

El Dorado County Broadband Fiber Project

Final Program Environmental Impact Report

State Clearinghouse No. 2024081255

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1.0 INTRODUCTION

This Final Program Environmental Impact Report (PEIR) has been prepared to provide an assessment of the potential environmental consequences of approving and implementing the proposed El Dorado County Broadband Fiber Project (proposed project; State Clearinghouse No. 2024081255). This Final PEIR presents a summary of the proposed project, project alternatives analyzed in the Draft PEIR, impacts and mitigation measures identified, the environmental review process conducted, responses to the comment received in the Draft PEIR, as well as revisions made to the Draft PEIR in response to the comment received. For a complete description of the proposed project, see Chapter 3.0, Project Description, of the Draft PEIR. For a complete discussion of alternatives to the proposed project, see Chapter 5.0, Alternatives, of the Draft PEIR.

The California Environmental Quality Act (CEQA) requires that local government agencies, prior to taking action on projects over which they have discretionary approval authority, consider the environmental consequences of such projects. An EIR is a public document designed to provide the public, local, and State governmental agency decision-makers with an analysis of potential environmental consequences to support informed decision-making. The Draft PEIR was prepared pursuant to the requirements of CEQA and the CEQA Guidelines to determine if approval of the proposed project could have a significant effect on the environment. The County of El Dorado (County), as the CEQA Lead Agency, reviewed and revised as necessary all submitted drafts, technical studies, and reports to reflect its own independent judgment. Information for the Draft PEIR was obtained from discussions with public service agencies; analysis of adopted plans and policies; review of available studies, reports, data, and similar literature in the public domain; and specialized environmental assessments (e.g., air quality, biological resources, and greenhouse gas emissions).

1.1 ENVIRONMENTAL PROCEDURES

The Draft PEIR, in conjunction with this Final PEIR, has been prepared to assess the environmental effects associated with approval of the proposed project. The main purposes of the documents as established by CEQA are:

- To disclose to decision-makers and the public the significant environmental effects of proposed activities.
- To identify ways to avoid or reduce environmental damage.
- To prevent environmental damage by requiring implementation of feasible alternatives or mitigation measures.
- To disclose to the public reasons for agency decision of projects with significant environmental effects.
- To foster interagency coordination in the review of projects.
- To enhance public participation in the planning process.

An EIR is the most comprehensive form of environmental documentation identified in the statute and in the CEQA Guidelines. It provides the information needed to assess the environmental consequences of a proposed project, to the extent feasible. An EIR is intended to provide an objective, factually supported, full-disclosure analysis of the environmental consequences associated with a proposed project that has the potential to result in significant, adverse environmental impacts. An EIR is also one of various decision-making tools used by a Lead Agency to consider the merits and disadvantages of a project that is subject to its discretionary authority. Prior to approving a proposed project, the Lead Agency must consider the information contained in the EIR, determine whether the EIR was properly prepared in accordance with CEQA and the CEQA Guidelines, determine that it reflects the independent judgment of the Lead Agency, adopt findings concerning the project's significant environmental impacts and alternatives, and adopt a Statement of Overriding Considerations if the proposed project would result in significant impacts that cannot be avoided.

1.2 REPORT ORGANIZATION

This Final PEIR is organized into the following chapters:

- **Chapter 1.0: Introduction.** Summarizes the environmental procedures, the type and purpose of the EIR, a summary of the proposed project, project alternatives, issues to be resolved, areas of concern, and indicates the level of significance of environmental impacts before and after mitigation.
- **Chapter 2.0: Environmental Review Process.** Provides an overview of the scope of the Draft PEIR public review period, and comment letter received during public review as well as the scope of the Final PEIR.
- **Chapter 3.0: Response to Comments.** Presents the one comment letter received from California Department of Fish and Wildlife (CDFW) on the Draft PEIR alongside responses to each sub comment in the comment letter received during the 45-day public review period.
- **Chapter 4.0: Errata.** Contains corrections to the text of the Draft PEIR. Underline text represents language that has been added to the Draft PEIR; text in ~~strike through~~ has been deleted from the Draft PEIR.
- **Chapter 5.0: Mitigation Monitoring and Reporting Program (MMRP).** Provides an overview of the MMRP prepared for the proposed project.

The Draft PEIR is available on the State Clearinghouse CEQA portal¹ and incorporated here by reference. It constitutes part of the Final PEIR.

1.2.1 Type and Purpose of the EIR

According to Section 15121(a) of the CEQA Guidelines, the purpose of an EIR is to inform public agency decision makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.

¹ <https://ceqanet.opr.ca.gov/2024081255/2>

The Draft PEIR has been prepared to meet the requirements of a program EIR as defined in CEQA Guidelines Section 15168(c) for streamlining later activities. In accordance with Section 15168 of the CEQA Guidelines, a program EIR may be prepared on a series of actions that can be characterized as one large project and are related to, among other things, the issuance of general criteria to govern the conduct of a continuing program or individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects that can be mitigated in similar ways. The proposed project meets these criteria for use of a program EIR. The conclusions made in the Draft PEIR are listed in Table ES-1 of this Final PEIR below.

If a subsequent individual fiber project or later activity would have effects that were not examined in the Draft PEIR, an initial study may be prepared to determine the appropriate level of environmental review. If another environmental document is needed, whether it is a notice of exemption, negative declaration, mitigated negative declaration, or EIR, the PEIR can be used to simplify the task of preparing the subsequent environmental document, as indicated in CEQA Guidelines Section 15168(d). When El Dorado County as the CEQA Lead Agency receives an application for an individual fiber project, they will process additional CEQA documentation, if required, that builds on the analysis presented in the Draft PEIR.

1.3 SUMMARY OF THE PROPOSED PROJECT

The County is proposing to expand access to fiber optic broadband technology throughout the unincorporated areas and incorporated cities within the County. The proposed project would install fiber optic lines either underground in buried conduits, overhead on existing or newly constructed utility poles, or in a combination of both. It is anticipated that the depth of excavation for buried conduits would be 5 feet and the maximum height of utility poles would be 100 feet. The fiber optic infrastructure could follow other utility installations; therefore, it is likely that the ground along these alignments has been previously disturbed by prior utility work. Additionally, many of these fiber optic conduits or utility poles would generally follow the route of the roadway, particularly if the applicable areas have other issues that could affect access, such as vegetation, geologic, landscape, and/or water features that should not be disturbed. The Draft and Final PEIR conservatively assumes that new ground disturbance would be required for the entire project; however, there would be potential for utilizing existing conduit or utility poles where only installation of fiber optic lines would be required. If deemed feasible, the new broadband infrastructure constructed under an individual fiber project or phase would connect to existing broadband infrastructure (e.g., aboveground, and belowground) in the County supported by existing Internet Service Providers (ISPs).

The majority of future broadband infrastructure would be constructed within the typical roadway cross-section within the unincorporated areas of the County, the incorporated cities of Placerville and South Lake Tahoe, or Caltrans' public rights-of-way (ROW). However, broadband infrastructure could also be constructed on private disturbed land and federal land. Underground fiber optic conduit or aboveground utility poles would typically be located in previously disturbed and/or developed areas (e.g., in ROW). The future location of broadband infrastructure would focus on areas of the County that are currently unserved or underserved. The exact alignment of future broadband infrastructure is currently unknown at this time and would be planned based on such considerations as construction feasibility, local preference, and locations of sensitive environmental resources.

1.4 SUMMARY OF PROJECT ALTERNATIVES

1.4.1 No Project Alternative

The No Project Alternative is required under Section 15126.6(e) of the CEQA Guidelines and represents a possible scenario that could occur if the proposed project is not approved. According to Section 15126.6(e)(3)(B) of the CEQA Guidelines, if the project is other than a land use or regulatory plan, for example a development project on identifiable property, the “no project” alternative is the circumstance under which the project does not proceed. Under the No Project Alternative, no actions would be taken to expand broadband availability in El Dorado County and the service area would remain unchanged from current conditions. As such, the No Project Alternative would not meet the project objectives. However, as required by CEQA, the No Project Alternative is evaluated in the Draft PEIR.

Under the No Project Alternative, there would be no discretionary action by El Dorado County, and thus no impact. However, for purposes of comparison with the other action alternatives, conclusions for each technical area are characterized as “impacts” that are greater, similar, or less, to describe conditions that are worse than, similar to, or better than those of the proposed Project.

1.4.2 Aerial Installation Only Alternative

The Aerial Installation Only Alternative would include only individual fiber projects that install aboveground fiber optic line that would utilize new or existing utility poles. No underground fiber optic line or new conduit would be installed under this alternative. This alternative was considered because it would avoid or reduce potential impacts that would be associated with underground installation of new fiber optic line or new conduit, such as construction impacts associated with horizontal directional drilling, plowing, trenching, micro trenching, line installation, and pavement repair. Some areas of the County are known to contain naturally occurring asbestos (NOA) and aerially deposited lead (ADL); the minimized ground disturbance under aerial installation methods would reduce the potential risk of exposure to hazardous materials. The aerial installation of fiber optic line would also be more feasible for long distance connections, such as in rural areas of the County.

Aboveground fiber optic lines are susceptible to damage from high winds, snowstorms, wildfires, and other natural disasters. Such damage would reduce the reliability of communications system, which could disrupt emergency communications during extreme storms, wildfires, or other emergency conditions when reliable communication is essential. The addition of new utility poles may not be feasible in some locations in the County due to the existing terrain and rocky subsurface conditions that would make it nearly impossible to reach the boring depth required for utility poles, which would leave service gaps in those locations. Further, aerial installation may not be feasible in some densely forested and mountainous areas of the County, which may prevent the aerial stringing of fiber optic line or the installation of new utility poles. Aerial fiber optic line also typically requires more frequent maintenance, as compared to underground fiber optic line or conduit. Additionally, this alternative may result in increased impacts to aesthetics and visual resources associated with the construction of new utility poles within the viewshed of scenic vistas or U.S. Highway 50, State Route (SR) 89, and SR 88, portions of which are designated State Scenic Highways within the County. It should also be noted that existing poles are owned by certain utilities or exist as joint poles with shared use between utilities. Joint pole users may not be feasible, and the ability to add joint pole users may be difficult to augment. Consequently, this alternative would not meet several of the project objectives associated with providing a reliable system of broadband communications.

1.4.3 Underground Installation Only Alternative

This alternative would include individual fiber projects that would only install underground fiber optic lines and would utilize new or existing underground conduit. No aboveground fiber optic line or new utility poles would be installed under this alternative. This alternative was considered because it would avoid or reduce potential impacts that would be associated with aboveground installation of fiber optic line, including impacts to aesthetics and visual resources associated with the construction of new utility poles within the viewsheds of scenic vistas or U.S. 50, SR 89, and SR 88, portions of which are designated State Scenic Highways within the County.

