest of this bore and jack operation and the nearest residence is located nearly 300 feet southeast. According to Table 6-4 of the El Dorado County General Plan, the maximum allowable noise exposure for nighttime in residential rural centers is 55 dBA, L_{max}. Jacking operations typically produce an L_{max} of 83 dBA at 50 feet based on Federal Highway Administration Roadway Construction Noise Mode Database (2005). At 300 feet, the dBA would only be reduced to 67 dBA and would not meet the County threshold. The threshold would be met at a distance of 1,200 feet. With implementation of

Regulatory Compliance Measure 3 and the following mitigation measure, the potential to exceed County limits is reduced to a less than significant level.

Mitigation Measure NOISE-1: Noise Reduction During 24-hour Construction Operations

The Construction Plan Specifications shall incorporate noise specifications for nighttime activity to reduce nighttime construction noise levels. The bore and jack operations that produce the highest noise levels shall be timed to occur during regular daytime construction hours, to the extent feasible. Generator and ventilation equipment shall be directed away from sensitive receptors. Loader operations will be kept to a minimum. Backup alarms on equipment will not be operated during nighttime hours and either sound barriers shall be erected at the entry and exit shafts to minimize noise or the applicant shall pay for hotel accommodations for the affected residential properties. The contractor shall coordinate with affected residents at least two weeks prior to 24-hour construction operations to make arrangements for those residents that would like to arrange hotel accommodations.

Monitoring Responsibility: Development Services Division- Planning Services

Monitoring Requirement: Mitigation Measure NOISE-1 shall be incorporated and verified as a note on the Improvement Plans.

b. **Groundborne Shaking:** Vibration can be measured in terms of acceleration, velocity, or displacement. A common practice is to monitor vibration measures in terms of peak particle velocities in inches per second. Standards pertaining to perception as well as damage to structures have been developed for vibration levels defined in terms of peak particle velocities. El Dorado County does not contain specific policies pertaining to vibration levels. However, vibration levels associated with construction activities are analyzed below.

Human and structural response to different vibration levels is influenced by a number of factors, including ground type, distance between source and receptor, duration, and the number of perceived vibration events. Table 4, which was developed by Caltrans, shows the vibration levels that would normally be required to result in damage to structures. The vibration levels are presented in terms of peak particle velocity in inches per second. Table 4 indicates that the threshold for damage to structures ranges from 2 to 6 in/sec. One-half this minimum threshold or 1 in/sec p.p.v. is considered a safe criterion that would protect against architectural or structural damage. The general threshold at which human annoyance could occur is notes as 0.1 in/sec p.p.v.

Table 4

Effects of Vibration on People and Buildings

Peak Particle Velocity in/second	Peak Particle Velocity mm/second	Human Reaction	Effect on Buildings
0-.006	0.15	Imperceptible by people	Vibrations unlikely to cause damage of any type
.006-.02	0.5	Range of Threshold of perception	Vibrations unlikely to cause damage of any type
.08	2.0	Vibrations clearly perceptible	Recommended upper level of which ruins and ancient monuments should be subjected
0.1	2.54	Level at which continuous vibrations begin to annoy people	Virtually no risk of architectural damage to normal buildings
0.2	5.0	Vibrations annoying to people in buildings	Threshold at which there is a risk of architectural damage to normal dwellings
1.0	25.4		Architectural Damage
2.0	50.4		Structural Damage to Residential Buildings
6.0	151.0		Structural Damage to Commercial Buildings

Source: Survey of Earth-borne Vibrations due to Highway Construction and Highway Traffic, Caltrans 1976.

Area residences are located along Shingle Springs Drive at distances ranging from 100 to over 300 feet from the construction area, and classrooms are located over 200 feet from the construction area. Construction will include trenching, grading, and compacting activities, which can cause vibration. Comparing Table 4, which contains the criteria for acceptable vibration levels, to Table 5, which shows potential vibration impacts, it is not expected that vibration impacts would occur which would cause any structural damage. No groundborne shaking would occur at levels of concern as a result of operation of the pipelines or driveway. This impact is considered to be less than significant.

Table 5

Vibration Levels for Varying Construction Equipment

Type of Equipment	Peak Particle Velocity @ 25 ft.	Approximate Velocity Level @ 25 ft.
Large Bulldozer	0.089 (inches/second)	87 (VdB)
Loaded Trucks	0.076 (inches/second)	86 (VdB)
Small Bulldozer	0.003 (inches/second)	58 (VdB)
Auger/drill Rigs	0.089 (inches/second)	87 (VdB)
Jackhammer	0.035 (inches/second)	79 (VdB)
Vibratory Hammer	0.070 (inches/second)	85 (VdB)
Vibratory Compactor/roller	0.210 (inches/second)	94 (VdB)

Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Guidelines, May 2006

c. **Permanent Noise Increases:** No noise increase would occur as a result of pipeline operations. Operation of the proposed driveway would be associated with increased traffic activity on Shingle Springs Drive. As discussed in the Traffic Report for the project, the increase in vehicle trips would not be substantial enough to raise noise levels beyond 60 dB or more than 3 dB above background levels, since most vehicle activity would be located near U.S. 50 away from the schools and residences. This impact would be less than significant.

d. **Short Term Noise:** Construction activities would be restricted to construction hours. As discussed under the project description and within the Project's Regulatory Compliance Measures (2 and 3), construction would primarily occur in a manner consistent with the County requirements regarding construction and noise disturbance. Construction would occur during daylight working hours between 6 AM and 7 PM Monday through Friday. If construction should occur on Saturday, activities would be limited to between 9 AM and 6 PM. Should the water line and sewer force main tie in process require service disruption, this activity may need to occur at night to minimize service impacts. This typically requires a few hours to complete and a temporary exemption may be required should the tie in process require service disruption; however, it is possible to make the tie in connections without disrupting service and this will be attempted first to avoid noise and service disturbance. In addition, Shrouding or shielding of impact tools and muffling or shielding intake and exhaust ports on construction equipment will be implemented to reduce noise construction noise levels. All construction and grading operations would be required to comply with the noise performance standards contained in the General Plan. Impacts would be less than significant.

e-f. **Aircraft Noise:** The nearest airport, the Cameron Airpark, is located over four miles to the west of the Project; therefore the impact associated with airport noise is less than significant.

FINDING: As conditioned, and with adherence to County Code and with implementation of Noise-1, no significant direct or indirect impacts to noise levels are expected either directly or indirectly. For this Noise category, the thresholds of significance would not be exceeded with implementation of appropriate mitigation.

