

Findings of Fact

**Related to the Certification of the
Supplement
to the
Environmental Impact Report
on the
U.S. Highway 50/Missouri Flat Road
Interchange Project**

to include the

**U.S. Highway 50/Weber Creek Bridge
Bicycle/Pedestrian Facility Project**

CEQA Lead Agency: El Dorado County
Date: August 25, 2009
SCH # 1998092077

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Introduction

The California Environmental Quality Act, PRC § 21000, et seq., states that if a project results in significant environmental impacts it may be approved if feasible mitigation measures can avoid or substantially lessen the impact or if there are specific economic, social, or other considerations which make it infeasible to substantially lessen or avoid the impacts.

Therefore, when an EIR or, in this case, a supplement to an EIR (SEIR) has been completed which identifies potentially significant environmental impacts, the approving agency must make one or more of the following findings for each significant impact:

- Changes or alternatives which avoid or lessen significant environmental effects as identified in the FEIR have been required or incorporated into the project; or
- Such changes or alternatives are the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency; or
- Specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the FEIR (PRC § 21081).

No new potentially significant environmental impacts were identified in the SEIR. All potential impacts can be reduced to levels of insignificance through mitigation measures already identified in the original 2004 EIR. No new mitigation measures are necessary.

As the *lead agency* for the U.S. Highway 50/Weber Creek Bridge Bicycle/Pedestrian Facility Project (“Bike/Ped Project”) under California, Title 14, §15367, the County of El Dorado Board of Supervisors hereby adopts the following CEQA findings relating to the *Supplement to the Environmental Impact Report on the U.S. Highway 50/Missouri Flat Road Interchange Project to include the U.S. Highway 50/Weber Creek Bridge Bicycle/Pedestrian Facility Project* (“SEIR”), SCH #1998092077, certified by the Board of Supervisors on August 25, 2009.

Purpose and Background

The need, objectives, location, and existing environmental setting for the U.S. Highway 50/Missouri Flat Road Interchange Project (“Original Project”) are presented in detail in the *Environmental Impact Report on the U.S. Highway 50/Missouri Flat Road Interchange Project* (“2004 EIR”), and have not changed substantially. The Supplement to the 2004 EIR focuses on the addition of the Bike/Ped Project to the Original Project, which could result in potentially significant environmental impacts that were not analyzed in the 2004 EIR and which could require new mitigation not identified in the 2004 EIR. The primary objectives of the Original Project, as described in the 2004 EIR, include:

- Increasing the U.S. 50/Missouri Flat Road Interchange capacity to solve operational deficiencies and accommodate traffic from planned growth in the County;

- Addressing safety problems associated with the interchange; and
- Meeting Caltrans' planning and design requirements for those portions of the project within State right of way.

Many comments were received on the 2004 EIR regarding the need for a bike/ped facility to provide non-motorized linkage across Weber Creek in the vicinity of U.S. 50. The Final 2004 EIR included four master responses to comments. Master Response B, "*An East-West Bicycle and Pedestrian Facility on the Weber Creek Bridges,*" discussed the options for both west and east termini of the bike/ped path and three options for non-motorized access across Weber Creek between Forni and Missouri Flat Roads. It said:

The recommended Class 1 facility would not be constructed as part of the proposed Missouri Flat Road interchange project, but would be proposed as a separate project that would undergo separate environmental review. However, to preserve the option of constructing such a Class 1 facility, as a separate project, and to minimize impacts on Weber Creek by only constructing within the creek once, Phase 1 of the Missouri Flat Road interchange project is proposed to include the following elements:

- slightly increasing the size of the proposed bridge columns on the eastbound Weber Creek bridge from approximately 4.0 meters (13 feet) in diameter to approximately 4.5 meters (15 feet) in diameter to support a possible future Class 1 facility, as well as the proposed auxiliary lanes; and
- Increasing the height of a proposed retaining wall along the eastbound U.S. 50 lanes east of Weber Creek.

Approval and certification by the Board included direction to County staff to pursue funding for a Class I bike/ped path concurrent with Phase I of the Original Project. As described in the SEIR, such funding has recently been obtained through the award of a Transportation Enhancement (TE) Grant, funded through the American Recovery and Reinvestment Act (ARRA) specific to non-motorized projects. The SEIR serves as the separate CEQA environmental review process which the 2004 EIR said would occur.