However, the installation of underground fiber optic lines typically requires more ground disturbance and longer construction periods as compared to aerial installation. Increased construction-related impacts could occur due to the increased ground disturbance required for installation, including horizontal directional drilling, plowing, trenching, micro trenching, and line installation. Under this alternative, underground fiber optic lines could be constructed in areas that have existing buried utilities that could contain hazardous waste. Additionally, some areas of the County are known to contain NOA and ADL; the increased ground disturbance resulting from underground installation methods may increase the risk of exposure to hazardous materials. Depending on the prevailing terrain and geological conditions, including bedrock near the surface, it may not be feasible to install underground infrastructure in some parts of the County. Consequently, this alternative would not meet several of the project objectives associated with providing a reliable system of broadband communications.

1.4.4 Use of Existing Infrastructure Alternative

The Use of Existing Infrastructure Alternative would include individual fiber projects that install fiber optic line in existing fiber-specific conduit or along existing utility poles. Under this alternative, no new utility poles or underground conduit would be installed. This alternative was considered because it would avoid or reduce most impacts associated with the proposed Program, as outlined in the Draft Program EIR, as fewer individual fiber projects would be implemented, and therefore less construction and ground disturbance. This alternative would avoid impacts to aesthetic and visual resources, because the stringing of aerial fiber optic line would occur along existing utility poles, which would not introduce new vertical features within the viewshed of scenic vistas or State Scenic Highways in the County. However, this alternative would not meet the basic Program objectives associated with providing a reliable system of broadband communications in El Dorado County, because it would not provide for the expansion of broadband infrastructure into portions of the service area that do not already include sufficient conduit, utility poles, and supporting infrastructure.

1.5 ISSUES TO BE RESOLVED

Section 15123(b)(3) of the CEQA Guidelines requires that an EIR identify issues to be resolved. With regard to the proposed project, the major issues identified to be resolved in the Draft PEIR include decisions by the County of El Dorado, as Lead Agency, related to:

- whether the Draft PEIR adequately described the environmental impacts of the proposed project;
- whether the benefits of the proposed project override those environmental impacts that cannot be feasibly avoided or mitigated to a level of insignificance;

- whether the identified mitigation measures should be adopted or modified; and,
- whether there are any alternatives to the proposed project that would substantially lessen any of the significant impacts of the proposed project and achieve most of the basic objectives.

1.6 AREAS OF CONCERN

El Dorado County issued a Notice of Preparation (NOP) for the Draft PEIR on August 29, 2024, and held a virtual public scoping meeting on Wednesday, September 25, 2024, to receive agency and public comments. The scoping period for the Draft PEIR started on August 29, 2024, and ended on September 30, 2024, during which time responsible agencies and interested members of the public were invited to submit comments as to the scope and content of the Draft PEIR.

Comments received during the public scoping period are included in Appendix C of the Draft PEIR and are briefly summarized below.

The Native American Heritage Commission (NAHC) submitted a comment letter on August 30, 2024, recommending tribal consultation in accordance with Senate Bill (SB) 18, Assembly Bill (AB) 52, and any other applicable laws. In response to this letter, Mitigation Measure TCR-1, Tribal Consultation, was incorporated into Section 4.18, Tribal Cultural Resources, of the Draft PEIR, requiring that the County conduct the appropriate tribal consultation outreach for all individual fiber projects included within the scope of the Draft PEIR.

The California Department of Transportation (Caltrans) submitted a comment letter on September 25, 2024, recommending that future individual fiber projects that would take place along or within the State's ROW obtain an encroachment permit issued by Caltrans. The County and/or project applicant would submit an encroachment permit application to Caltrans for approval if any construction is proposed within Caltrans ROW prior to the commencement of construction activities.

The Central Valley Regional Water Quality Control Board (CVRWQCB) submitted a form letter on September 30, 2024, summarizing the CVRWQCB's basin plan, antidegradation considerations, and permitting requirements.

To the extent that these issues have environmental impacts and to the extent that analysis is required under CEQA, they are addressed in Chapters 4.0 through 8.0 of the Draft PEIR.

1.7 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Under CEQA, a significant impact on the environment is defined as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the proposed project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance.

As determined in the Draft PEIR, the proposed project has the potential to generate significant environmental impacts in a number of areas. Pursuant to Section 15126.2(b) of the CEQA Guidelines, an EIR must describe any significant impacts that cannot be avoided, even with the implementation of feasible mitigation measures. As shown in Table ES-1, all significant impacts would be reduced to a less

than significant level if the mitigation measures identified in the Draft PEIR are adopted and implemented.

Table ES-1 summarizes the conclusions of the environmental analysis contained in the Draft PEIR and presents a summary of impacts and mitigation measures identified. It is organized to correspond with the environmental issues discussed in Sections 4.1 through 4.20 of the Draft PEIR. Table ES-1 is arranged in four columns: 1) environmental impact; 2) significance without mitigation; 3) mitigation measures; and 4) significance with mitigation. For a complete description of potential impacts, please refer to the specific discussions in Sections 4.1 through 4.20 of the Draft PEIR.

Table ES-1: Conclusions of the Environmental Analysis Contained in the Draft PEIR

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
Aesthetics			
AES-1: The proposed project may result in a substantial adverse effect on a scenic vista.	Potentially Significant	<p>Mitigation Measure AES-1: Visual Impact Assessment</p> <p>For any aboveground individual fiber project proposed within the designated scenic vista, eligible State Scenic Highway, and/or designated State Scenic Highway, the project applicant shall prepare a Visual Impact Assessment (VIA) for Lead Agency review and approval. The VIA shall be prepared by a qualified professional with experience in visual resource analysis. The VIA shall evaluate the potential impacts of the project on scenic resources in accordance with the California Environmental Quality Act (CEQA) Guidelines, including but not limited to consideration of aesthetic values, visual quality, and the character of the surrounding landscape.</p> <p>The VIA shall include the following components:</p> <ol style="list-style-type: none"> <u>Baseline Conditions</u>: Documentation of existing visual conditions, including photographs, renderings, and/or other visual tools to establish the project site's current view and its relationship to surrounding scenic resources. <u>Visual Simulations</u>: Preparation of photo-realistic visual simulations depicting the project as proposed from key public viewpoints, including those within the scenic vista or from the State Scenic Highway. <u>Impact Analysis</u>: Identification of potential impacts on scenic vistas and resources, using thresholds of significance established under CEQA Guidelines or applicable local policies. 	Less than Significant with Mitigation Incorporated

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		<p>d. <u>Design Recommendations or Mitigation Measures:</u> Identification of feasible design measures or project-specific mitigation measures to avoid, minimize, and/or reduce potentially significant visual impacts. These measures may include, but are not limited to:</p> <ul style="list-style-type: none"> ○ Modifications to project design, height, massing, and/or orientation. ○ Use of landscaping, vegetative screening, and/or earthworks to soften visual impacts. ○ Use of non-reflective and/or neutral-colored materials to reduce visual contrast. ○ Adjustment of lighting design to prevent glare and/or light trespass into sensitive areas. 	
AES-2: The proposed project may damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway.	Potentially Significant	See Mitigation Measure AES-1	Less than Significant with Mitigation Incorporated
AES-3: The proposed project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings in a non-urbanized area.	Less than Significant	N/A	N/A
AES-4: The proposed project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.	Less than Significant	N/A	N/A
AES-5: The proposed project would not result in a significant cumulative impact with respect to aesthetics.	Potentially Significant	See Mitigation Measure AES-1	Less than Significant with Mitigation Incorporated

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
Agriculture and Forestry Resources			
AG-1: The proposed project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to nonagricultural use.	Less than Significant	N/A	N/A
AG-2: The proposed project would not conflict with existing zoning for agricultural use or with a Williamson Act contract.	Less than Significant	N/A	N/A
AG-3: The proposed project would not conflict with existing zoning or cause rezoning of forest land, timberland, or timberland zoned for Timberland Production.	Less than Significant	N/A	N/A
AG-4: The proposed project would not result in the loss of forest land or conversion of forest land to non-forest use.	Less than Significant	N/A	N/A
AG-5: The proposed project would not result in changes in the existing environment which, due to their location or nature, would result in conversion of agricultural lands to non-agricultural use or forest land to non-forest land.	Less than Significant	N/A	N/A
AG-6: The proposed project would not result in a cumulative impact with respect to agriculture and forestry resources.	Less than Significant	N/A	N/A
Air Quality			
AQ-1: The proposed project would not conflict with or obstruct implementation of the applicable air quality plan.	Less than Significant	N/A	N/A

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
AQ-2: The proposed project may 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.	Potentially Significant	<p>Mitigation Measure AQ-1: Prepare a Fugitive Dust Mitigation Plan</p> <p>The applicant of an individual fiber project shall submit a Fugitive Dust Control Plan (FDCP) to the Air Pollution Control Officer of the El Dorado County Air Quality Management District (EDCAQMD) prior to the start of any construction activity for which a grading permit was issued by El Dorado County or incorporated city within El Dorado County. The FDCP shall implement all construction related best management practices (BMPs) included in Appendix C-1, Tables C.4 and C.5 of the EDCAQMD Guide to Air Quality Assessment. The FDCP shall be prepared in compliance with EDCAQMD Rule 223-1. Construction activities shall not commence until the Air Pollution Control Officer has approved or conditionally approved the Fugitive Dust Control Plan.</p>	Less than Significant with Mitigation Incorporated
AQ-3: The proposed project may expose sensitive receptors to substantial pollutant concentrations.	Potentially Significant	<p>Mitigation Measure AQ-2: Prepare an Asbestos Dust Mitigation Plan</p> <p>Prior to construction, an Asbestos Dust Mitigation Plan shall be submitted to the Air Pollution Control Officer if any portion of the individual fiber project area to be disturbed is within a designated Naturally Occurring Asbestos (NOA) review area on the El Dorado County Asbestos Review Area Map, Figure 4.3-1 of the EIR(i.e., an area designated as “Found Area of NOA”, “Quarter Mile Buffer for Found Area of NOA”, “More Likely to Contain Asbestos”, or “Quarter Mile Buffer for More Likely to Contain Asbestos”). The Asbestos Dust Mitigation Plan shall be prepared in compliance with the El Dorado County Air Quality Management District (EDCAQMD) Rule 223-2. No construction activities shall occur until the Asbestos Dust Mitigation Plan is approved or conditionally approved by the Air Pollution Control Officer.</p>	Less than Significant with Mitigation Incorporated