XIII. POPULATION AND HOUSING. *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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

Regulatory Setting:

No federal or state laws, regulations, or policies apply to population and housing and the proposed project.

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:** According the U.S. Census Bureau, the population of El Dorado County was 181,058 residents in 2010 (U.S. Census Bureau 2010). Population estimates for 2014 show the number of residents increasing to 183,087 (U.S. Census Bureau, 2010). By comparison, the 2010 U.S. Census shows a population of 29,114 residents in Zip Code 95682, which includes Cameron Park and Latrobe, and 11,745 housing units. Census estimates for 2013 show the population of Zip Code 95682 rising to 29,590. The Project will result in the construction of an access driveway and extension of water and sewer infrastructure to serve a proposed commercial development on Tribal land. The Project supports development of highway commercial uses. No residential use is proposed on the Tribal land. Construction of the Project will utilize local or regional workforces and will not require the development of worker housing. This impact is less than significant.

b. **Housing Displacement:** American Factfinder estimates for the 2010 Census show an estimated 88,159 housing units in El Dorado County, of which an estimated 20% were vacant (http://factfinder2.census.gov 9/1/15). By comparison, the 2010 U.S. Census shows a population of 29,114 residents in Zip Code 95682, which includes Cameron Park and Latrobe, and 11,745 housing units. Housing or people will not be displaced by the Project as there are no existing residences on the Project site. Existing residences near the Project will remain. No impact would occur.

c. **Replacement Housing:** Housing or people will not be displaced by the Project as there are no existing residences within the ROW. Existing residences near the Project will remain. Replacement housing is not necessary or proposed. No impact would occur.

FINDING: The project would not displace housing as there is no housing within the County ROW. There would be no potential for a significant impact due to substantial growth either directly or indirectly. For this Population and Housing category, the thresholds of significance would not be anticipated to be exceeded.

XIV. **PUBLIC SERVICES.** *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Fire protection?			X	
b. Police protection?			X	
c. Schools?			X	
d. Parks?				X
e. Other government services?				X

Regulatory Setting:

Federal Laws, Regulations, and Policies

California Fire Code

The California Fire Code (Title 24 CCR, Part 9) establishes minimum requirements to safeguard public health, safety, and general welfare from the hazards of fire, explosion, or dangerous conditions in new and existing buildings. Chapter 33 of CCR contains requirements for fire safety during construction and demolition.

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 El Dorado County Fire District serves approximately 74,000 residents throughout 281 square miles, with 88 uniformed personnel, five support staff and 45 volunteers (eldoradocountyfire.com, Site accessed 9/2/15). The nearest fire station is Station 28 located at 3860 Ponderosa Road in Shingle Springs, approximately 1.5 miles west of the project site. Station 28 staff includes one Captain EMT/Paramedic and two Firefighter-EMTs/Paramedics, as well as volunteers as needed for additional response. The project does not propose new housing or development that would increase demand for fire protection. The proposed pipelines and driveway

would not increase the risk of fire events and would not require fire protection service. This impact would be less than significant.

b. **Police Protection:** The El Dorado County Sheriff's Department is located at 300 Fair Lane in Placerville, east of the Project area, with a substation located at 4354 Town Center Drive is El Dorado Hills, west of the Project area. Another station is located further northeast in South Lake Tahoe. According to the 2014 Sheriff's Annual Report, the Department has 371 employees including one Sheriff, one Undersheriff, three Captains, seven Lieutenants, 24 Sergeants, 128 Deputy Sheriffs, two Correctional Lieutenants, 11 Corrections Sergeants, 85 Correctional Officers, and 110 civilian positions serving an area of 1,711 square miles (2014 Sheriff's Annual Report, https://www.edcgov.us/Sheriff/). The project does not propose new housing or development that would increase demand for law enforcement. The proposed pipelines and driveway would not increase criminal activity and would not require law enforcement service. This impact would be less than significant.

c. **Schools:** Buckeye Union School District provides a variety of learning opportunities for children in kindergarten through 8th grade. The Buckeye Union School District includes Blue Oak Elementary and Charter Montessori School in Cameron Park, Buckeye Elementary School (K-5) on Buckeye Road in the vicinity of the Project, Camerado Springs Middle School (6-8) in Cameron Park, Oak Meadow School in El Dorado Hills, Rolling Hills Middle School in El Dorado Hills, Silva Valley Elementary School in El Dorado Hills, and William Brooks Elementary School in El Dorado Hills. The area is also served by Ponderosa High School (El Dorado Union High School District) on Ponderosa Road in Shingle Springs. The project does not propose new housing or development that would increase demand on schools and therefore would result in a less than significant impact.

Buckeye Elementary School and the California Montessori Project School on Buckeye Road may be affected by project construction activities. Installation of the water and sewer pipelines in the ROW of Shingle Springs Drive will require lane closure that could affect school traffic. As discussed in the traffic analysis, lane closure in the vicinity of the schools shall not occur during peak school traffic periods in the morning and afternoon. Construction contractors shall coordinate construction schedules with school schedules to avoid delays or impacts to school safety.

d. **Parks.** The nearest County park is Bradford Park at 4300 Motherlode Drive in Shingle Springs, within one mile of the Project's southern boundary. Bradford Park is a five-acre park with a playground, picnic areas, and a small sports field. The project does not propose new housing or development that would increase demand on parks. No impact would occur.

e. **Government Services.** The County of El Dorado provides government services to the area. Following installation of the water and sewer pipelines, pavement within the travelway of Shingle Springs Drive would be replaced during the final construction phase of the ROW Project as discussed in Section XVI Transportation and Traffic. EID would be responsible for replacing pavement once the line is operating if future repairs are needed. The proposed driveway would be maintained by the Shingle Springs Band of Miwok Indians. The design and engineering of the pipelines will require EID approval and the design and engineering of the driveway will require County Department of Transportation approval to ensure the driveway meets standards. Operation of the proposed utility extension and driveway would not interfere with or otherwise affect government services. No impact would occur.

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

XV. RECREATION.	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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

Regulatory Setting:

National Trails System

The National Trails System Act of 1968 authorized The National Trails System (NTS) in order to provide additional outdoor recreation opportunities and to promote the preservation of access to the outdoor areas and historic resources of the nation. The Appalachian and Pacific Crest National Scenic Trails were the first two components, and the System has grown to include 20 national trails.