Purpose of the Supplement to the EIR

The CEQA statute and guidelines require preparation of a subsequent EIR when one or more of the following conditions are met:

1. Substantial changes are proposed in the project which require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which require major revisions of the previous EIR due to the involvement of new significant environmental effects or substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 - A. The project will have one or more significant effects not discussed in the previous EIR;
 - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - C. Mitigation measures or alternatives previously found infeasible would in fact be feasible and would substantially reduce one or more significant effects, but the project proponents decline to adopt the mitigation measure or alternative; or
 - D. Mitigation measures or alternatives considerably different from those analyzed in the previous EIR would substantially reduce significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative (CEQA Guidelines, §15162).

In accordance with CEQA statute and State CEQA Guidelines, §15163, the lead agency may choose to prepare a supplement to an EIR rather than a subsequent EIR if:

1. Any of the conditions described in §15162 would require the preparation of a subsequent EIR, and
2. Only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.

County DOT elected to prepare the SEIR because the inclusion of the Bike/Ped Project into the Original Project was determined to result in only minor additions or changes needed to make the 2004 EIR adequately apply to the modified project. The SEIR provides additional information necessary to make the 2004 EIR adequately apply to the project as modified. The purposes of the SEIR are to:

- Supplement the 2004 EIR Project Description with the Bike/Ped Project Description.
- Address impacts to the physical environment related to modifications to the Original Project needed to include the Bike/Ped Project and
- Recommend mitigation measures to avoid any new significant impacts or reduce any new impacts to a less-than-significant level.

Procedural Background

DOT filed a Notice of Preparation (NOP) of a *Draft Supplement to the U.S. Highway 50/Missouri Flat Road Interchange EIR to include the U.S. Highway 50/Weber Creek*

Bridge Bicycle/Pedestrian Facility Project on May 21, 2009 with the State Clearinghouse (SCH #1998092077). The 30-day NOP public comment period ended on June 22, 2009. The NOP and copies of comments received are in Appendix B of the SEIR.

In accordance with CEQA review requirements; the Draft SEIR was distributed for public and agency review and comment for 30 days, from July 8, 2009 and ending August 6, 2009. The document, along with the 2004 EIR, was made available for public review at DOT, 2850 Fairlane Court, Placerville, at the County Library in Placerville and the DOT CEQA website at <http://www.co.el-dorado.ca.us/DOT/ceqa.html>.

Following consideration of these comments, DOT completed a Final SEIR describing any significant environmental issues raised in the comments on the Draft SEIR.

Discretionary Actions

Discretionary actions for the Bike/Ped Project include the County's selection and implementation of the preferred alternative for the Project, acquisition of temporary construction easements, acquisition of and compliance with all permits necessary for construction and operation of the project. These findings are made by the El Dorado County Board of Supervisors pursuant to §15091 of the CEQA Guidelines.

General Findings

Terminology of Findings

Section 15091 of the CEQA Guidelines requires that, for each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three allowable conclusions.

1. “[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant effect as identified in the FEIR.”
2. “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.”
3. “[s]pecific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.”

For purposes of these findings, the term “mitigation measure” constitutes a “change or alteration” as discussed above. The term “avoid or substantially lessen” refers to the effectiveness of one or more of the mitigation measures to reduce an otherwise significant environmental effect to a less-than-significant level.

Certification of Final Supplement to the EIR

In accordance with CEQA in adopting these findings, the Board of Supervisors considered the environmental effects as shown in the Final SEIR prior to approval. These findings represent the independent judgment and analysis of the Board of Supervisors. In the course of responding to comments received during the public review and comment

period on the Draft SEIR, there was no need to modify any of the impact analyses in the Draft SEIR. All comments were supportive of the project.

Evidentiary Basis for Findings

These findings are based upon substantial evidence in the entire record before the Board of Supervisors. The references to the 2004 Draft and Final EIR and to the 2009 Draft and Final SEIR set forth in the findings are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

Findings Regarding Mitigation Measures

Except as otherwise stated in these findings, in accordance with CEQA Guidelines sections 15091, 15092, and 15093, the County Board of Supervisors finds that the environmental effects of the Project:

1. Will not be significant; or
2. Will be mitigated to a less-than-significant level by the Mitigation Measures adopted by the County Board of Supervisors for the 2004 EIR; or
3. Can and should be mitigated to a less-than-significant level by the Mitigation Measures within the jurisdiction of another public agency.

These findings fully account for all potentially significant effects identified in the 2004 EIR and as applicable to the addition of the Bike/Ped Project as set forth in the SEIR. No significant and unavoidable impacts were identified in the 2004 EIR or the SEIR, as all impacts are mitigated to a less-than-significant level through implementation of the adopted Mitigation Monitoring Plan for the original 2004 EIR and found to be applicable to the SEIR.