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		<p>If, prior to construction, any portion of the individual fiber project area to be disturbed is within a designated NOA review area on the El Dorado County Asbestos Review Area Map, Figure 4.3-1 of the EIR, an exemption to the requirement for an Asbestos Dust Mitigation Plan may be granted by the Air Pollution Control Officer if a professional geologist has conducted a geologic evaluation of the property and determined that no serpentine or ultramafic rock, or asbestos, is likely to be found in the area disturbed, and a report detailing the geologic evaluation is submitted to the Air Pollution Control Officer for consideration. No construction activities shall occur until an exemption from the requirement for an Asbestos Dust Mitigation Plan is granted by the Air Pollution Control Officer.</p> <p>If, prior to construction (regardless of the area designation on the El Dorado County Asbestos Review Area Map, Figure 4.3-1 of the EIR, and regardless of any previously granted exemption), the owner/operator, a professional geologist, or the Air Pollution Control Officer determines that any portion of the individual fiber project area to be disturbed has NOA, an Asbestos Dust Mitigation Plan shall be submitted to the Air Pollution Control Officer. No construction activities shall occur until the Asbestos Dust Mitigation Plan is approved or conditionally approved by the Air Pollution Control Officer.</p> <p>If, during construction (regardless of the area designation on the El Dorado County Asbestos Review Area Map, Figure 4.3-1 of the EIR, and regardless of any previously granted exemption), NOA is discovered in any portion of the individual fiber project area to be disturbed by the owner/operator, a professional geologist, or the Air Pollution Control Officer, construction shall be halted, and an Asbestos Dust Mitigation shall be submitted to the Air Pollution Control Officer. Construction activities shall not</p>	

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		resume until the Asbestos Dust Mitigation Plan is approved or conditionally approved by the Air Pollution Control Officer.	
AQ-4: The proposed project would not result in substantial emissions of odors adversely affecting a substantial number of people.	Less than Significant	N/A	N/A
AQ-5: The proposed project would not contribute to a cumulatively considerable impact on regional air quality.	Potentially Significant	See Mitigation Measure AQ-1 and AQ-2.	Less than Significant with Mitigation Incorporated
Biological Resources			
BIO-1: The proposed project may result in a substantial adverse effect, either directly or through habitat modifications, on 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.	Potentially Significant	<p>Mitigation Measure BIO-1: Prepare a Site-Specific Biological Resources Assessment</p> <p>Prior to approval of an individual fiber project, the applicant of an individual fiber project shall retain a qualified biologist to prepare a project-specific biological resources assessment (BRA). The project-specific BRA shall consist of data review and reconnaissance-level surveys prior to project implementation. The data reviewed will include the applicable biological resources setting, species and sensitive natural communities tables, and habitat information from the Biological Resources Section of the Program EIR for where the project will occur. It will also include review of the best available, current data for the area, including vegetation mapping data, species' distribution/range information, CNDDDB, California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants of California, relevant BIOS queries, USFWS and NMFS database queries, and relevant general and regional plans. Reconnaissance-level biological surveys will include general surveys and habitat assessments of project impact areas and appropriate buffers for sensitive and special-status biological resources. The qualified surveyor will 1) identify and document sensitive resources, such as riparian communities, wetlands, oak woodlands, or other sensitive habitats or designated sensitive natural communities or wildlife nursery sites or habitat, and 2)</p>	Less than Significant with Mitigation Incorporated

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		<p>assess the suitability of habitat within the project area to support special-status plant and animal species. The surveyor will also record any incidental wildlife observations.</p> <p>The project-specific BRA will also include an analysis of potential impacts on biological resources, and if it is determined during the biological resources assessment that special-status species are present within or adjacent to the project area or have the potential to occur within a project area, then the appropriate mitigation measures described below in Mitigation Measures BIO-2 through BIO-8 shall be recommended to avoid and/or reduce potential impacts as applicable. Potential measures for special-status species may include, but are not limited to, protocol-level surveys, nesting bird surveys, worker awareness trainings, and other focused preconstruction surveys as well as onsite biological monitoring during construction in sensitive habitats or habitats that could support special-status plants or wildlife.</p> <p>If it is determined that the project has potential to impact USFWS designated critical habitat and/or NMFS essential fish habitat, then the project applicant shall coordinate with CDFW and/or USFWS, as necessary, to determine avoidance and/or mitigation and/or measures to reduce potential impacts to a level that would be less than significant. Depending on site-specific conditions, agency involvement may be triggered through the regulatory permitting process or direct agency consultation.</p> <p>Mitigation Measure BIO-2: Conduct Worker Awareness Training for Applicable Special-Status Species</p> <p>If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that any special-status species have the potential to occur within a project area</p>	

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		<p>or be affected by project construction, then a qualified biologist shall provide environmental awareness training to all project-related personnel before the initiation of work. The training shall include the identification methods for the relevant potentially occurring special-status species, required best management practices to implement before the start of construction, general measures that are being implemented to protect the species as they relate to the project, penalties for non-compliance, and boundaries of the permitted disturbance zones. Upon completion of the training, all construction personnel will sign a form stating that they have attended the training and understand all the measures. Proof of this instruction shall be kept on file with the biologist on-site and the project applicant.</p> <p>Mitigation Measure BIO-3: Implement Mitigation Measures for Special-Status Plant Species</p> <p>If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that special-status plant species have the potential to occur within a project area or be affected by project construction, then the following measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts to special-status plants.</p> <ul style="list-style-type: none"> • Focused special-status plant surveys shall be conducted by a qualified biologist during the appropriate identification (blooming) periods before any ground disturbing activities in suitable habitat. Surveys shall be conducted as specified in this measure or according to the most current agency guidelines. If no special-status plants are observed, then a letter report documenting the survey results shall be prepared and submitted to 	

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		<p>the project applicant and El Dorado County, and no further measures are recommended.</p> <ul style="list-style-type: none"> • If special-status plants are observed within the project area, the location of the special-status plants shall be marked with pin flags or other highly visible markers and recorded with GPS equipment. The project applicant shall determine if the special-status plant(s) on-site can be avoided by project design or utilize construction techniques to avoid impacts to the special-status plant species. All special-status plants to be avoided shall have exclusion fencing or other highly visible material marking the avoidance area, and the avoidance area shall remain in place throughout the entire construction period. Avoidance areas shall also be marked on project plans. • If special-status plants are found within the project area and cannot be avoided, the project applicant shall consult with CDFW and/or USFWS, as appropriate, to determine appropriate measures to mitigate for the loss of special-status plant populations. These measures may include gathering seed from impacted populations for planting within nearby appropriate habitat or within the project footprint after construction, topsoil salvage and replacement, preserving or enhancing existing off-site populations of the plant species affected by the project, or restoring suitable habitat for special-status plant species habitat as directed by the regulatory agencies. <p>Mitigation Measure BIO-4: Implement Mitigation Measures for Special-Status Aquatic Species</p> <p>If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that special-status</p>	

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		<p>aquatic species (Lahontan cutthroat trout, Lahontan mountain sucker, steelhead, mountain whitefish, Lahontan lake tui chub, southern long-toed salamander, Mount Lyell salamander, western spadefoot, California red-legged frog, foothill yellow-legged frog [North and South Sierra DPS], northern leopard frog, Sierra Nevada yellow-legged frog, or northwestern pond turtle) have the potential to occur within a project area or be impacted by construction, then the following measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts.</p> <ul style="list-style-type: none"> • Project applicants shall consult with the qualified biologist during the project design phase to ensure that project designs make every attempt to avoid impacts to aquatic resources through project alignment shifts, work area restrictions, construction methods, or other means. • A qualified biologist shall map aquatic resources with a sub-meter GPS and delineate suitable aquatic habitats as described in Mitigation Measure BIO-9. These aquatic features shall have wildlife exclusion fencing installed around them prior to the start of construction. Wetland avoidance areas shall be depicted in project work plans. Fencing shall be solid fencing and not include a mesh design that could trap wildlife. Fencing shall be trenched into the soil at least six inches, and the soil must be carefully compacted against both sides of the fence for its entire length to prevent animals from entering the construction area. Exclusion fencing will be inspected daily for the duration of construction to ensure it remains intact, and any holes, tears, or gaps will be repaired immediately. Fencing will be removed upon construction completion. 	

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		<ul style="list-style-type: none"> • Focused surveys for special-status aquatic species (Lahontan cutthroat trout, Lahontan mountain sucker, steelhead, mountain whitefish, Lahontan lake tui chub, southern long-toed salamander, Mount Lyell salamander, western spadefoot, California red-legged frog, foothill yellow-legged frog [North and South Sierra DPS], northern leopard frog, Sierra Nevada yellow-legged frog, or northwestern pond turtle) shall be conducted by a qualified biologist according to the most current agency protocols (https://wildlife.ca.gov/Conservation/Survey-Protocols) before any ground disturbing activities in suitable habitat. If no special-status aquatic species are detected, then a letter report documenting the survey results should be prepared and submitted to the project applicant, and no further measures are recommended. • A qualified biologist shall conduct a pre-construction survey for special-status aquatic species within 24 hours before the start of grading or land-disturbing activities. If the survey shows that there is no evidence of these species, then a letter report shall be prepared to document the survey and provided to the project applicant and El Dorado County, and no additional measures are recommended. If development does not commence within 24 hours of the survey, or halts for more than seven days, then an additional survey is required before starting or resuming work. <ul style="list-style-type: none"> ○ If any of these species are observed during the survey, no work shall occur within a 250-foot buffer of the species occurrence until consulting with the appropriate wildlife 	

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		<p>agencies to determine if additional mitigation and avoidance measures are required.</p> <ul style="list-style-type: none"> A qualified biologist shall monitor construction and be present during all ground disturbance activities within suitable habitat for special-status species. If any of these special-status species are observed within the project area, all work shall immediately halt in the vicinity of the special-status aquatic species to allow the species to leave the area of its own will. If the special-status aquatic species is in immediate danger, the qualified biologist shall relocate the species outside of the construction zone, at a safe distance from all construction-related activities, and within suitable habitat as approved by the wildlife agencies. No one other than the qualified biologist shall handle, take, or otherwise harass the aquatic species. No work within a 250-foot buffer of the species occurrence shall resume until the aquatic species has left the project area or been relocated from areas of potential disturbance. <p>Mitigation Measure BIO-5: Implement Mitigation Measures for Coast Horned Lizard</p> <p>If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that coast horned lizard has the potential to occur within a project area or be impacted by construction, then the following mitigation measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts.</p> <ul style="list-style-type: none"> A qualified biologist shall conduct a pre-construction survey for coast horned lizard within 24 hours before the start of grading or land-disturbing activities. Surveys 	

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		<p>shall be conducted as specified in this measure or according to the most current agency guidelines. If the survey shows that there is no evidence of this species, then a letter report shall be prepared to document the survey and provided to the project applicant and El Dorado County, and no additional measures are recommended. If development does not commence within 24 hours of the survey, or halts for more than seven days, then an additional survey is required before starting or resuming work.</p> <ul style="list-style-type: none"> ○ If any coast horned lizards are observed during the survey, no work shall occur until CDFW has been consulted to determine appropriate mitigation and avoidance measures. • A qualified biologist shall monitor construction and be present during ground disturbance activities within suitable habitat. If coast horned lizards are observed within the project area during work, all work shall immediately halt in the vicinity of the observation to allow the lizard to leave the area of its own will. If the lizard is in immediate danger, the qualified biologist shall relocate the lizard outside of the construction zone, at a safe distance from all construction-related activities, and within suitable habitat as approved by CDFW. No one other than the qualified biologist shall handle, take, or otherwise harass the animal. No work within a 250-foot buffer of the species occurrence shall resume until the animal has moved or been removed from areas of potential disturbance. <p>Mitigation Measure BIO-6: Implement Mitigation Measures for Special-Status Bird Species and Other Nesting Birds</p>	