The National Trails System includes four classes of trails:

1. National Scenic Trails (NST) provide outdoor recreation and the conservation and enjoyment of significant scenic, historic, natural, or cultural qualities. The Pacific Coast Trail falls under this category. The PCT passes through the Desolation Wilderness area along the western plan area boundary.
2. National Historic Trails (NHT) follow travel routes of national historic significance. The National Park Service has designated two National Historic Trail (NHT) alignments that pass through El Dorado County, the California National Historic Trail and the Pony Express National Historic Trail. The California Historic Trail is a route of approximately 5,700 miles including multiple routes and cutoffs, extending from Independence and Saint Joseph, Missouri, and Council Bluffs, Iowa, to various points in California and Oregon. The Pony Express NHT commemorates the route used to relay mail via horseback from Missouri to California before the advent of the telegraph.
3. National Recreation Trails (NRT) are in, or reasonably accessible to, urban areas on federal, state, or private lands. In El Dorado County there are 5 NRTs.

State Laws, Regulations, and Policies

The California Parklands Act

The California Parklands Act of 1980 (Public Resources Code Section 5096.141-5096.143) recognizes the public interest for the state to acquire, develop, and restore areas for recreation and to aid local governments to do the same. The California Parklands Act also identifies the necessity of local agencies to exercise vigilance to see that the parks, recreation areas, and recreational facilities they now have are not lost to other uses.

The California state legislature approved the California Recreational Trail Act of 1974 (Public Resources Code Section 2070-5077.8) requiring that the Department of Parks and Recreation prepare a comprehensive plan for California trails. The California Recreational Trails Plan is produced for all California agencies and recreation providers that manage trails. The Plan includes information on the benefits of trails, how to acquire funding, effective stewardship, and how to encourage cooperation among different trail users.

The 1975 Quimby Act (California Government Code Section 66477) requires residential subdivision developers to help mitigate the impacts of property improvements by requiring them to set aside land, donate conservation easements, or pay fees for park improvements. The Quimby Act gave authority for passage of land dedication ordinances to cities and counties for parkland dedication or in-lieu fees paid to the local jurisdiction. Quimby exactions must be roughly proportional and closely tied (nexus) to a project's impacts as identified through traffic studies required by CEQA. The exactions only apply to the acquisition of new parkland; they do not apply to the physical development of new park facilities or associated operations and maintenance costs.

The County implements the Quimby Act through §16.12.090 of the County Code. The County Code sets standards for the acquisition of land for parks and recreational purposes, or payments of fees in lieu thereof, on any land subdivision. Other projects, such as ministerial residential or commercial development, could contribute to the demand for park and recreation facilities without providing land or funding for such facilities.

Local Laws, Regulations, and Policies

The 2004 El Dorado County General Plan Parks and Recreation Element establishes goals and policies that address needs for the provision and maintenance of parks and recreation facilities in the county, with a focus on providing recreational opportunities and facilities on a regional scale, securing adequate funding sources, and increasing tourism and recreation-based businesses. The Recreation Element describes the need for 1.5 acres of regional parkland, 1.5 acres of community parkland, and 2 acres of neighborhood parkland per 1,000 residents. Another 95 acres of park land are needed to meet the General Plan guidelines.

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

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

a. **Parks.** The nearest County Park is Bradford Park at 4300 Motherlode Drive in Shingle Springs, within one mile of the Project's southern boundary. Bradford Park is a five-acre park with a playground, picnic areas, and a small sports field. Area schools provide additional recreational resources, such as playgrounds and sports fields that may be used during non-school hours. The project does not propose new housing or development that would increase demand on parks. No impact would occur.

b. **Recreational Services.** The project does not propose new housing or development that would increase demand on parks or create new recreational services. Although the Project would cross the Sacramento Placerville Transportation Corridor (SPTC) railroad tracks, the CEO of the SPTC Joint Powers Authority, John Segredell, and the County Parks Manager have approved the crossing (Vickie Sanders, personal communication 9/29/15). No impact would occur.

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

XVI. TRANSPORTATION/TRAFFIC. *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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

Regulatory Setting:

Federal Laws, Regulations, and Policies

No federal laws, regulations, or policies apply to transportation/traffic and the Proposed Project.

State Laws, Regulations, and Policies

Caltrans manages the state highway system and ramp interchange intersections. This state agency is also responsible for highway, bridge, and rail transportation planning, construction, and maintenance.

Local Laws, Regulations, and Policies

According to the transportation element of the County General Plan, Level of Service (LOS) for County-maintained roads and state highways within the unincorporated areas of the county shall not be worse than LOS E in the Community Regions or LOS D in the Rural Centers and Rural Regions. Level of Service is defined in the latest edition of the Highway Capacity Manual (Transportation Research Board, National Research Council). There are some roadway segments that are exempt from these standards and are allowed to operate at LOS F, although none of these are located near the project. According to Policy TC-Xe, "worsen" is defined as any of the following number of project trips using a road facility at the time of issuance of a use and occupancy permit for the development project:

A. A two percent increase in traffic during a.m., p.m. peak hour, or daily

B. The addition of 100 or more daily trips, or
C. The addition of 10 or more trips during the a.m. or p.m. peak hour.

Discussion: The Transportation and Circulation Policies contained in the County General Plan establish a framework for review of thresholds of significance and identification of potential impacts of new development on the County's road system. These policies are enforced by the application of the Transportation Impact Study (TIS) Guidelines, the County Design and Improvements Standards Manual, and the County Encroachment Ordinance, with review of individual development projects by the Transportation and Long Range Planning Divisions of the Community Development Agency. A substantial adverse effect to traffic would occur if the implementation of the project would:

- Generate traffic volumes which cause violations of adopted level of service standards (project and cumulative); or
- Worsen conditions on a road or highway, as defined by General Plan Policy TC-Xe, if the road or highway fails to meet the above listed county standards for peak hour LOS without the proposed project..

It should be noted that although this CEQA impact analysis only analyzes the necessary improvements within the ROW of Shingle Springs Drive, the traffic impact analysis includes the traffic generated by the commercial development on the tribal land because the commercial development is anticipated to have cumulative impacts to the roadway. Appropriate TIM fees would remain applicable due to the cumulative traffic effects of the commercial development on the ROW.

a. **Traffic Increases:** As discussed in the Traffic Impact Analysis Report prepared by KD Anderson (Attachment 2), the project is expected to generate 1,834 daily trips at the proposed driveway, with 142 and 166 trips in the AM and PM peak hours, respectively; however, much of these are "pass-by" trips drawn from the stream of traffic already on area roadways. When "pass-by" trips are discounted, the project is expected to generate 807 new daily trips with 54 and 73 new trips occurring in the AM and PM peak hours, respectively.