Location and Custodian of Records

Pursuant to PRC §21081.6 and California Code of Regulations, title 14, §15091, County DOT is custodian of documents and other material that constitute the record of proceedings upon which the County's decision is based, and such documents and other material are located at 2850 Fairlane Court, Placerville, CA.

Findings Regarding Monitoring and Reporting of CEQA

Mitigation Measures

As required in PRC §21081.6, the County adopted a monitoring and reporting program regarding changes in the Original Project or Mitigation Measures imposed to mitigate or avoid significant effects on the environment for the 2004 Final EIR. The Mitigation Monitoring Plan was found to meet CEQA monitoring requirements:

- a) The measures are specific and, as appropriate, define performance standards to measure compliance under the Mitigation Monitoring Plan.
- b) The Mitigation Monitoring Plan has been designed with detailed descriptions of conditions, implementation, verification, a compliance schedule and reporting requirements to ensure their fulfillment.

- c) The Mitigation Monitoring Plan ensures that the Mitigation Measures are in place, as appropriate, throughout the life of the Project.

Given that no new significant impacts were identified with addition of the Bike/Ped Project that were not addressed in the 2004 EIR, and no modifications to previously adopted mitigation measures are required, the County finds that the 2004 Mitigation Monitoring Plan adopted for the original Project also applies to the project modifications identified in the SEIR for the Bike/Ped Project.

Findings Regarding Alternatives

CEQA Guidelines §15126.6 requires discussion of a reasonable range of alternatives to a project. However, an EIR need not consider an alternative whose implementation is remote or speculative. In determining the preferred alternative for the CEQA assessment, the County considered a range of alternatives, as well as a “No Project/No Build Alternative”. Each of the alternatives considered are discussed in the SEIR.

The County finds that the No Project/No Build Alternative does not meet the project objectives of providing a means for non-motorized travel between Placerville Drive/Forni Road and Missouri Flat Road over the steep Weber Creek Canyon.

The County finds that Alternative 1 is infeasible due to steep grades leading to and away from the old Weber Creek Bridge and potential difficulties with emergency access to the path. Grades of 13-14% are unacceptable for a general-use bike/pedestrian path and would inhibit use of the path as a transportation corridor.

The County finds that Alternative 3 is infeasible due to the 6.5–8.5% grades along two sections as well as operational issues at the Placerville Drive westbound ramp intersection due to the complexity of the existing intersection configuration.

The comparative analysis in the SEIR concluded that Alternative 2 meets project objectives and is the most feasible to implement. Alternative 2 improves grade-related issues of Alternatives 1 and 3, and emergency access to the bike path is improved. The County therefore finds that Alternative 2 most effectively achieves the project objectives.

Findings for Re-evaluation of Impacts and Mitigation Measures Identified in 2004 EIR

Table 1 of the SEIR updates the analysis for all impacts identified in the 2004 EIR and summarizes impacts associated with the Original Project, the mitigation measures adopted for each, and the level of significance (LoS) before and after mitigation. Table 1 also provides re-evaluation of each impact with respect to addition of the Bike/Ped Project to the Original Project. Minor modifications alter some impact analyses, but no new impacts are identified that were not addressed in the 2004 EIR, and no modifications to previously adopted mitigation measures are required.

Findings Regarding Less than Significant Environmental Impacts

The SEIR re-evaluation found the following environmental impacts to be less than significant, and therefore do not require mitigation. These conclusions are consistent with the significance conclusions set forth in the 2004 EIR.

Land Use, Planning, and Growth

- LU1: Permanent right-of-way acquisitions from 19 parcels
- LU2: Compatible with planned land uses
- LU3: No impact on community cohesion
- LU4: Consistent with local and regional plans and policies
- LU5: Potential displacement of 35 parking spaces at Prospector's Plaza

Community Impacts and Environmental Justice

- C1: Minor population impacts
- C2: Minor local tax revenue impacts
- C3: Minor local and roadside business impacts
- C4: Minor beneficial construction related economic effects

Relocation

- R1: Displacement of two or three residences

Traffic and Transportation/Pedestrian and Bicycle Facilities

- T1: 2005—Acceptable LOS at ramp junctions
- T3: 2005—Acceptable LOS at all arterial intersections
- T5: Provision of bicycle lane and continuous sidewalks along Missouri Flat Road
- T7: 2015—Acceptable LOS and weaving conditions at all ramp junctions
- T8: 2015—Acceptable LOS at all arterial intersections