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		<p>Active nests are protected by the California Fish and Game Code Section 3503.5 and the MBTA. Construction activities could result in disturbance of nest sites through temporary increases in ambient noise levels and increased human activity. In addition, vegetation clearing operations, including pruning or the removal of trees and shrubs, could impact nesting birds if these activities occur during the nesting season (February 1 to August 31). All vegetation clearing, including removal of trees and shrubs, shall be completed between September 1 and January 31, if feasible. If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1, that special-status bird species and other nesting birds have the potential to occur within a project area or be impacted by construction, then the following mitigation measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts.</p> <ul style="list-style-type: none"> • If construction activities are proposed to begin during the non-breeding season (September 1 through January 31), a survey is not required, and no further studies are necessary. • If vegetation removal and grading activities begin during the nesting season (February 1 to August 31), the project applicant shall require that a qualified biologist conduct a pre-construction survey of the project area for active nests. Additionally, the surrounding 500 feet should be surveyed for active raptor nests, where accessible. The pre-construction survey should be conducted within 7 days before the commencement of ground-disturbing activities. Surveys shall be conducted as specified in this measure or according to the most current agency guidelines. If the pre-construction survey shows that there is no 	

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		<p>evidence of active nests, a letter report shall be prepared to document the survey, and no additional measures are recommended. If construction does not commence within 7 days of the pre-construction survey, or halts for more than 7 days, an additional survey is required before starting work.</p> <ul style="list-style-type: none"> If nests are found during construction activities and considered to be active, the qualified biologist shall establish buffer zones to prohibit construction activities and minimize nest disturbance until the young have successfully fledged. Buffer width will be determined by the qualified biologist and will depend on the species in question, surrounding existing disturbances, and specific site characteristics, but may range from 20 feet for some songbirds to 250 feet for most raptors. If active nests are found within any trees slated for removal, then an appropriate buffer shall be established around the trees and the trees will not be removed until the qualified biologist determines that the nestlings have successfully fledged. <p>Mitigation Measure BIO-7: Implement Mitigation Measures for Special-Status Bat Species</p> <p>If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that special-status bat species (pallid bat or Townsend's big eared bat) have the potential to occur within a project area or be impacted by construction, then the following mitigation measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts.</p>	

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		<ul style="list-style-type: none"> The project applicant shall require that a qualified biologist conduct a pre-construction survey within 7 days before clearing or grading operations. Surveys shall be conducted as specified in this measure or according to the most current agency guidelines. If no bats are observed, a letter report should be prepared and submitted to the project applicant and El Dorado County to document the survey, and no additional measures are recommended. If construction does not commence within 7 days of the pre-construction survey, or halts for more than 7 days, an additional survey shall be completed before starting work. If bats are present and roosting on or within 100 feet of the project area, then the qualified biologist shall establish an appropriate buffer around the roost site. At minimum, no trees or structures shall be removed until the biologist has determined that the bat is no longer roosting in the tree or structure. Additional mitigation measures for bat species, such as the installation of bat boxes or alternate roost structures, would be recommended if special-status bat species are found to be roosting within the project area. <p>Mitigation Measure BIO-8: Implement Mitigation Measures for Other Special-Status Mammal Species</p> <p>If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1, that special-status mammal species (Sierra Nevada mountain beaver, Sierra Nevada snowshoe hare, Sierra Nevada red fox, fisher, wolverine, or American badger) have the potential to occur within a project area or be impacted by construction, then the following mitigation measures shall be included in the project-specific</p>	

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		<p>BRA, relevant CEQA documents, and the associated MMRP, to avoid and/or reduce potential impacts.</p> <ul style="list-style-type: none"> • Focused surveys for special-status mammal species (Sierra Nevada mountain beaver, Sierra Nevada snowshoe hare, Sierra Nevada red fox, fisher, wolverine, or American badger) shall be conducted by a qualified biologist as appropriate and following the most recent agency protocol (https://wildlife.ca.gov/Conservation/Survey-Protocols#377281285-mammals) before any ground disturbing activities in suitable habitat. Focused survey methods may include camera trapping or the use of track plates over extended periods of time. If no special-status mammals are detected, then a letter report documenting the survey results shall be prepared and submitted to the project applicant, and no further measures are recommended. • A qualified biologist shall conduct a preconstruction survey for special-status mammals no more than 7 days prior to the beginning of ground disturbance related to construction activities, or any other project activity likely to impact them (such as staging, mowing, vegetation clearing), to determine if there are any mammal dens on the project site. If there are no mammal dens on the project site, no further mitigation is necessary. If dens are located within the work area and cannot be avoided, a qualified biologist shall determine if the dens are occupied. If unoccupied, the dens shall be collapsed under the supervision of the biologist. If occupied, the biologist shall determine if it is a natal/pupping den or a solitary badger den. Dens of solitary individuals may be collapsed under the supervision of the biologist once the animal has vacated 	

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		the den. Natal/pupping dens shall be avoided by establishment of an exclusion zone around the den, the size of the exclusion zone shall be determined by the qualified biologist on site, until the young are old enough to leave the den and survive on their own.	
<p>BIO-2: The proposed project may result in a substantial adverse effect on a sensitive natural community.</p>	<p>Potentially Significant</p>	<p>Mitigation Measure BIO-9: Jurisdictional Delineation and Regulatory Permitting</p> <p>If it is determined that impacts to jurisdictional waters or other sensitive natural communities cannot be avoided, then the project applicant of an individual fiber project shall apply for any necessary permits from the USACE, CDFW, and the RWQCB (e.g., Section 401/404 permits, CDFW Lake or Streambed Alteration Agreement, etc.) prior to approval. If necessary, a formal delineation of wetlands and “other waters” of the U.S. shall be prepared in accordance with USACE’s Corps of Engineers Wetlands Delineation Manual and appropriate regional supplements to determine the extent of aquatic resources and quantify impacts. Impacts to jurisdictional waters and/or sensitive natural habitat shall be mitigated in accordance with agency requirements.</p> <p>Mitigation Measure BIO-10: Oak Resources Inventory</p> <p>If it is determined during the biological resources assessment that an individual fiber project will result in impacts to oak resources, depending on the location of an individual fiber project, the County, incorporated cities, or TRPA may require mitigation for impacts to oak resources or regulated individual oak trees. Depending on the location of the individual fiber project, the County Community Planning and Building Department, City of Placerville Planning Division, City of South Lake Tahoe Planning Division, and/or TRPA may require an inventory of prematurely</p>	<p>Less than Significant with Mitigation Incorporated</p>

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		removed trees or canopy cover to determine the extent of the loss prior to approval of the individual fiber project. The inventory shall be prepared by a resource professional with expertise in oak woodlands ecology who is on the list of qualified consultants maintained by the County Community Planning and Building Department, City of Placerville Planning Division, City of South Lake Tahoe Planning Division, or TRPA. Resource professionals may include botanists, ecologists, wildlife biologists, and foresters.	
BIO-3: The proposed project may result in a substantial adverse effect on State or federally protected wetlands (including, but not limited to marsh, vernal pool, coastal, etc.) or other waters of the U.S. and State through direct removal, filling, hydrological interruption, or other means.	Potentially Significant	See Mitigation Measure BIO-9	Less than Significant with Mitigation Incorporated
BIO-4: The proposed project may interfere with the movement of native resident wildlife species or with established native resident or migratory wildlife corridors.	Potentially significant	See Mitigation Measure BIO-1 through BIO-8	Less than Significant with Mitigation Incorporated
BIO-5: The proposed project may conflict with local policies or ordinances protecting biological resources.	Potentially Significant	See Mitigation Measure BIO-1 and Mitigation Measure BIO-10	Less than Significant with Mitigation Incorporated
BIO-6: The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.	No Impact	N/A	N/A
BIO-7: The proposed project may result in a significant cumulative impact with respect to biological resources.	Potentially Significant	See Mitigation Measures BIO-1 through BIO-10	Less than Significant with Mitigation Incorporated

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
Cultural Resource			
CUL-1: The proposed project would not cause a substantial change in the significance of a historical resource pursuant to Section 15064.5.	Less than Significant	N/A	N/A
CUL-2: The proposed project may cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5	Potentially Significant	<p>Mitigation Measure CUL-1: Archaeological Cultural Resources Investigations</p> <p><i>Preconstruction Screening Identification</i></p> <p>Prior to each phase of individual fiber projects, including installation and/or use of appurtenant structures, unpaved staging areas, and fiber optic line, El Dorado County shall request a records search for all project footprints for construction activities that require ground disturbance in areas that have not been previously subject to such disturbance. For those areas of native, unpaved soil that have not been adequately surveyed for archaeological cultural resources in the past, the County shall require a pedestrian field survey by a qualified professional archaeologist. If archaeological cultural resources are identified as a result of that survey, the County shall implement the recommendations of the consulting archaeologist to avoid or substantially reduce the severity of impacts on such resources. For those areas that have been surveyed previously, the County shall abide by the recommendations of the professional archaeologist who conducted the original survey.</p>	Less than Significant with Mitigation Incorporated

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		<p>Known Resource Conflicts</p> <p>In the event that the records search described above identifies archaeological cultural resources that would be subject to a project-related impact, the County shall evaluate the status of the resource under CEQA. The archaeological resource shall be assessed for significance through the implementation of a Phase II investigation by a qualified archaeologist. This may require some or all of the following:</p> <ul style="list-style-type: none"> • Development of a research design that guides assessments of site significance and scientific potential. • Mapping and systematic collection of a representative sample of surface artifacts. • Subsurface investigation through shovel test pits, surface scrapes, or 1-by-1 meter excavation units; a combination of such methods; or equivalent methods. • Analysis of recovered material to determine significance pursuant to the CEQA Guidelines. • Preparation of a report, including an evaluation of site significance, and recommendations for mitigation, if appropriate. • Appropriate curation of collected artifacts. 	

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		<p>If the resource is precontact in nature, the Phase II investigation shall be coordinated with descendant tribal communities. If the Phase II evaluation concludes that the archaeological resource does not qualify as a historical resource (PRC Section 21084.1) or unique archaeological resource (PRC Section 21083.2), then no further study or protection of the resource is necessary. If the resource does qualify as a historical or unique archaeological resource, then the County shall require the implementation of the Phase III approach described below.</p> <p>A Phase III data recovery effort, in accordance with CEQA Guidelines, shall be implemented by the consulting archaeologist for those sites that are shown by the Phase II efforts to qualify as significant under CEQA. The County shall ensure that data recovery conducted to the level that reduces impacts to below the level of significance has been completed prior to individual fiber project implementation. The Phase III data recovery program shall include all or a combination of the following methods:</p> <ul style="list-style-type: none"> • Development of a research design to identify important research questions that may be answered through a systematic study of the resource. • Mapping and systematic collection of surface artifacts, possibly complete data recovered depending on site size. 	