The increase in traffic by itself would not result in a significant impact; however improvements are needed to maintain acceptable LOS at area intersections per General Plan Policy TC-Xe, as discussed below under Impact b. Therefore, this impact is less than significant with implementation of the mitigation measures presented under the analysis for Levels of Service Standards below *(Mitigation Measures Traffic-1 through Traffic-4)*.

b. **Levels of Service Standards:** Existing and existing plus project peak hour intersection levels of service are shown in Table 9 of the Traffic Impact Analysis in (Attachment 2). As indicated, with one exception all study intersections will continue to operate with Level of Service that satisfies the applicable minimum LOS standard. The northbound approach to the Mother Lode Drive/Buckeye Road/Holiday Lake Drive intersection will continue to operate at LOS E, which exceeds the minimum LOS D standard. In this case, the significance of the project's impact is based on the volume of traffic contributed by the project. The project adds eight trips to the intersection during the a.m. peak hour. As this value is less than the ten-trip increment permitted under El Dorado County guidelines, the project's impact is not significant, and mitigation is not required. Likewise, peak hour queues at the signalized study intersection (Mother Lode Drive and French Creek Road) remain at an acceptable level.

The LOS on US 50 at the merge and diverge segments at Shingle Springs Drive would also remain unchanged as shown in Table 11 of the Traffic Impact Analysis Report in (Attachment 2). Each ramp operates at a LOS of C or better, and no decrease in LOS would occur with implementation of the Project.

The Traffic Impact Analysis in (Attachment 2) also addresses near term future conditions (2025) without and with the project, and also addresses longer-term future conditions in 2035. Without the project, it is anticipated that the Buckeye Road/Shingle Springs Drive intersection will operate at LOS E in 2025 and the Mother Lode Drive/Buckeye Road/Holiday Lake Drive intersection will operate at LOS F in the a.m. peak hour, both of which exceed the LOS D minimum. The Mother Lode Drive/Buckeye Road/Holiday Lake Drive would meet the peak hour signal warrant in 2025 without development of the project. However, the project adds fewer than ten trips to the Mother Lode Drive/Buckeye Road/Holiday Lake Drive intersection in the morning peak hour, which is not significant under El Dorado County standards. The project adds more than ten trips to the Buckeye Road/Shingle Springs Drive intersection, which is significant. All other intersection LOS, traffic signal warrants and intersection queues would operate at acceptable levels in 2025 without development of the project. With the project, the Buckeye Road/Shingle Springs Drive intersection will operate at LOS E in 2025 and the Mother Lode Drive/Buckeye

Road/Holiday Lake Drive intersection will operate at LOS F in the a.m. peak hour. With the Project, the peak hour traffic signal warrant will continue to be met in 2025 at the Mother Lode Drive/Buckeye Road/Holiday Lake Drive intersection and intersection queues will not exceed available storage. Likewise, the US 50 ramps would operate at an acceptable LOS D.

Under 2035 cumulative conditions, the same two intersections, Buckeye Road/Shingle Springs Drive and Mother Lode Drive/Buckeye Road/Holiday Lake Drive, would continue to operate unacceptably. The same results occurred for traffic signal warrants and queues under 2035 cumulative conditions without the project. The 2035 plus project conditions indicate both the Buckeye Road/Shingle Springs Drive intersection and the Mother Lode Drive/Buckeye Road/Holiday Lake Drive intersection will operate at LOS F in the a.m. peak hour. The project adds more than ten trips to the Buckeye Road/Shingle Springs Drive intersection, which is significant. The project adds fewer than ten trips to the Mother Lode Drive/Buckeye Road/Holiday Lake Drive intersection in the morning peak hour, which is not significant under El Dorado County standards. However, the project would cause the p.m. peak hour LOS at the Mother Lode Drive/Buckeye Road/Holiday Lake Drive intersection to degrade from the acceptable LOS D condition to unacceptable LOS E condition, resulting in a significant impact. With the Project, the peak hour traffic signal warrant will continue to be met in 2035 at the Mother Lode Drive/Buckeye Road/Holiday Lake Drive intersection and intersection queues will not exceed available storage. Likewise, the US 50 ramps would operate at an acceptable LOS D or better.

Implementation of the following mitigation measures would reduce impacts to a less than significant level.

Existing Plus Project Conditions Mitigation Measures:

Mitigation Measure Traffic-1: Pay TIM Fees. The project shall contribute its fair share to the cost of regional circulation improvements through the existing countywide traffic impact mitigation (TIM) fee program.

Monitoring Responsibility: Community Development Agency- Transportation Division

Monitoring Requirement: Payment of TIM fees shall be remitted prior to issuance of encroachment permit.

Mitigation Measure Traffic-2: Improve Project Access in a Manner Consistent with the Requirements of the "Build Out" Condition. A continuous two-way left turn (TWLT) lane will be needed on Shingle Springs Drive in the vicinity of the project access under projected cumulative conditions. The project access shall be positioned to accommodate construction of the TWLT lane when future development occurs.

Monitoring Responsibility: Community Development Agency- Transportation Division

Monitoring Requirement: Improvements shall be designed prior to issuance of the encroachment permit and improvements installed when the Phase I commercial project proceeds.

2025 Plus Project Conditions Mitigation Measures

Mitigation Measure Traffic-3: Proportional Share of Obligation for Impacts to the Shingle Springs Drive/Buckeye Road Intersection. The significant impact at this intersection shall be mitigated with the installation of an all-way stop or widening of the southbound approach to provide separate left and right turn lanes as determined by El Dorado County. Unacceptable operations at this intersection are due to increased traffic from planned development. The intersection operates at unacceptable LOS E under 2025 conditions without the project, which includes traffic growth from other foreseeable projects. Therefore the project is only responsible for its proportional share of the proposed mitigation under this scenario. Since the impact is identified under the 2025 scenario, the timing of the improvement is a function of the rate of population and employment growth. Appropriate mitigation, as determined by the El Dorado County Community Development Agency (CDA), includes one of the following:

- *Payment of traffic impact mitigation (TIM) fees to satisfy the project's proportional share obligation, as approved by CDA, towards the improvement if the improvement is included in the 20-Year Capital Improvement Program (CIP), OR*
- *Construction of the improvement with reimbursement or fee credit for costs that exceed the project's proportional share if the improvement is needed but not included in future updates to the CIP or is not constructed by others, OR*
- *Payment of the project's proportional share, as approved by CDA, if the improvement is constructed by others, but not included in the 20-Year CIP.*

Monitoring Responsibility: Community Development Agency- Transportation Division

Monitoring Requirement: Payment of fees or share of costs, or construction of the improvement shall occur as determined by El Dorado County Community Development Agency as traffic conditions require.