Air Quality

- AQ1: 2005—No exceedances of CO concentrations are expected
- AQ4: 2015—No exceedances of CO standards
- AQ5: Transportation Conformity Achieved

Noise

- N3 : 2015—1–3 dB increase in existing traffic noise levels

Hydrology, Water Quality and Floodplains

- WQ1: Changes in local stormwater drainage
- WQ2: Flooding and hydraulic changes

Wildlife/Botanical Resources, Threatened/Endangered Species, and Wetlands

- BR6: No impact on special-status plant species
- BR9: Potential disturbance of non-special-status nesting raptors
- BR10: Loss of raptor foraging habitat
- BR12: Mortality/short-term disturbance of slow-moving/ground-dwelling animals
- BR13: Short-term disturbance/ removal of habitat occupied by common wildlife species

BR14: Consistent with El Dorado County General Plan policies

Visual

VR1: Changes in regional visual character

VR2: Changes in views of landscape units 1 and 2

VR3: Changes in views of landscape units 3, 4, 5, and 6

VR4: Imperceptible changes in light/glare

Utilities

U1: No long-term disruption of services

U3: Generation of construction-related solid waste

Findings Regarding Significant and Potentially Significant Impacts

The SEIR re-evaluation found the following environmental impacts identified in the 2004 EIR to continue to be significant or potentially significant in the absence of mitigation measures with respect to the addition of the Bike/Ped Project. Even though the SEIR identified the need for minor changes in several already identified impacts, there are no changes in the level of significance in any of the impacts identified in the 2004 EIR. Further, no new impacts and no new mitigation measures are identified. The existing mitigation measures from the 2004 EIR will continue to avoid or substantially lessen potentially significant or significant effects with the addition of the Bike/Ped Project to the Original Project. Findings with regard to each of the re-evaluated impacts and effectiveness of each mitigation measure are:

Land Use, Planning, and Growth

Impact LU6: Construction-related impacts: The 2004 EIR determined that short-term land use impacts could result from construction activities, including temporary air quality, noise from heavy equipment operations, traffic circulation patterns, and light and glare impacts. Addition of the bike path to the project does not significantly alter these previous analyses.

Mitigation Measure LU6a: Implement a traffic management plan

Finding: The County finds that Mitigation Measure LU6a, as fully described in the Mitigation Monitoring Plan for the 2004 EIR would reduce Impact LU6 to less than significant and shall be implemented as a required element of the Bike/Ped Project.

Relocation

Impact R2: Displacement of three commercial businesses

No additional displacement of businesses would occur with the addition of the bike path to the project because the path would be located within the previously evaluated impact area.

Mitigation Measure R1a: Compensate displaced land uses in conformance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act

Finding: The County finds that, because there are no businesses in the extended project area, the Bike/Ped Project would have no additional effect on the displacement of commercial business.

Traffic/Transportation/Pedestrian/Bicycle Facilities

Impact T2: Unacceptable weaving conditions at the U.S. 50/Missouri Flat Road eastbound on-ramp may occur until the U.S. 50/Placerville Drive/Forni Road interchange is improved. Addition of the bike path may slightly reduce traffic levels in the area due to an increase of bicycle/pedestrian travel and an associated decrease of motorized vehicular traffic. This reduction may reduce the existing queuing problem at the Placerville Drive off-ramp. However, this effect may not significantly alter the weaving conditions at the U.S. 50/Missouri Flat Road eastbound on-ramp until the U.S. 50/Placerville Drive/Forni Road interchange is improved.

Mitigation Measure T2a: Provide temporary ramp metering for the U.S. 50 eastbound on-ramp from Missouri Flat Road.

Finding: The County finds that the Bike/Ped Project may decrease motorized vehicular traffic within the area, resulting in slight improvements to unacceptable weaving conditions. No negative impact is anticipated.

Impact T4: Elimination of 20 park-and-ride lot spaces

Mitigation Measure T4a: Establish another park-and-ride lot

Finding: The County finds that the Bike/Ped Project will not result in an additional loss of park-and-ride lot spaces.

Impact T6: Construction-related safety concerns

The 2004 EIR determined that during construction, motorists, bicyclists, and pedestrians may experience delays and take alternative routes to their destinations.

Mitigation Measure T6a: Implement a traffic management plan

Finding: The County finds that the Bike/Ped Project will not alter construction-related safety concerns to motorists, bicyclists, and pedestrians. No change is needed to the previously adopted mitigation, and T6a would reduce Impact T6 to less than significant and shall be implemented as part of the Bike/Ped Project.