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		<ul style="list-style-type: none"> Subsurface investigation through methods such as controlled hand-excavation units, machine excavations, deep testing, or a combination of methods. When applicable, other techniques, such as geophysical testing, may be warranted. Analysis of recovered material through visual inspection and chemical analysis when applicable. Preparation of a report. Appropriate curation of collected artifacts. <p>If the resource is precontact in nature, the Phase III investigation shall be coordinated with descendant tribal communities.</p>	
CUL-3: The proposed project may cause a substantial adverse change in the significance of archaeological cultural resources that are accidentally discovered during project construction	Potentially Significant	<p>Mitigation Measure CUL-2: Inadvertent Discovery of Archaeological Cultural Resources</p> <p>In the event that cultural resources are exposed during ground-disturbing activities, construction activities shall be halted within 100 feet of the discovery. Cultural resources could consist of but are not limited to stone, bone, wood, or shell artifacts, or features, including hearths, structural remains, or historic-era dumpsites. If the resources cannot be avoided during the remainder of construction, a consulting archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for archaeology shall assess the resource and provide appropriate management recommendations. The County shall implement those recommendations to avoid or substantially reduce the severity of impacts on significant resources.</p>	Less than Significant with Mitigation Incorporated
CUL-4: The proposed project may disturb human remains, including those interred outside of formal cemeteries	Less than Significant	N/A	N/A

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
CUL-5: The proposed project may result in cumulative impacts to cultural resources.	Potentially Significant	See Mitigation Measure CUL-1 and Mitigation Measure CUL-2	Less than Significant with Mitigation Incorporated
Energy			
EN-1: The proposed project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation.	Less than Significant	N/A	N/A
EN-2: The proposed project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency.	Less than Significant	N/A	N/A
EN-3: The proposed project would not contribute to a significant cumulative impact due to energy resources.	Less than Significant	N/A	N/A
Geology and Soils			
GEO-1: The proposed project would not directly or indirectly cause potential substantial adverse effects involving rupture of known earthquake fault, strong seismic ground shaking, or seismic-related ground failure, including liquefaction or landslides.	Less than Significant	N/A	N/A
GEO-2: The proposed project would not result in substantial soil erosion or loss of topsoil.	Less than Significant	N/A	N/A
GEO-3: The project would not 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 the on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.	Less than Significant	N/A	N/A

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
GEO-4: The proposed project would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1194) and would not create substantial direct or indirect risks to life or property.	Less than Significant	N/A	N/A
GEO-5: The proposed project would not require the use of septic tanks or an alternative wastewater disposal system.	No Impact	N/A	N/A
GEO-6: The proposed may directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	Less than significant	N/A	N/A
GEO-7: The proposed project may result in a significant cumulative impact with respect to geology and soils.	Less than significant	N/A	N/A
Greenhouse Gas Emissions			
GHG-1: Implementation of the project would not generate GHG emissions that may have a significant impact on the environment.	Less than Significant	N/A	N/A
GHG-2: Implementation of the project would not conflict with or obstruct implementation of applicable GHG reduction plans, policies, or regulations.	Less than Significant	N/A	N/A
GHG-3: The proposed project would not contribute to a significant cumulative impact to regional and State GHG emissions.	Less than Significant	N/A	N/A
Hazards and Hazardous Materials			
HAZ-1: The proposed project would not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials.	Less than Significant	N/A	N/A

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
HAZ-2: The proposed project may 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.	Potentially Significant	See Mitigation Measure AQ-2	Less than Significant with Mitigation Incorporated
HAZ-3: The proposed project may emit hazardous emissions or require handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	Potentially Significant	See Mitigation Measure AQ-2	Less than Significant with Mitigation Incorporated
HAZ-4: The proposed project may be located on a site that is included on a list of hazardous materials sites compiled pursuant to Section 65962.5 of the California Government Code and, as a result, would not create a significant hazard to the public or the environment.	Potentially Significant	See Mitigation Measure AQ-2	Less than Significant with Mitigation Incorporated
HAZ-5: The proposed project may be located within an airport land use plan or within two miles of a public airport or public use airport, however, the proposed project would not result in a safety hazard or excessive noise for people residing or working in the project area.	Less than Significant	N/A	N/A
HAZ-6: The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	Potentially Significant	See Mitigation Measure TRA-1	Less than Significant with Mitigation Incorporated
HAZ-7: The proposed project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.	Less than Significant	N/A	N/A

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
HAZ-8: The proposed project may contribute to a significant cumulative impact with respect to hazards and hazardous substances.	Potentially Significant	See Mitigation Measure AQ-2 and Mitigation Measure TRA-1	Less than Significant with Mitigation Incorporated
Hydrology and Water Quality			
HYD-1: The proposed project would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.	Less than Significant	N/A	N/A
HYD-2: The proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.	Less than Significant	N/A	N/A
HYD-3: The project may alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (i) result in substantial erosion or siltation on- or off-site; (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; (iii) 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; or (iv) impede or redirect flood flows.	Less than Significant	N/A	N/A
HYD-4: The project would not risk release of pollutants due to project inundation due to flood hazards, tsunamis, or seiches.	Less than Significant	N/A	N/A

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
HYD-5: The proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.	Less than Significant	N/A	N/A
HYD-6: The proposed project would not contribute to a significant cumulative impact with respect to hydrology and water quality resources.	Less than Significant	N/A	N/A
Land Use and Planning			
LUP-1: The proposed project would not physically divide an established community.	Less than Significant	N/A	N/A
LUP-2: The proposed project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.	Less than Significant	N/A	N/A
LUP-3: The proposed project would not result in a significant cumulative impact with respect to land use and planning.	Less than Significant	N/A	N/A
Mineral Resources			
MIN-1: The proposed project would not 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.	Less than Significant	N/A	N/A
MIN-2: The proposed project would not 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.	Less than Significant	N/A	N/A
MIN-3: The proposed project would not result in a significant cumulative impact with respect to mineral resources.	Less than Significant	N/A	N/A

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
Noise			
<p>NOI-1: The proposed project may result in a temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the County Noise Ordinance.</p>	<p>Potentially Significant</p>	<p>Mitigation Measure NOI-1: Construction Hours</p> <p>Construction activities shall not occur outside the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, or outside the hours of 8:00 a.m. and 5:00 p.m. on weekends, or at all on federally recognized holidays. Prior to starting construction activities, the project applicant or construction contractor shall post a publicly visible sign at the entrance to the individual fiber project site listing the allowable construction hours and the contact information, including telephone numbers, to report noise violations to the County and the contractor.</p> <p>Mitigation Measure NOI-2: Backup Generator Noise Control</p> <p>Prior to approving individual fiber projects that require an emergency back generator, the County shall verify project plans including the following:</p> <ul style="list-style-type: none"> Where feasible, emergency backup generators shall be installed no closer than 60 feet from any noise sensitive land use (NSLU; e.g., residences, schools, hospitals, convalescent homes, churches, libraries) in a community area, and no closer than 105 feet from any NSLU in a rural area. If it is not feasible to locate emergency generators 60 feet or more from NSLU in community areas or 105 feet or more from NSLUs in rural areas, the project proponent shall incorporate noise attenuating features (e.g., generator sound enclosures, noise barriers) into the equipment installation sufficient to reduce generator noise levels to 50 dBA LEQ or less measured at outdoor use areas or building edges of the closest NSLU. Noise levels at NSLUs shall be verified by a qualified acoustical professional. 	<p>Less than Significant with Mitigation Incorporated</p>

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
NOI-2: The proposed project would not result in the generation of excessive groundborne vibration levels.	Potentially Significant	<p>Mitigation Measure NOI-3: Vibratory Roller Use</p> <p>Prior to issuing individual project construction approvals or permits, the County shall insure that construction documentation includes the following restrictions. Vibratory rollers shall be used in static mode only (no vibrations) within the following distances:</p> <ul style="list-style-type: none"> • Within 15 feet of any occupied building; and • Within 18 feet of any older residential building; and • Within 60 feet of a fragile historical building, ruin, or ancient monument. 	Less than Significant with Mitigation Incorporated
NOI-3: The proposed project would not expose people residing or working in the project area to excessive noise levels from public use airports or private airstrips.	Less than Significant	N/A	N/A
NOI-4: The proposed project may contribute to a cumulatively considerable impact on ambient noise levels in the County.	Potentially Significant	See Mitigation Measure NOI-1, Mitigation Measure NOI-2, and Mitigation Measure NOI-3	Less than Significant with Mitigation Incorporated
Population and Housing			
POP-1: The proposed project would not induce substantial unplanned population growth in an area, either directly or indirectly.	Less than Significant	N/A	N/A
POP-2: The proposed project would not displace existing people or housing or necessitate the construction of replacement housing elsewhere.	Less than Significant	N/A	N/A
POP-3: The proposed project would not contribute to a cumulatively considerable impact on population and housing.	Less than Significant	N/A	N/A

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
Public Services			
PS-1: The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered government 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: fire protection, police protection, schools, parks, or other public facilities.	Less than Significant	N/A	N/A
PS-2: The proposed project would not result in a significant cumulative impact with respect to public services.	Less than Significant	N/A	N/A
Recreation			
REC-1: The proposed project would not 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.	Less than Significant	N/A	N/A
REC-2: The proposed project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.	Less than Significant	N/A	N/A
REC-3: The proposed project would not result in a significant cumulative impact with respect to recreation.	Less than Significant	N/A	N/A

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
Transportation			
TRA-1: The proposed project may conflict with a program, plan, ordinance, or policy addressing the circulation system including transit, roadway, bicycle, and pedestrian facilities.	Potentially Significant	<p>Mitigation Measure TRA-1: Traffic Control and Detour Plan</p> <p>Prior to the issuance of an encroachment permit, a Traffic Control and Detour Plan shall be developed for individual fiber projects that would require an encroachment permit for construction activities along ROW to manage traffic during construction. The applicant shall consult with the Lead Agency and/or Caltrans prior to initiation of construction activities that may affect area traffic (such as construction staging necessitating lane closure, trenching, etc.) to ensure that the Traffic Control and Detour Plan is prepared in conformance with applicable code and ordinance requirements for emergency access. The construction contractor shall implement appropriate traffic controls identified in the Traffic Control and Detour Plan in accordance with the California Vehicle Code and other State and local requirements to avoid or minimize impacts on traffic during construction. The Traffic Control and Detour Plan shall be submitted to the agency responsible for issuing the encroachment permit for review and approval prior to the commencement of construction activities.</p>	Less than Significant with Mitigation Incorporated
TRA-2: The proposed project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).	Less than Significant	N/A	N/A
TRA-3: The proposed project may substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	Potentially Significant	See Mitigation Measure TRA-1	Less than Significant with Mitigation Incorporated
TRA-4: The proposed project may result in inadequate emergency access.	Potentially Significant	See Mitigation Measure TRA-1	Less than Significant with Mitigation Incorporated
TRA-5: The proposed project may contribute to a significant cumulative impact with respect to transportation.	Potentially Significant	See Mitigation Measure TRA-1	Less than Significant with Mitigation Incorporated