2035 Plus Project (Phase I) Conditions Mitigation Measures:

Mitigation Measure Traffic-3: Proportional Share of Obligation for Impacts to the Shingle Springs Drive/Buckeye Road Intersection. The significant impact at this intersection shall be mitigated with the installation of an all-way stop or widening of the southbound approach to provide separate left and right turn lanes as determined by El Dorado County. Unacceptable operations at this intersection are due to increased traffic from planned development. The intersection operates at unacceptable LOS E under 2035 conditions without the project, which includes traffic growth from other foreseeable projects. Therefore the project is only responsible for its proportional share of the proposed mitigation under this scenario. Since the impact is identified under the 2035 scenario, the timing of the improvement is a function of the rate of population and employment growth. Appropriate mitigation, as determined by the El Dorado County Community Development Agency (CDA), includes one of the following:

- *Payment of traffic impact mitigation (TIM) fees to satisfy the project's proportional share obligation, as approved by CDA, towards the improvement if the improvement is included in the 20-Year Capital Improvement Program (CIP), OR*
- *Construction of the improvement with reimbursement or fee credit for costs that exceed the project's proportional share if the improvement is needed but not included in future updates to the CIP or is not constructed by others, OR*
- *Payment of the project's proportional share, as approved by CDA, if the improvement is constructed by others, but not included in the 20-Year CIP.*

Monitoring Responsibility: Community Development Agency- Transportation Division

Monitoring Requirement: Payment of fees or share of costs, or construction of the improvement shall occur as determined by El Dorado County Community Development Agency as traffic conditions require.

Mitigation Measure Traffic-4: Proportional Share of Obligation for Impacts to the Mother Lode Drive/Buckeye Road/Holiday Lake Drive Intersection. The significant impact at this intersection shall be mitigated with the installation of an all-way stop, two-way left turn lane or traffic signal as determined by El Dorado County. Unacceptable operations at this intersection are due to increased traffic from planned development. The intersection operates at unacceptable LOS F under 2035 conditions without the project, which includes traffic growth from other foreseeable projects. Therefore the project is only responsible for its proportional share of the proposed mitigation under this scenario. Since the impact is identified under the 2035 scenario, the timing of the improvement is a function of the rate of population and employment growth. Appropriate mitigation, as determined by the El Dorado County Community Development Agency (CDA), includes one of the following:

- *Payment of traffic impact mitigation (TIM) fees to satisfy the project's proportional share obligation, as approved by CDA, towards the improvement if the improvement is included in the 20-Year Capital Improvement Program (CIP), OR*

- *Construction of the improvement with reimbursement or fee credit for costs that exceed the project's proportional share if the improvement is needed but not included in future updates to the CIP or is not constructed by others, OR*
- *Payment of the project's proportional share, as approved by CDA, if the improvement is constructed by others, but not included in the 20-Year CIP.*

Monitoring Responsibility: Community Development Agency- Transportation Division

Monitoring Requirement: Payment of fees or share of costs, or construction of the improvement shall occur as determined by El Dorado County Community Development Agency as traffic conditions require.

c. **Air Traffic:** The Project is located over four miles east of the Cameron Airpark. The extension of water and sewer utilities, and development of access driveway onto Tribal land will not affect the private airpark or cause an increase in air traffic levels at area airports. No impact would occur.

d. **Design Hazards:** The proposed driveway has been designed in accordance with El Dorado County Department of Transportation design guidelines and meets County requirements for size and approach. The driveway would be located at an incline on Shingle Springs Drive with clear visibility toward both the north and southbound directions. The driveway would include a stop to ensure vehicles exiting the site stop prior to proceeding out of the driveway and onto Shingle Springs Drive. The Traffic Impact Analysis Report reviewed the driveway designs:

> "The exit provides separate left and right turn lanes that are each 100 feet long measured from the right of way line. The 95th percentile queue in each lane has been determined as a byproduct of the Level of Service analysis for two conditions. The Year 2035 Plus Phase I analysis assumes that only Phase I has proceeded and the TWLT lane eventually required on Shingle Springs Road has not yet been implemented. The Year 2035 Plus Buildout analysis assumes that the TWLT lane is in place. As indicated, the longest queues occur in the a.m. peak hour, primarily due to the peaking characteristics of school traffic. The longest queue will accompany Build Out. As shown, the 95th percentile queue in the left turn lane is projected to be 90 feet long and can be accommodated by the proposed throat. The queue in the right turn lane is less than 1 car (i.e., <25 feet)."

The proposed site plan provides adequate throat depth at the project driveway to ensure that arriving traffic is not blocked by the queue of vehicles waiting to exit the site. However, a median separating entering and exiting lanes is recommended under Build Out conditions to ensure that motorists do not cut across the lanes and create a queue outside of the designated lanes. The adequacy of on-site truck circulation will need to be assessed as that median is designed.

With trenching occurring on both sides of Shingle Springs Drive, an encroachment permit is required from El Dorado County as discussed in the project description. The encroachment permit will include specific requirements for trench details, reconstruction of the roadway and shoulders, and materials to ensure that the roadway is restored and maintains County standards. This may include restoration and repavement of Shingle Springs Drive within the extent of the project, rather than just paving the extent of the trenches. Implementation of Mitigation Measure Traffic-5 will result in a less than significant impact.

Mitigation Measure Traffic-5: Roadway Resurfacing. The project shall repave the extent of the affected travel lanes on Shingle Springs Drive in accordance with the terms and conditions of the County encroachment permit and County standards.

Monitoring Responsibility: Community Development Agency- Transportation Division

Monitoring Requirement: Mitigation Measure Traffic-5 shall be incorporated and verified as a note on the Improvement Plans prior to issuance of the encroachment permit.

e. **Emergency Access:** Construction would result in access limitations due to lane closure for pipeline trenching; however, the project will include a traffic control plan to ensure that appropriate controls are utilized to maintain

roadway safety. Construction during peak school traffic periods may cause delays if lane closure occurs. The following mitigation measure is proposed to address access during construction and reduce impacts to a less than significant level:

Mitigation Measure Traffic-6: Lane Closure Limitations. No lane closure shall occur on Shingle Springs Drive or Buckeye Road during peak school traffic periods in the morning and afternoon. Coordination shall occur with the school district prior to construction regarding school schedules, including holidays. The Traffic Control Plan for the Project shall include requirements for lane closures that reflect the school schedule. Although lane closure may occur outside the AM and PM peak school traffic periods, no lane closure may occur during those hours determined to be peak hours by the school district.