Air Quality

Impact AQ2: Temporary increase in construction-related ROG and NO_x emissions during grading and construction activities

Mitigation Measure AQ2a: Mitigate construction equipment exhaust emissions consistent with EDCAPCD requirements.

Finding: The County finds that the Bike/Ped Project will not affect the County's ability to implement mitigation measure AQ2a to reduce construction-related NO_x emissions to less-than-significant.

Impact AQ3: Temporary increase in construction-related PM10 emissions during grading and construction activities.

Mitigation Measure AQ3a: Comply with Rule 403 of the South Coast AQMD, as required by the EDCAPDC.

Finding: The County finds that the Bike/Ped Project will not affect the County's ability to implement mitigation measure AQ3a to reduce fugitive dust PM10 emissions to a less-than-significant level.

Noise

Impact N1: Exposure of noise-sensitive land uses to construction noise

Mitigation Measure N1a: Employ noise-reduction construction measures.

Finding: The 2004 EIR incorporated Mitigation Measure N1a identifying actions to reduce construction-related noise impacts resulting from the project. The County finds that these actions are applicable to the Bike/Ped Project and no alterations are needed. Mitigation Measure N1a would reduce Impact N1 to less than significant.

Impact N2: Exposure of noise-sensitive land uses to noise from blasting

Mitigation Measure N2a: Employ measures to limit blast noise. 1) all landowners within 3,000 of blast sites shall be notified that blasting will occur, and 2) a blast consultant will be retained to ensure that blast overpressures do not exceed 112 dB at the nearest inhabited building façade.

Finding: The County finds that the Bike/Ped Project will not alter previously adopted measure N2a and no change is needed. Mitigation Measure N2a, as described in the 2004 EIR Mitigation Monitoring Plan, would reduce Impact N2 to less-than-significant levels and shall be implemented as part of the Bike/Ped Project.

Hydrology, Water Quality and Floodplains

Impact WQ3: Water quality impacts from changes in stormwater drainage. Addition of the bike path to the project will increase the amount of impervious surface in the project area, and thereby increase the amount of stormwater runoff from the project area. Additional stormwater runoff resulting from the bike path will not appreciably add to the stream flow in Weber Creek during larger storms. Because no motorized vehicles will be operating on the bike path, there will be no increase in the amount of contaminants in stormwater runoff beyond what was originally evaluated in the EIR.

Mitigation Measure WQ3a: Obtain authorization under the NPDES permit for permanent post-construction Best Management Practices.

Finding: The County finds that implementation of previously adopted mitigation measure WQ3a would continue to reduce this impact to less than significant with addition of the Bike/Ped Project.

Impact WQ4: Temporary construction water quality impacts

Mitigation Measure WQ4a: Obtain authorization under the NPDES stormwater permit for construction-related Best Management Practices

Finding: The County finds that implementation of previously adopted mitigation measure WQ3a would continue to reduce this impact to less than significant with addition of the Bike/Ped Project.

Wildlife/Botanical Resources, Threatened/Endangered Species, and Wetlands

Impact BR1: Permanent loss of approximately 0.0016 hectare (0.004 acre) of Weber Creek and approximately 0.0032 hectare (0.008 acre) of oak woodland.

Mitigation BR3: as described below.

Findings: The County finds that the Bike/Ped Project will not result in additional impacts to Weber Creek or the adjacent oak woodland. The Bike/Ped Project will not require additional pier work to be conducted.

Impact BR2: Potential loss of 0.019 hectare (0.045 acre) of jurisdictional seasonal wetlands and of 0.0055 hectare (0.01 acre) of non-jurisdictional seasonal wetlands.

The Bike/Ped Project would extend the project area northeast into the area previously evaluated under the 2005 Western Placerville Interchanges Project (WPIP) DEIR. The bike path's eastern terminus would be located within this extended project area. The 2004 EIR identified a jurisdictional seasonal wetland and roadside drainage ditch adjacent to the eastbound U.S. 50 road shoulder, west of the Placerville Drive overpass. The Preliminary Jurisdictional Delineation conducted for the WPIP shows this ephemeral roadside drainage ditch extending further east, originating within the off-ramp loop and flowing under the overpass before discharging into the seasonal wetland area mapped in the Original Project area (Padre Associates 2004). Because of the minor difference in how the 2004 EIR and the WPIP EIR mapped jurisdictional features, the SEIR takes a conservative approach and considers the maximum extent of mapped wetlands for the two projects. Thus, the SEIR considers the drainage ditch to extend further to the east, as shown on the WPIP delineation map. This additional segment of the drainage ditch would be within the permanent impact area of the bike path, and impacts to this segment were not evaluated in the 2004 EIR.