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
Tribal Cultural Resources			
TCR-1: The proposed project may cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geologically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).	Potentially Significant	<p>Mitigation Measure TCR-1: Tribal Consultation</p> <p>When an application for an individual fiber project is deemed complete by El Dorado County, the County, as CEQA Lead Agency, shall conduct the appropriate tribal consultation outreach to relevant California Native American tribes, pursuant to PRC Section 21080.3.1, for all individual fiber projects included within the scope of the El Dorado County Broadband Fiber Project Program EIR prior to project approval. Pursuant to PRC Section 21080.3.1 (b), the tribes will have 30 days for AB 52 from the receipt of the request for consultation to either request or decline consultation, in writing, with the County for each proposed individual fiber project. In the event that a general plan or specific plan adoption or amendment is required for the implementation of an individual fiber project, the County shall comply with the requirements of Senate Bill 18 (SB 18), in coordination with AB 52, as described in California Government Code Section 65352.3.</p>	Less than Significant with Mitigation Incorporated
TCR-2: The proposed project may cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geologically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: 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 Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall	Potentially Significant	See Mitigation Measure TCR-1	Less than Significant with Mitigation Incorporated

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
consider the significance of the resource to a California Native American tribe.			
TCR-3: The proposed project may cause a substantial adverse change in the significance of a tribal cultural resource inadvertently discovered during construction.	Potentially Significant	<p>Mitigation Measure TCR-2: Tribal Treatment and Tribal Consultation</p> <p>In the event that potential tribal cultural resources (TCRs) are exposed during ground-disturbing activities, construction activities (e.g., grading, grubbing, or vegetation clearing) shall be halted in the immediate vicinity of the discovery. The consulting tribe that is culturally and geographically affiliated with the area shall then be retained to evaluate if the resource is a Tribal Cultural Resource, and thus significance under CEQA. If the discovery is a Tribal Cultural Resource, additional work and mitigation measures shall be required, such as those listed in PRC §21084.3, as deemed appropriate by the tribal organization consulting on the find. Such mitigation may include avoidance and preservation in place as the preferred alternative.</p>	Less than Significant with Mitigation Incorporated
TCR-4: The proposed project may result in a cumulative impact with respect to tribal cultural resources.	Potentially Significant	See Mitigation Measure TCR-1 and Mitigation Measure TCR-2	Less than Significant with Mitigation Incorporated
Utilities and Service Systems			
UTL-1: The proposed project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.	Less than Significant	N/A	N/A

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
UTL-2: The proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.	Less than Significant	N/A	N/A
UTL-3: The proposed project would not 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.	Less than Significant	N/A	N/A
UTL-4: The proposed project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.	Less than Significant	N/A	N/A
UTL-5: The proposed project would comply with federal, State, and local management and reduction statutes and regulations related to solid waste.	Less than Significant	N/A	N/A
UTL-6: The proposed project would not result in a significant cumulative impact with respect to utilities.	Less than Significant	N/A	N/A
Wildfire			
FIRE-1: The proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan.	Potentially Significant	See Mitigation Measure TRA-1	Less than Significant with Mitigation Incorporated
FIRE-2: Due to slope, prevailing winds, and other factors, the project would not exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.	Less than Significant	N/A	N/A

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
FIRE-3: The proposed project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.	Less than Significant	N/A	N/A
FIRE-4: The proposed project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.	Less than Significant	N/A	N/A
FIRE-5: The proposed project would be located in a State Responsibility Area but would not contribute to a significant cumulative impact with respect to wildfire.	Potentially Significant	See Mitigation Measure TRA-1	Less than Significant with Mitigation Incorporated

2.0 ENVIRONMENTAL REVIEW PROCESS

This Final PEIR identifies and analyzes site specific potential impacts of the project which were determined in the Draft PEIR. The analysis of the Draft PEIR discloses the specific short-term impacts (construction) and long-term impacts (operation) that would occur as a result of project approval and implementation.

2.1 DRAFT PEIR

As described in Section 1.5, Issues to be Resolved, above, the County determined that the proposed project could result in potentially significant environmental impacts and that an EIR would be required. The scope of the Draft PEIR was established by the County of El Dorado County through the EIR scoping process and includes an analysis of both the proposed project's impacts and cumulative impacts in the following issue areas:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utility and Service Systems
- Wildfire

The Draft PEIR was prepared to meet the requirements of a program EIR as defined in CEQA Guidelines Section 15168(c) for streamlining later activities. The Draft PEIR addressed the environmental effects associated with the proposed project to provide a high-level review of the environmental impacts of individual fiber projects, and approval and implementation of the EIR would allow for these future projects to tier off of the PEIR.

The Draft PEIR was available for review by the public and interested parties, agencies, and organizations for a 45-day comment period starting on March 14, 2025, and ending on April 28, 2025. During the comment period, the public was invited to submit written comments on the Draft PEIR via mail or e-mail to El Dorado County. One agency comment letter from CDFW was submitted via email on April 28, 2025 and is included in Appendix A of this Final PEIR.

2.2 FINAL PEIR

Upon completion of the 45-day review period for a Draft PEIR, the County reviewed the comment received and prepared a written response for the comment. This Final PEIR consists of the comments received on the Draft PEIR the responses to those comments and describes any changes to the Draft PEIR that have resulted from the comments received.

The El Dorado County Board of Supervisors, an elected body, would make the decisions regarding both the PEIR and project. If the El Dorado County Board of Supervisors determines that the project may be

approved, it will certify this Final PEIR and adopt and incorporate into the project all feasible mitigation measures identified in the PEIR and may also require other feasible mitigation measures as conditions of approval. However, the Board of Supervisors may also find that the project does not satisfy the required findings for approval and decide to reject the project on that basis. In that case, the Board of Supervisors is not required to certify the Draft PEIR.

3.0 RESPONSE TO COMMENTS

This section includes a reproduction of, and responses to, each comment letter received during the public review period on the Draft PEIR. Comments are presented in their original format in Appendix A along with annotations that identify each individual comment number. Where the same comment has been made more than once, a response may direct the reader to another numbered comment and responses. Where a response requires revisions to the Draft PEIR, these revisions are shown in Chapter 4.0, Errata, of this Final PEIR.

LETTER A – CDFW, NORTH CENTRAL REGION, EMAIL CORRESPONDENCE; DATED APRIL 28, 2025

Comment A-1:

Dear Kyle Zimbelman,

The California Department of Fish and Wildlife (CDFW) received and reviewed the Notice of Availability of a DPEIR from the County of El Dorado (County) for the El Dorado County Broadband Fiber Project (Project) pursuant the California Environmental Quality Act (CEQA) statute and guidelines.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish, wildlife, native plants, and their habitat. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may need to exercise its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (Fish & G. Code, § 1802.) Similarly for purposes of CEQA, CDFW provides, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW may also act as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species

protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

The Project site is located within the unincorporated areas of El Dorado County (County) and two incorporated cities within the County, the City of Placerville and City of South Lake Tahoe.

The Project consists of installation of fiber optic lines either underground in buried conduits, overhead on existing or newly constructed utility poles, or in a combination of both. Most of the infrastructure is anticipated to be constructed within the typical roadway cross section, or Caltrans public ROW. However, broadband infrastructure could also be constructed on private disturbed and federal lands.

The Project description should include the whole action as defined in the CEQA Guidelines section 15070 and should include appropriate detailed exhibits disclosing the Project area including temporary impacted areas such as equipment staging areas, spoils areas, adjacent infrastructure development, and access and haul roads if applicable.

Response A-1:

This comment provides a summary of CDFW's role and the project description. The comment does not raise any environmental issue related to the specific contents of the Draft PEIR, and no response is required.

Comment A-2:

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County in adequately identifying and, where appropriate, mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document. Based on the Project's avoidance of significant impacts on biological resources with implementation of mitigation measures, CDFW concludes that an Environmental Impact Report is appropriate for the Project.

CDFW is primarily concerned with the project impacts to existing fish and wildlife resources including California red-legged frog (*Rana draytonii*) and Sierra Nevada yellow-legged frog (*Rana sierrae*). As well as project impacts that may substantially adversely affect any river, stream, or lake.

Response A-2:

This comment provides an introduction to CDFW's comments, and emphasizes the agency's primary concerns. See Response A-3 through Response A-7 below.

Comment A-3:

COMMENT 1: 3.6.2 California Department of Fish and Wildlife (CDFW), page 3-6

Issue: This section describes requirements under Fish and Game Code Section 1602 for any project activity that may substantially adversely affect a river, stream, or lake.

Recommendation: CDFW recommends the County note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water. Upon receipt of a complete notification, CDFW will determine if the Project activities may substantially adversely affect existing fish and wildlife resources and whether a Lake and Streambed Alteration (LSA) Agreement is required. The Project as currently proposed in the draft DPEIR may require an LSA Agreement. An LSA Agreement will include measures necessary to protect existing fish and wildlife resources.

CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, the draft DPEIR and any subsequent future project analyses should fully identify the potential impacts to lake, stream, or riparian resources, and provide adequate avoidance, minimization, mitigation, and monitoring and reporting commitments.

Response A-3:

The County will note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round), including ephemeral streams and watercourses with a subsurface flow. The County will note that this definition may also apply to work undertaken within the flood plain of a body of water.

Mitigation Measure BIO-9, Jurisdictional Delineation and Regulatory Permitting, included in Section 4.4, Biological Resources, requires that if it is determined that impacts to jurisdictional waters or other sensitive natural communities cannot be avoided, then the project applicant of an individual fiber project shall apply for any necessary permits from the USACE, CDFW, and the RWQCB prior to project approval. These permits could include a CDFW Lake or Streambed Alteration (LSA) Agreement, and the Mitigation Measure requires that impacts to jurisdictional waters and/or sensitive natural habitat shall be mitigated in accordance with agency requirements.

Comment A-4:

COMMENT 2: The Native Plant Protection Act (NPPA), pages 4.4-4 & 4.4-5

Issue: On page 4.4-4 and continuing to page 4.4-5 it states, *"provisions of the act prohibit the taking of listed plants from the wild and require notification of CDFW at least 10 days in advance of any change in land use other than changing from one agricultural use to another, which allows CDFW to salvage listed plants that would otherwise be destroyed."* Notifying CDFW at least 10 days in advance to salvage listed plants only pertains to projects that are changing from one agricultural use to another. The activities described within this DPEIR do not fall under this provision and plant species protected under the NPPA may be impacted by the project. The DPEIR does not contain adequate measures to reduce project impacts to State-listed, rare, and endangered plants to a less-than significant level.