Monitoring Responsibility: Community Development Agency- Transportation Division

Monitoring Requirement: Mitigation Measure Traffic-6 shall be incorporated and verified as a note on the Improvement Plans prior to issuance of the encroachment permit.

f. **Alternative Transportation:** As discussed in the Traffic Impact Analysis report, there is no public transit, pedestrian walkways, or bike path along Shingle Springs Drive. With the exception of the driveway, transportation routes would not be altered by the project and no impact on alternative transportation would occur to affect existing services. There would be no impact.

FINDING: The project would not exceed the thresholds for traffic identified within the General Plan; however one intersection currently exceeds LOS standard by operating at LOS E without project construction, and the cumulative future conditions would exceed thresholds at the Shingle Springs Road/Buckeye Road intersection and Mother Lode Drive/Buckeye Road/Holiday Lake Drive intersection, as discussed above. In addition, construction activities have the potential to create access limitations and pavement inconsistencies. For this Transportation/Traffic category, implementation of mitigation measures TRAFFIC-1, 2, 3, 4, 5, and 6 would ensure the thresholds of significance would not be exceeded and impacts would be less than significant.

XVII. TRIBAL CULTURAL RESOURCES. *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Section 21074?			X	

Regulatory Setting:

Federal Laws, Regulations, and Policies

No federal laws, regulations, or policies apply to Tribal Cultural Resources (TCRs) and the Proposed Project.

State Laws, Regulations, and Policies

Assembly Bill (AB) 52

AB 52, which was approved in September 2014 and effective on July 1, 2015, requires that CEQA lead agencies consult with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of a proposed project, if so requested by the tribe. The bill, chaptered in CEQA Section 21084.2, also specifies that a project with an effect that may cause a substantial adverse change in the significance of a TCR is a project that may have a significant effect on the environment.

Defined in Section 21074(a) of the Public Resources Code, TCRs are:

1. Sites, features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe that are either of the following:
    a. Included or determined to be eligible for inclusion in the California Register of Historical Resources; or
    b. Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

TCRs are further defined under Section 21074 as follows:

b. A cultural landscape that meets the criteria of subdivision (a) is a TCR to the extent that the landscape is geographically defined in terms of the size and scope of the landscape; and
c. A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "nonunique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a TCR if it conforms with the criteria of subdivision (a).

Mitigation measures for TCRs must be developed in consultation with the affected California Native American tribe pursuant to newly chaptered Section 21080.3.2, or according to Section 21084.3. Section 21084.3 identifies mitigation measures that include avoidance and preservation of TCRs and treating TRCs with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource.

Discussion:

In general, significant impacts are those that diminish the integrity, research potential, or other characteristics that make a TCR significant or important. To be considered a TCR, a resource must be either: (1) listed, or determined to be eligible for

listing, on the national, state, or local register of historic resources, or: (2) a resource that the lead agency chooses, in its discretion, to treat as a TCR and meets the criteria for listing in the state register of historic resources pursuant to the criteria set forth in Public Resources Code Section 5024.1(c). A substantial adverse change to a TCR would occur if the implementation of the project would:

- Disrupt, alter, or adversely affect a TCR such that the significance of the resource would be materially impaired

a. **Tribal Cultural Resources.** Letters were sent to the Wilton Rancheria and United Auburn Rancheria on 2/8/16, and ongoing consultation has occurred with the Shingle Springs Band of Miwok Indians (project applicant). The geographic area of the project site is not known to contain any TCRs. The applicant has not indicated the project would negatively affect them or their cultural resources and have not expressed objection to the proposed activities. No response has been received to date from the Wilton Rancheria or United Auburn Rancheria indicating a TCR would be affected by the project. No significant impact would occur.

FINDING: No significant TCRs are known to exist on the project site. As a result, the proposed project would not cause a substantial adverse change to a TCR and there would be no impact.

XVIII. UTILITIES AND SERVICE SYSTEMS. *Would the project:*	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
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	

Regulatory Setting:

Federal Laws, Regulations, and Policies

Energy Policy Act of 2005

The Energy Policy Act of 2005, intended to reduce reliance on fossil fuels, provides loan guarantees or tax credits for entities that develop or use fuel-efficient and/or energy efficient technologies (USEPA, 2014). The act also increases the amount of biofuel that must be mixed with gasoline sold in the United States (USEPA, 2014).

State Laws, Regulations, and Policies

California Integrated Waste Management Act of 1989

The California Integrated Waste Management Act of 1989 (Public Resources Code, Division 30) requires all California cities and counties to implement programs to reduce, recycle, and compost wastes by at least 50 percent by 2000 (Public Resources Code Section 41780). The state, acting through the California Integrated Waste Management Board (CIWMB), determines compliance with this mandate. Per-capita disposal rates are used to determine whether a jurisdiction's efforts are meeting the intent of the act.

California Solid Waste Reuse and Recycling Access Act of 1991

The California Solid Waste Reuse and Recycling Access Act of 1991 (Public Resources Code Sections 42900-42911) requires that all development projects applying for building permits include adequate, accessible areas for collecting and loading recyclable materials.

California Integrated Energy Policy

Senate Bill 1389, passed in 2002, requires the California Energy Commission (CEC) to prepare an Integrated Energy Policy Report for the governor and legislature every 2 years (CEC 2015a). The report analyzes data and provides policy recommendations on trends and issues concerning electricity and natural gas, transportation, energy efficiency, renewable energy, and public interest energy research (CEC 2015a). The 2014 Draft Integrated Energy Policy Report Update includes policy recommendations, such as increasing investments in electric vehicle charging infrastructure at workplaces, multi-unit dwellings, and public sites (CEC 2015b).

Title 24–Building Energy Efficiency Standards

Title 24 Building Energy Efficiency Standards of the California Building Code are intended to ensure that building construction, system design, and installation achieve energy efficiency and preserve outdoor and indoor environmental quality (CEC 2012). The standards are updated on an approximately 3-year cycle. The 2013 standards went into effect on July 1, 2014.