The additional segment of the roadside drainage ditch added to the project area is approximately 325 ft long by approximately 2 ft wide, totaling 0.0065 hectare (0.0161 acre) additional jurisdictional waters. The ditch is a small, ephemeral, artificial feature created from highway construction activities along the off-ramp.

Mitigation BR3: as described below

Findings: The County finds that, because the ditch does not provide important, irreplaceable habitat functions and values, implementation of previously adopted mitigation measures BR3c, BR3f, BR3g, BR3h, and BR3i will continue to reduce impacts to seasonal wetlands and drainages to less than significant for the Bike/Ped Project as well as the Original Project.

Impact BR3: Disturbance to approximately 0.1 hectare (0.25 acre) of Weber Creek and approximately 0.29 hectare (0.71 acre) of white alder riparian forest vegetation.

Mitigation BR3a: Conduct a biological resources education program for construction crews and enforce construction restrictions.

BR3b: Retain a biologist to monitor construction activities within Weber Creek.

BR3c: Install construction barrier fencing around the construction area to protect sensitive biological resources that will be avoided.

BR3d: Conduct preconstruction surveys and minimize mortality to CRLF and foothill yellow-legged frog.

BR3e: Conduct preconstruction surveys to minimize mortality to northwestern pond turtles.

BR3f: Limit in-water construction activities to the summer low- or no-flow period.

BR3g: Ensure that turbidity increases do not exceed Central Valley Regional Water Quality Control Board standards.

BR3h: Develop and implement a toxic materials control and spill-response plan.

BR3i: Store hazardous materials at an approved storage facility.

BR3j: Minimize long-term impacts on woody riparian vegetation and habitat.

BR3k: Enhance riparian habitat by developing and implementing a riparian restoration plan.

Findings: The County finds that the Bike/Ped Project will not result in additional impacts to Weber Creek or adjacent white alder riparian forest. Impacts to these features evaluated in the 2004 EIR resulted from the need for pier work on the U.S. 50 bridges. The Bike/Ped Project does not require additional pier work.

Impact BR4: Potential disturbance to 0.044 hectare (0.12 acre) of jurisdictional seasonal wetlands/drainages.

Mitigation BR3: See BR3 above

Findings: The County finds that the Bike/Ped Project would not result in additional temporary disturbance to jurisdictional seasonal wetlands or drainages. See impact BR2 above for discussion of additional permanent impacts to roadside drainage ditches that would result from the Bike/Ped Project.

Impact BR5: Removal of and disturbance to up to 8–12 hectares (20–30 acres) of blue oak woodland and an undetermined number of native trees.

Mitigation BR3c: Install construction barrier fencing around the construction area to protect sensitive biological resources that will be avoided.

Mitigation BR5a: Minimize and compensate for impacts on blue oak woodlands and individual native oak trees by replanting oaks.

The Bike/Ped Project would extend the project area to the northeast into the area previously evaluated under the 2005 WPIP DEIR. The path's eastern terminus would be located within this extended project area. The Natural Environment Study conducted for the WPIP identified an area of oak woodland immediately to the southeast of the Placerville Drive overpass, south of U.S. 50. Approximately 0.55 ac of this oak woodland is within the extended Missouri Flat Interchange project area, and impacts to this stretch of oak woodland were not evaluated in the 2004 EIR. The bike path would follow the U.S. 50 off-ramp shoulder in this area and construction of the path could result in removal of oaks adjacent to the off-ramp. Therefore, the Bike/Ped Project could result in an incremental increase of removal and disturbance to oak woodland over what was evaluated in the 2004 EIR for this project.

Finding: The County finds that even though the extent of the impact is expanded due to the Bike/Ped Project, implementation of previously adopted mitigation measures BR3c and BR5a will continue to reduce this impact to less than significant.

Impact BR7: Introduction of new noxious weeds or spread of existing noxious weed species.

Mitigation BR7a: Avoid the introduction of new noxious weeds or the spread of existing noxious weeds.

Finding: The County finds that the Bike/Ped Project will not alter previously adopted mitigation measure BR7a. This measure will continue to reduce this impact to less than significant.

Impact BR8: Potential disturbance of 1 blue elderberry shrub—valley elderberry longhorn beetle habitat. One blue elderberry shrub was identified outside, but within 100 feet of, the project area during biological surveys conducted in support of the 2003 DEIR. This shrub is located along Helmrich Lane (north of Hwy 50). No other elderberry shrubs were observed within 100 ft of the project area. This same elderberry shrub was also identified during biological surveys conducted for the 2005 WPIP DEIR. No other elderberry shrubs were observed within 100 feet of the Western Placerville Interchanges project area.