Recommendation: CDFW recommends revising this language to the following: The Native Plant Protection Act (NPPA) (Fish & G. Code §1900 et seq.) prohibits the take or possession of State-listed rare and endangered plants, including any part or product thereof, unless authorized by CDFW or in certain limited circumstances. Take of state-listed rare and/or endangered plants due to Project activities may

only be permitted through an Incidental Take Permit (ITP) or other authorization issued by CDFW pursuant to California Code of Regulations, Title 14, section 786.9 subdivision (b). Plant species not listed as rare, threatened, endangered, or candidates for listing under the California Endangered Species Act (CESA) or NPPA may nevertheless meet the definition of rare or endangered provided in CEQA (Cal. Code Regs., tit. 14, § 15380, subd. (b)). CDFW recommends the DPEIR, and future projects that will tier off of the DPEIR, include species specific measures and/or detail how to minimize and fully mitigate the impacts to any state-listed species the Project has potential to take.

Response A-4:

The language on pg. 4.4-4 that continues on 4.4-5 has been revised to remove the language regarding notifying CDFW at least 10 days in advance to salvage listed plants only pertains to projects that are changing from one agricultural use to another in response to CDFW's comment that the activities described within this Draft PEIR do not fall under this provision and plant species protected under the NPPA may be impacted by the project. The revisions are provided in Chapter 4.0, Errata, below.

Additionally, Mitigation Measure BIO-3, Implement Mitigation Measures for Special-Status Plant Species, has been included in Section 4.4, Biological Resources, of the Final PEIR. This Mitigation Measure requires that should a site-specific BRA prepared for an individual fiber project determine that special-status plant species have the potential to occur within a project area, a qualified biologist shall conduct focused surveys prior to any ground disturbing activities in suitable habitat. Additional mitigation required would include avoidance of marked special-status plants or consultation with CDFW and/or USFWS if the special-status plant species cannot be avoided. See Chapter 4.0, Errata, and Appendix B, Mitigation Monitoring and Reporting Program, for changes made in response to this comment.

Comment A-5:

COMMENT 3: Deferred Mitigation

Issue: The DPEIR covers multiple areas where habitats exist and there is potential to result in take of a species state-listed as rare, candidate, threatened, or endangered under CESA or NPPA, either through construction or over the life of the Project. This is reflected in Appendix F: Special-Status Species Potential to Occur Table, which lists over 100 species with the potential to occur within Project area(s). However, it is not described in the DPEIR how project impacts to listed species will be reduced to less-than significant, as the DPEIR does not contain any avoidance or minimization measures which describe how significant impacts will be mitigated.

Mitigation Measure BIO-1 states that each fiber project applicant shall ensure a biological resources assessment (BRA) is conducted prior to project approval and depending on the results of the BRA, the project applicant shall coordinate with appropriate agencies to determine avoidance and minimization measures. CDFW considered this to be deferred mitigation. Section 15126.4 (a)(1)(B) of the CEQA guidelines states that formulation of mitigation measures should not be deferred until sometime in the future. Measures BIO-1 through BIO-5 and BIO-6 rely on future approvals or agreements as a means to bring identified significant environmental effects to below a level of significance. Because there is no guarantee that these approvals or cooperation with all the involved entities will ultimately occur, the mitigation measures are unenforceable and do not explain how the impacts to biological resources would be reduced to a less than significant level.

Recommendation: CDFW recommends Section 4.4: Biological Resources of the DPEIR describe in further detail how impacts to species state-listed as rare, candidate, threatened, or endangered under CESA or NPPA will be avoided and mitigated. CDFW recommends including measures for each of the species referenced in Appendix F, detailing how impacts from specific fiber installation activities will be avoided, minimized, and mitigated.

Response A-5:

In response to CDFW, the following mitigation measures have been added to the Final PEIR:

- Mitigation Measure BIO-2: Conduct Worker Awareness Training for Applicable Special-Status Species
- Mitigation Measure BIO-3: Implement Mitigation Measures for Special-Status Plant Species
- Mitigation Measure BIO-4: Implement Mitigation Measures for Special-Status Aquatic Species
- Mitigation Measure BIO-5: Implement Mitigation Measures for Coast Horned Lizard
- Mitigation Measure BIO-6: Implement Mitigation Measures for Special-Status Bird Species and Other Nesting Birds
- Mitigation Measure BIO-7: Implement Mitigation Measures for Special-Status Bat Species
- Mitigation Measure BIO-8: Implement Mitigation Measures for Other Special-Status Mammal Species

See Chapter 4.0, Errata and Appendix B, Mitigation Monitoring and Reporting Program, for the detailed mitigation measures. These mitigation measures include requirements for individual fiber projects to avoid, minimize, and mitigate impacts to special-status plant and animal species from specific fiber installation activities. These mitigation measures would be implemented prior to and during construction activities, as necessary, and would be enforced by the County.

Comment A-6:

COMMENT 4: California red-legged frog (*Rana draytonii*) and Sierra Nevada yellow-legged frog (*Rana sierrae*)

Issue: As stated within the DPEIR, within El Dorado County there are two critical habitat units for California red-legged frog (*Rana draytonii*) and Sierra Nevada yellow-legged frog (*Rana sierrae*). California red-legged frog is a California state Species of Special Concern and has been federally listed as Threatened since 1996. Sierra Nevada yellow-legged frog is state listed as Endangered since 2013 and federally listed as Endangered since 2014. Both species are protected through Cal. Code Regs. Tit. 14 § 40; California Fish and Game Code §2080. Project activities associated with fiber optic installation have a potential to directly take these species or directly and indirectly impact their aquatic and upland habitats. There are no mitigation measures within the DPEIR describing how project impacts to these species will be reduced to a level less-than significant.

Recommendation: CDFW recommends that for each future Project tiered off the DPEIR, frog surveys should be conducted prior to construction. Recommended survey methodologies can be found in CDFW's *Considerations for Conserving the Foothill Yellow-Legged Frog* (2018), available here: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=157562&inline>. For example, CDFW recommends the following survey and species considerations be incorporated into the draft DPEIR for future Project implementation:

- a. As described in the CDFW's *Considerations for Conserving the Foothill Yellow-Legged Frog* (2018) document, Visual Encounter Surveys (VES) conducted during the late summer are often the easiest method for determining presence; subadults and occasionally adults are often observed along river margins, and subadult and adult frogs will likely also be observed in tributary streams (*Crump and Scott 1994*).
- b. To increase the likelihood of detection, surveys should include at least one VES during the breeding and/or oviposition period (generally April – June), a tadpole survey four to eight weeks after the breeding survey(s), a subadult survey in late summer/early fall (generally late August to early October), and a final VES within 3 to 5 days prior to starting work.
 - i. It is important to understand that frogs are ectothermic, so ambient temperature affects the likelihood of detection. Whether the life form is larval or subadult, both stages will shelter in place under substrate and emerge and become active with warmth (i.e., detection probability increases with temperature).
- c. If a survey fails to detect frogs within suitable habitat, a follow-up survey should be conducted two to four weeks after the initial survey.
- d. Develop measures to avoid incidental take on a site- and project-specific basis.
 - i. For example, measures may vary based on the type and extent of disturbance, duration and timing of disturbance, and influence of environmental factors. A season of operation that completely avoids frog presence does not exist; if frogs are present and breeding, they may be encountered in various life stages year-round. However, in locations that have periodic dry conditions, especially prolonged dry conditions, frogs are unlikely to be encountered. Under dry conditions, especially prolonged dry conditions, frogs are unlikely to be encountered. Under dry conditions, frogs usually seek refuge in wetted tributaries (or any wetted feature).

Response A-6:

Mitigation Measure BIO-4, Implement Mitigation Measures for Special-Status Aquatic Species has been included in Chapter 4.0, Errata, and in Appendix B, Mitigation Monitoring and Reporting Program. This mitigation measure includes language that focused surveys for special-status aquatic species, including California red-legged frog (*Rana draytonii*) and Sierra Nevada yellow-legged frog (*Rana sierrae*), shall be conducted by a qualified biologist according to the most current agency protocols (<https://wildlife.ca.gov/Conservation/Survey-Protocols>) before any ground disturbing activities in suitable habitat to avoid, minimize, and mitigate impacts from specific fiber installation activities. This mitigation measure would be implemented prior to and during construction activities and would be enforced by the County.

Comment A-7:**COMMENT 5: Incidental Take Permit (ITP)**

Issue: As previously stated in Comment #4, the DPEIR covers multiple areas where habitats exist and there is potential to result in take of species state-listed as rare, candidate, threatened, or endangered under CESA or NPPA, either through construction or over the life of the Project. This is reflected in Appendix F: Special-Status Species Potential to Occur Table, which lists over 100 species with the potential to occur within Project area(s).

Recommendation: CDFW recommends that an ITP be obtained where the Project has the potential to result in take of a species state listed as rare, candidate, threatened, or endangered under CESA or NPPA, either through construction or over the life of the Project. Plant species not listed as rare, threatened, endangered, or candidates for listing under CESA or NPPA may nevertheless meet the definition of rare or endangered provided in CEQA (Cal. Code Regs., tit. 14, § 15380, subd. (b)). Please note that mitigation measures that are adequate to reduce impacts to a less-than significant level to meet CEQA requirements may not be enough for the issuance of an ITP. To issue an ITP, CDFW must demonstrate that the impacts of the authorized take will be minimized and fully mitigated (Fish & G. Code § 2081 (b)). To facilitate the issuance of an ITP, CDFW recommends the DPEIR include species specific measures to minimize and fully mitigate the impacts to any state-listed species the Project activities have the potential to take.

Response A-7:

Species-specific mitigation measures have been included in Chapter 4.0, Errata, and in Appendix B, Mitigation Monitoring and Reporting Program, in response to CDFW's comment. These Mitigation Measures (BIO-2 through BIO-8) include requirements for individual fiber projects to avoid, minimize, and mitigate impacts to special-status plant and animal species, including take, from specific fiber installation activities.

Comment A-8:

Editorial Comment: California Fish and Game Code Section 1600, Page 4.4-6

Please add the term "Lake and" to the following sentence:

"The CDFW also protects streams, water bodies, and riparian corridors through the Lake and Streambed Alteration Agreement (LSAA) process under Section 1601 to 1606 of the California Fish and Game Code."

Response A-8:

This comment has been noted and the recommended edit has been made to Page 4.4-6. See Chapter 4.0, Errata.

Comment A-9:

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be submitted online or mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov.

Response A-9:

This comment provides information on reporting of special-status species and natural communities detected during project surveys and has been noted. No response is required.

Comment A-10:**FILING FEES**

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

Response A-10:

This comment provides information on filing fees and has been noted. Individual fiber projects would be responsible for filing fees payable upon filing of the Notice of Determination by the County for each individual project.