Urban Water Management Planning Act

California Water Code Sections 10610 *et seq.* requires that all public water systems providing water for municipal purposes to more than 3,000 customers, or supplying more than 3,000 acre-feet per year (AFY), prepare an urban water management plan (UWMP).

Other Standards and Guidelines

Leadership in Energy & Environmental Design

Leadership in Energy & Environmental Design (LEED) is a green building certification program, operated by the U.S. Green Building Council (USGBC) that recognizes energy efficient and/or environmentally friendly (green) components of building design (USGBC, 2015). To receive LEED certification, a building project must satisfy prerequisites and earn points related to

different aspects of green building and environmental design (USGBC, 2015). The four levels of LEED certification are related to the number of points a project earns: (1) certified (40–49 points), (2) silver (50–59 points), (3) gold (60–79 points), and (4) platinum (80+ points) (USGBC, 2015). Points or credits may be obtained for various criteria, such as indoor and outdoor water use reduction, and construction and demolition (C&D) waste management planning. Indoor water use reduction entails reducing consumption of building fixtures and fittings by at least 20% from the calculated baseline and requires all newly installed toilets, urinals, private lavatory faucets, and showerheads that are eligible for labeling to be WaterSense labeled (USGBC, 2014). Outdoor water use reduction may be achieved by showing that the landscape does not require a permanent irrigation system beyond a maximum 2.0-year establishment period, or by reducing the project's landscape water requirement by at least 30% from the calculated baseline for the site's peak watering month (USGBC, 2014). C&D waste management points may be obtained by diverting at least 50% of C&D material and three material streams, or generating less than 2.5 pounds of construction waste per square foot of the building's floor area (USGBC, 2014).

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

- Breach published national, state, or local standards relating to solid waste or litter control;
- Substantially increase the demand for potable water in excess of available supplies or distribution capacity without also including provisions to adequately accommodate the increased demand, or is unable to provide an adequate on-site water supply, including treatment, storage and distribution;
- Substantially increase the demand for the public collection, treatment, and disposal of wastewater without also including provisions to adequately accommodate the increased demand, or is unable to provide for adequate on-site wastewater system; or
- Result in demand for expansion of power or telecommunications service facilities without also including provisions to adequately accommodate the increased or expanded demand.

a. **Wastewater Requirements**: The Project proposes approximately 3,335 linear feet of a 6-inch diameter PVC sewer force main meeting all applicable EID requirements and in accordance with the District's current Design and Construction Standards. The proposed extension has been reviewed by EID to ensure adequate design and engineering as well as in terms of effects on short-term and long-term operations. EID approval of the Improvement Plans and easements must be obtained prior to commencing work. Line extension agreements with EID are required. All EID facilities will be subject to EID inspection. Connection of extensions to EID utilities will require prior approval and presence of EID staff onsite during connection. This impact is less than significant.

b. **Construction of New Facilities:** Conceptually, the Project requires installation of approximately 2,400 linear feet of a 12-inch diameter PVC water main and approximately 3,335 linear feet of a 6-inch diameter PVC sewer force main meeting all applicable District requirements and in accordance with the District's current Design and Construction Standards. The 12-inch water main would be located on the east side (northbound lane) of Shingle Springs Drive and the pipe would be placed at a minimum of 30 inches beneath the surface of the roadway pavement. Trench width for the water main would be approximately 30 inches (2.5 feet), with a temporary surface disturbance area of approximately five feet. Although the trench and pipe alignment would be located beneath existing roadway pavement, construction movement has the potential to disturb areas immediately adjacent to and within three to five feet of the edge of pavement. The water main would run from the proposed driveway ingress point located at the northwest corner of the Project Site to the east side of Shingle Springs Drive and continue south within the County ROW to an existing connection point North of Buckeye Road near Maggie Lane. The Tribe will be required to install fire hydrants, air release valves, blow off valve, and other appurtenances at various locations along the extension of EID facilities. At the point of connection near the northwest driveway the District will provide a master meter that will meet all domestic water needs, including fire protection as the Tribe determines appropriate. Immediately downstream of the meter the Tribe will be required to install a District-approved backflow prevention assembly, which will be tested initially and annually thereafter consistent with District standard practices.

The 6-inch sewer force main would be located on the west (south bound) side of Shingle Springs Drive. The pipe would be placed approximately 62 inches beneath the surface of the roadway pavement and the maximum trench width would be approximately 2 feet. The sewer force main would run from within the right-turn egress lane along the west side of Shingle Springs Drive and within the roadway ROW to an existing sewer force main at the intersection of Buckeye Road and Shingle Springs Drive. Near Maggie Lane the sewer force main would need to

bore under an existing 21-inch water main within a 16-inch steel casing pipe per EID specifications and would need to bore under the railroad track crossing within a 16-inch steel casing pipe. Onsite within Tribal-owned sewer facilities EID would require that the Tribe install and provide unimpeded access to inspect for proper function and maintenance appropriate District-approved pretreatment treatment device(s) that may include, but not be limited to, grease interceptor(s), grease trap(s), oil-water separator(s), sampling ports or other sampling access points, or facilities that the District determines necessary depending on the nature of business conducted and/or profile of waste stream generated.

The purpose of the Project is to extend existing services to the Project area by constructing new pipeline. No construction would occur until EID has provided authorization and funding is provided by the applicant. This impact is less than significant.

c. **New Stormwater Facilities:** The pipelines would not result in new impervious coverage as they will be located below existing pavement. The driveways will result in new impervious coverage and will cross the existing drainage channel on the west side of Shingle Springs Drive. The total temporary disturbance area needed to construct the driveway would be approximately 8,050 square feet and the total new permanent pavement area of the driveway would be approximately 2,457 square feet.

The existing drainage is an unpaved roadside channel that collects runoff from the roadway. The channel contains grasses and is primarily open along its length. There are culverts beneath existing driveways connecting to Shingle Springs Drive. At each driveway crossing, a 24-inch storm drain would be installed beneath the driveway pavement to maintain stormwater runoff flows along the ROW. On either side of the driveway and culvert, a six-inch angular rock erosion control feature measuring at least 5 feet by 10 feet would be installed to filter runoff. If the County requires construction of the two-way left turn (TWLT) lane for the future Phase I (gas station) project, additional roadway paving will result within the ROW, creating additional pervious surface and an increase in runoff levels. Since the current project design does not include the turn lane, the exact location or total square footage of additional pavement have not been identified. This may cause a potential drainage impact and without coverage calculations, the extent of impact is unknown. Therefore a potential impact may occur. To address this impact, the following mitigation measures shall be implemented, as necessary, to address drainage and coverage impacts, and reduce these potential impacts to a less than significant level.