Mitigation Measure BR8a: Avoid disturbance of valley elderberry longhorn beetle habitat.

Mitigation Measure BR3a: Conduct a biological resources education program for construction crews and enforce construction restrictions.

Mitigation Measure BR3b: Retain a biologist to monitor construction activities.

Finding: The Bike/Ped Project would be entirely within the area evaluated for the 2004 EIR and the area evaluated for the 2005 WPIP DEIR. Therefore, no additional impacts to elderberry longhorn beetle habitat will occur with the addition of the bike path to the Project. The County finds that, with implementation of previously adopted mitigation measures BR8a, BR3a, and BR3b, these impacts would continue to be less than significant for the Original Project and the Bike/Ped Project.

Impact BR11: Disturbance of nesting swallows

Approximately 20 active swallow nests and remnants of other swallow nests were observed on the underside of the existing U.S. 50/Missouri Flat Road Interchange structure during June 2001 field surveys. Potential nesting habitat was also identified under the U.S. 50 bridge structures over Weber Creek and the abandoned U.S. 50 bridge over Weber Creek. Construction of the path's eastern terminus will occur outside the original project area but within the area evaluated for the 2005 WPIP DEIR. The construction impact area at the eastern terminus does not occur on structures that could support nesting swallow colonies.

Mitigation BR11a: Avoid construction during swallow nesting season or remove empty nests and prevent new nesting.

Finding: The County finds that the Bike/Ped Project will not alter the County's responsibility to implement the Measure BR11a to avoid construction during swallow nesting season on these structures or remove empty nests and prevent new nesting.

Historic and Archeological Preservation

Impact CR1: Potential damage to currently unknown cultural resources

Mitigation CR1a: Implement procedures for the unanticipated discovery of cultural resources.

No cultural resources were observed during field surveys conducted in support of the 2004 EIR, and no cultural resources are known to occur within the Original Project

area. Likewise, no cultural resources were observed during field surveys conducted in support of the 2005 WPIP DEIR. The eastern terminus of the bike path would occur within the area surveyed for the WPIP.

Findings: The County finds that, with the Bike/Ped Project, the project would continue to have the potential to damage currently unknown cultural resources in the expanded project area, and previously adopted mitigation measure CR1a would continue to be sufficient for reducing this impact to less than significant.

Hazardous Materials and Earth Resources

Impact ER1: Change in topography from grading activities during construction.

Mitigation ER1a: Approve grading design plans consistent with County and Caltrans grading permit requirements.

Addition of the Bike/Ped Project may require additional excavation of ground surface material and placement of fill material. However, no changes are needed to previously adopted mitigation measure ER1a, which stipulates that the County or its contractor will comply with all County grading requirements and Caltrans standard specifications for earthwork. Compliance with County and Caltrans' earthwork requirements will ensure that soil erosion is controlled.

Findings: The County finds that, with implementation of the previously adopted mitigation measure ER1a, Impact ER1 continues to be less than significant for the Bike/Ped Project and the Original Project.

Impact ER2: Potential for unstable slope conditions from grading activities during construction of embankments and cut slopes

Mitigation ER2a: Approve final design plans consistent with the County's and Caltrans' standard earthwork specifications.

The 2004 EIR found that implementation of the Original Project would result in construction activities involving excavations into steep slopes for embankments and permanent cut slopes. Excavating into existing steep slopes could lead to unstable ground surfaces, inducing ground failure. Mitigation measure ER2a was adopted to reduce the severity of the impact to less than significant by requiring implementation of construction standards for embankment and permanent cut slopes to maintain slope stability and minimize potential for slope failure during construction, based on the County's and Caltrans' standard earthwork specifications.

Findings: The County finds that, although the Bike/Ped Project will result in additional excavations into slopes, especially near the eastern terminus along the U.S. 50 off-ramp at Placerville Drive/ Forni Road, Measure ER2a is sufficient to reduce this expanded impact to less than significant. The County will be continue to be required to maintain slope stability and minimize potential for slope failure during construction in accordance with County and Caltrans standard specifications.

Impact ER3: Potential for structural damage from development in Seismic Risk Zone 3.

Mitigation ER3a: Approve final design plans consistent with Caltrans and Uniform Building Code (UBC) standards for seismic safety.

The 2004 EIR found the Original Project had potential to expose people and structures to seismic ground shaking because construction would result in continued development in UBC Seismic Risk Zone 3. Specifically, project enhancements to the Weber Creek Bridge must be built in accordance with seismic safety standards.

Findings: The County finds that the Bike/Ped Project does not affect the need to address existing foundation stability/capacity on Weber Creek bridges with respect to seismic loading. Mitigation ER3a requires the County or its contractor to construct all proposed structures to conform to the latest Caltrans and UBC standards for seismic safety. Measure ER3a sufficiently addresses potential structural changes to eastbound Weber Creek Bridge that may be required by the Bike/Ped Project.

Impact ER4: Potential for structural damage from development on materials subject to liquefaction.

Mitigation ER3a: Approve final design plans that are consistent with Caltrans and UBC standards for seismic safety.

See above for discussion of mitigation ER3a, requiring the County to approve final plans for the project consistent with Caltrans and UBC seismic safety standards.

Findings: The County finds that the Bike/Ped Project does not alter the County's responsibility to implement Mitigation Measure ER3a.

Impact ER5: Potential for increased short-term and long-term erosion rates from grading activities

Mitigation ER1a: Approve grading design plans consistent with County and Caltrans grading permit requirements.

See above for a discussion of Mitigation ER1a, requiring the County to approve grading plans consistent with County and Caltrans requirements.

Findings: The County finds that the Bike/Ped Project does not alter the County's responsibility to implement Mitigation ER1a, which would continue to apply to the Original Project and the Bike/Ped Project.

Impact ER6: Potential for exposure of people to asbestos

Mitigation ER6a: If unknown deposits of asbestos are found during construction, comply with El Dorado County's Asbestos Ordinance

Findings: The County finds that the Bike/Ped Project does not alter the County's responsibility under Mitigation ER6a to comply with the County's asbestos ordinance and associated control measures in force at the time of project construction.

Impact ER7: Potential for exposure of previously unknown hazardous wastes to construction workers and/or nearby land uses

Mitigation ER7a: Implement recommendations related to hazardous materials contained in the project Initial Site Assessments (ISA's).

The 2004 EIR found the potential for project construction workers to encounter significant hazardous materials or petroleum product contamination is generally low. However, information obtained during the study of the project area indicated that additional investigation should be conducted for a number of project area properties. In addition, the ISA recommended measures be taken to ensure hazardous levels of

lead and/or asbestos do not occur on or under the Weber Creek bridges and on roadways. Mitigation ER7a was adopted to reduce this impact to less than significant and requires the County to conduct additional investigation of properties identified in the ISA prior to property acquisition where hazardous material or contamination could occur. If properties are found with contaminated materials, the County, in coordination with Caltrans and FHWA, will follow local, state, and federal regulations to establish cleanup measures. The measure also requires the County to implement ISA recommendations related to the asbestos and lead-based paint to occur on the Weber Creek bridges, hazardous levels of chromium and lead to be removed, and aerial-deposited lead along the highway.

The eastern terminus of the Bike/Ped Project extends the project area northeast into the area previously evaluated under the 2005 WPIP DEIR. To support the WPIP EIR findings, LSA Associates completed an ISA (LSA 2000), providing review of hazardous materials conditions in the area, concluding that it did not support any recognized environmental or *de minimus* conditions associated with hazardous materials. As in the Original Project area, currently unknown hazardous materials could occur within the portion of the extended study area within the WPIP area.

Findings: The County finds that the Bike/Ped Project does not alter the County's responsibility under Mitigation ER7a to implement recommendations related to hazardous materials. Mitigation ER7a will continue to reduce this impact to less than significant because, if unknown hazardous materials are found, clean-up measures will be taken prior to construction to avoid accidental release of hazardous materials.

Utilities/Emergency Services

Impact U2: Potential for temporary interference to law enforcement, fire protection, and emergency medical services.

Mitigation LU6a: Implement a traffic management plan.

The 2004 EIR found this impact significant because project construction has potential to affect response times by law enforcement, fire, and emergency medical services.

Findings: The County finds that the Bike/Ped Project would not result in a need to alter the traffic management plan described in LU6a of the 2004 EIR. The traffic management plan will continue to be consistent with County and Caltrans roadway construction guidelines.

Findings Concerning Cumulative Impacts

The County finds that the project-specific impacts, which are either less than significant or would be mitigated to less-than-significant levels with implementation of mitigation measures identified in the 2004 Mitigation Monitoring Plan, would not result in significant adverse cumulative impacts when considered in association with other past, present or reasonably foreseeable future projects.

Findings Concerning Growth Inducement

The County finds that that the Bike/Ped Project is not projected to have a substantive effect on the type or rate of future growth within the project area.