Mitigation Measure HYDRO-1: Two-way Left Turn Lane Design and Drainage Calculations

Mitigation Measure HYDRO-2: NPDES General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4) Order #2013-0001-DWQ

d. **Sufficient Water Supply:** The Project is located within EID's western region, zone 5. Not all parcels along Shingle Springs Drive are served by EID; however the Tribal land the Project would serve is included within the EID service area. According to the EID Water Resources and Service Reliability Report (2015), the western region receives water by gravity flow from eastern supplies including Jenkinson Reservoir, and Project 184, which includes the South Fork of the American River and other sources. The Project is located within the Western/Eastern Supply Area, which has a water supply of 34,000 acre-feet, a total potential demand of 34,955 acre-feet, and an unallocated supply of 2,547 acre-feet or water meter availability for 5,094 equivalent dwelling units. The purpose of the Project is to extend existing services to the Project area by constructing new pipeline. No construction or water deliveries would occur until EID has provided authorization regarding the design and engineering, including review of existing water supplies in relation to demand, and funding is provided by the applicant. EID requires applicants to request a Facility Improvement Letter (FIL) from EID in order to receive service. EID issued a FIL to the Shingle Springs Band of Miwok Indians on March 16,2015. This impact is less than significant.

e. **Adequate Wastewater Capacity:** The Project is within the Deer Creek Wastewater Collection System Area and would tie into the existing force main on Buckeye Road. A lift station is also located at Buckeye Road that serves 6 dwelling unit equivalents. The force main sends wastewater to gravity pipes that run to the Deer Creek Wastewater Treatment Plant. The Deer Creek Wastewater Treatment Plant has a rated Average Dry Weather Flow (ADWF) capacity of 3.6 million gallons per day, and in 2012 the ADWF was approximately 2.23 mgd. It is anticipated that flows will meet capacity by approximately 2025 (EID Wastewater Facilities Master Plan 2013). No construction or

service connection would occur until EID has provided authorization regarding the design and engineering, including review of existing wastewater capacity in relation to demand, and funding is provided by the applicant. This impact is less than significant.

f-g. **Solid Waste Disposal and Requirements:** El Dorado Disposal distributes 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. County Waste Connections El Dorado Disposal currently provides residential and commercial trash and recycling services to the Project area. El Dorado Disposal operates a materials recovery facility in Placerville, as well as recycling centers in Placerville, El Dorado Hills, and Cameron Park. Ordinance No. 4319 requires that new development provide areas for adequate, accessible, and convenient storing, collecting and loading of solid waste and recyclables. Installation and operation of the water and sewer pipelines and proposed driveways would not generate additional solid waste. Project impacts would be less than significant.

FINDING: No significant utility and service system impacts would be expected with the project, either directly or indirectly; however, the potential County requirement to install a TWLT lane under future conditions may result in additional impervious surface coverage within the ROW, resulting in impacts to the existing stormwater system and runoff levels. Therefore, Mitigation Measures HYDRO-1 and -2 are proposed to address potential impacts to the stormwater system. For this Utilities and Service Systems category, the thresholds of significance would not be exceeded, with implementation of Mitigation Measures HYDRO-1 and -2.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE. *Does the project:*	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			X	
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X		
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

Discussion:

a. No substantial evidence contained in the project record has been found that would indicate that this project would have the potential to significantly degrade the quality of the environment. As conditioned or mitigated, and with adherence to County permit requirements, this project would not have the potential to substantially 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, pre-history, or tribal cultural resources. Impacts to wetlands and nesting/roosting species are reduced to a less than significant level through the implementation of Mitigation measures BIO-1 and 2. The future potential for the County to require construction of the TWLT lane at the driveway location may result in an increase in impervious surface coverage and impacts to stormwater conveyance facilities and runoff quantities; however Mitigation Measures HYDRO-1 and -2 would address and reduce the impacts to a less than significant level. Any impacts from the project would be less than significant due to the design of the project and required standards that would be implemented prior to construction of the water and sewer pipelines or driveway or with the grading and encroachment permit processes and/or any required project specific improvements on 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.*

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

EID or the County stormwater conveyance system. Cumulative traffic impacts may occur in the future under anticipated future baseline traffic conditions, plus the project and build out of the project area. As discussed in the traffic impact analysis, mitigation measures TRAFFIC-1, 2, 3, 4, 5, and 6 are proposed to reduce traffic impacts so that no significant impacts occur. Based on the analysis provided in Items I through XVI, there would be no significant impacts anticipated related to agriculture resources, air quality, biological resources, cultural resources, geology/soils, hazards/hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, or utilities/service systems that would combine with similar effects such that the project's contribution would be cumulatively considerable. For these issue areas, either no impacts, or less than significant impacts would be anticipated, with the exception of impacts to wetland and nesting/roosting species that would be reduced to a less than significant level with implementation of mitigation measures BIO-1 and 2. Based on the analysis in this study, it has been determined that the project would have less than significant cumulative impacts with implementation of traffic and biological resource mitigation measures.

c. As outlined and discussed in this document, as conditioned and with compliance with County Codes, this project would be anticipated to have a less than significant project-related environmental effect which would cause substantial adverse effects on human beings, either directly or indirectly, with the exception of construction noise emitted during 24-hour bore and jack operations; however, this impact is reduced to a less than significant level with implementation on Mitigation Measure NOISE-1. Based on the discussion contained in this document, no potentially significant impacts to human beings are anticipated to occur with respect to potential project impacts. Adherence to County standard conditions would be expected to reduce potential impacts to a less than significant level.

FINDINGS: It has been determined that the proposed project would not result in significant environmental impacts that cannot be mitigated through the implementation of mitigation measures BIO-1 and 2, and HYDRO-1 and -2, NOISE-1, and TRAFFIC-1, 2, 3, 4, 5, and 6. The project would not exceed applicable environmental standards, nor significantly contribute to cumulative environmental impacts with implementation of these mitigation measures.

INITIAL STUDY ATTACHMENTS

Attachment 1 ..... Drainage Calculations
Attachment 2 ..... Traffic Impact Analysis

Exhibits
1. Location Map
2. General Plan Land Use Map
3. Zoning Map
4. Aerial Photo
5. Improvement Plans
6. Special Status Wildlife Species
7. Special Status Plant Species
8. Soils Map

SUPPORTING INFORMATION SOURCE LIST

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