Comment A-11:**CONCLUSION**

Pursuant to Public Resources Code § 21092 and § 21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the proposed project. Written notifications shall be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670 or emailed to R2CEQA@wildlife.ca.gov.

CDFW appreciates the opportunity to comment on the DPEIR for the El Dorado County Broadband Fiber Project to assist the County in identifying and mitigating Project impacts on biological resources. CDFW personnel are available for consultation regarding biological resources and strategies to minimize and/or mitigate impacts. Questions regarding this letter or further coordination should be directed to Caitlyn Oswalt, Environmental Scientist at (916) 358-4315 or caitlyn.oswalt@wildlife.ca.gov.

Response A-11:

This comment provides a conclusion to CDFW's letter as well as contact information and has been noted.

4.0 ERRATA

This chapter presents revisions to the Draft PEIR in response to CDFW’s comment, or from staff-directed revisions, including corrections and clarifications. In each case, the page and location on the page in the Draft PEIR is presented, followed by the text revision. Underlined text represents language that has been added to the PEIR; text with ~~strikethrough~~ has been deleted from the PEIR. The revisions in this chapter include clarifying revisions to mitigation measures and adds species-specific mitigation measures to an impact that was identified to be less than significant with mitigation incorporated to satisfy comments from CDFW. These revisions do not require recirculation of the Draft PEIR because they do not constitute “significant new information” under Section 15088.5 of the CEQA Guidelines.

REVISION TO MITIGATION MEASURE AES-1

The following revision to Mitigation Measure AES-1, Visual Impact Assessment, was added to the PEIR and applies to Table ES-1 of the Executive Summary (pg. ES-8) and Section 4.1, Aesthetics (pg. 4.1-14).

Mitigation Measure AES-1: Visual Impact Assessment

For any aboveground individual fiber project proposed within the viewshed of a designated scenic vista, eligible State Scenic Highway, and/or designated State Scenic Highway, the project applicant shall prepare a Visual Impact Assessment (VIA) for Lead Agency review and approval. The VIA shall be prepared by a qualified professional with experience in visual resource analysis. The VIA shall evaluate the potential impacts of the project on scenic resources in accordance with the California Environmental Quality Act (CEQA) Guidelines, including but not limited to consideration of aesthetic values, visual quality, and the character of the surrounding landscape.

REVISIONS TO MITIGATION MEASURE AQ-2

The following revisions to Mitigation Measure AQ-2, Prepare an Asbestos Dust Mitigation Plan, were made to the PEIR and apply to Table ES-1 of the Executive Summary (pg. ES-11), Section 4.3, Air Quality (pg. 4.3-20), and Section 4.9, Hazards and Hazardous Materials (pg. 4.9-28).

Mitigation Measure AQ-2: Prepare an Asbestos Dust Mitigation Plan

Prior to construction, an Asbestos Dust Mitigation Plan shall be submitted to the Air Pollution Control Officer if any portion of the individual fiber project area to be disturbed is within a designated Naturally Occurring Asbestos (NOA) review area on the El Dorado County Asbestos Review Area Map, Figure 4.3-1 of the PEIR (i.e., an area designated as “Found Area of NOA”, “Quarter Mile Buffer for Found Area of NOA”, “More Likely to Contain Asbestos”, or “Quarter Mile Buffer for More Likely to Contain Asbestos”). ~~If naturally occurring asbestos, serpentine, or ultramafic rock is discovered by the individual fiber project applicant, a professional geologist, or the Air Pollution Control Officer, then an Asbestos Dust Mitigation Plan shall be prepared and submitted to the Air Pollution Control Officer prior to construction.~~ The Asbestos Dust Mitigation Plan shall be prepared in compliance with the El Dorado County Air Quality Management District (EDCAQMD) Rule 223-2. No construction activities shall occur until the Asbestos Dust Mitigation Plan is approved or conditionally approved by the Air Pollution Control Officer.

Construction activities shall not commence until the Air Pollution Control Officer has approved or conditionally approved the Asbestos Dust Mitigation Plan. If, prior to construction, any portion of the individual fiber project area to be disturbed is within a designated NOA review area on the El Dorado County Asbestos Review Area Map, Figure 4.3-1 of the PEIR, an exemption to the requirement for an Asbestos Dust Mitigation Plan may be granted by the Air Pollution Control Officer if a professional geologist has conducted a geologic evaluation of the property and determined that no serpentine or ultramafic rock, or asbestos, is likely to be found in the area disturbed, and a report detailing the geologic evaluation is submitted to the Air Pollution Control Officer for consideration then the Air Pollution Control Officer shall provide an exemption from EDCAQMD Rule 223-2. No construction activities shall occur until an exemption from the requirement for an Asbestos Dust Mitigation Plan is granted by the Air Pollution Control Officer.

If, prior to construction (regardless of the area designation on the El Dorado County Asbestos Review Area Map, Figure 4.3-1 of the PEIR, and regardless of any previously granted exemption), the owner/operator, a professional geologist, or the Air Pollution Control Officer determines that any portion of the individual fiber project area to be disturbed has NOA, an Asbestos Dust Mitigation Plan shall be submitted to the Air Pollution Control Officer. No construction activities shall occur until the Asbestos Dust Mitigation Plan is approved or conditionally approved by the Air Pollution Control Officer.

If, during construction (regardless of the area designation on the El Dorado County Asbestos Review Area Map, Figure 4.3-1 of the PEIR, and regardless of any previously granted exemption), NOA is discovered in any portion of the individual fiber project area to be disturbed by the owner/operator, a professional geologist, or the Air Pollution Control Officer, construction shall be halted, and an Asbestos Dust Mitigation shall be submitted to the Air Pollution Control Officer. Construction activities shall not resume until the Asbestos Dust Mitigation Plan is approved or conditionally approved by the Air Pollution Control Officer.

REVISIONS TO SECTION 4.4, BIOLOGICAL RESOURCES

The following revisions were made to mitigation measures included in the Draft PEIR and additional species-specific mitigation measures were added in response to CDFW's comment letter. These changes apply to Table ES-1 of the Executive Summary (pgs. ES-13 and ES-14), Chapter 4.0, Environmental Impact Analysis (pg. 4-7), Section 4.4, Biological Resources (pgs. 4.4-22 through 4.4-26), and Chapter 5.0, Project Alternatives (pg. 5-11).

Mitigation Measure BIO-1: Prepare a Site-Specific Biological Resources Assessment

Prior to approval of an individual fiber project, the applicant of an individual fiber project shall retain a qualified biologist to prepare a project site-specific biological resources assessment (BRA). The project-specific BRA shall consist of data review and reconnaissance-level surveys prior to project implementation. The data reviewed will include the applicable biological resources setting, species and sensitive natural communities tables, and habitat information from Section 4.4, Biological Resources, of the Program EIR for where the project will occur. It will also include review of the best available, current data for the area, including vegetation mapping data, species' distribution/range information, CNDDB, California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants of California, relevant BIOS queries, USFWS and

NMFS database queries, and relevant general and regional plans. Reconnaissance-level biological surveys will include general surveys and habitat assessments of project areas and appropriate buffers for sensitive and special-status biological resources. The qualified surveyor will 1) identify and document sensitive resources, such as riparian communities, wetlands, oak woodlands, or other sensitive habitats or designated sensitive natural communities or wildlife nursery sites or habitat, and 2) assess the suitability of habitat within the project area to support special-status plant and animal species. The surveyor will also record any incidental wildlife observations. ~~a desktop review of relevant biological databases and online resources, a general biological reconnaissance survey, vegetation mapping, aquatic resources assessment,~~

The project-specific BRA will also include an analysis of potential impacts ~~to~~ on biological resources, and ~~proposed measures to avoid and/or reduce potential impacts.~~

~~If~~ if it is determined during the biological resources assessment that special-status species are present within or adjacent to the project area or have the potential to occur within a project area, then ~~site-specific~~ the appropriate mitigation measures described below in Mitigation Measures BIO-2 through BIO-8 shall ~~should~~ be recommended to avoid and/or reduce potential impacts as applicable. Potential measures for special-status species may include, but are not limited to, protocol-level surveys, nesting bird surveys, worker awareness trainings, and other focused preconstruction surveys as well as onsite biological monitoring during construction in sensitive habitats or habitats that could support special-status plants or wildlife.

If it is determined that ~~special-status species are present within or adjacent to the project area,~~ ~~or if~~ the project has potential to impact USFWS designated critical habitat and/or NMFS essential fish habitat, then the project ~~proponent~~ applicant shall coordinate with CDFW and/or USFWS, as necessary, to determine avoidance and/or mitigation and/or measures to reduce potential impacts to a level that would be less than significant. Depending on site-specific conditions, agency involvement may be triggered through the regulatory permitting process or direct agency consultation.

Mitigation Measure BIO-2: Conduct Worker Awareness Training for Applicable Special-Status Species

If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that any special-status species have the potential to occur within a project area or be affected by project construction, then a qualified biologist shall provide environmental awareness training to all project-related personnel before the initiation of work. The training shall include the identification methods for the relevant potentially occurring special-status species, required best management practices to implement before the start of construction, general measures that are being implemented to protect the species as they relate to the project, penalties for non-compliance, and boundaries of the permitted disturbance zones. Upon completion of the training, all construction personnel will sign a form stating that they have attended the training and understand all the measures. Proof of this instruction shall be kept on file with the biologist on-site and the project applicant.

Mitigation Measure BIO-3: Implement Mitigation Measures for Special-Status Plant Species

If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that special-status plant species have the potential to occur within a project area

or be affected by project construction, then the following measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts to special-status plants.

- Focused special-status plant surveys shall be conducted by a qualified biologist during the appropriate identification (blooming) periods before any ground disturbing activities in suitable habitat. Surveys shall be conducted as specified in this measure or according to the most current agency guidelines. If no special-status plants are observed, then a letter report documenting the survey results shall be prepared and submitted to the project applicant and El Dorado County, and no further measures are recommended.
- If special-status plants are observed within the project area, the location of the special-status plants shall be marked with pin flags or other highly visible markers and recorded with GPS equipment. The project applicant shall determine if the special-status plant(s) on-site can be avoided by project design or utilize construction techniques to avoid impacts to the special-status plant species. All special-status plants to be avoided shall have exclusion fencing or other highly visible material marking the avoidance area, and the avoidance area shall remain in place throughout the entire construction period. Avoidance areas shall also be marked on project plans.

If special-status plants are found within the project area and cannot be avoided, the project applicant shall consult with CDFW and/or USFWS, as appropriate, to determine appropriate measures to mitigate for the loss of special-status plant populations. These measures may include gathering seed from impacted populations for planting within nearby appropriate habitat or within the project footprint after construction, topsoil salvage and replacement, preserving or enhancing existing off-site populations of the plant species affected by the project, or restoring suitable habitat for special-status plant species habitat as directed by the regulatory agencies.

Mitigation Measure BIO-4: Implement Mitigation Measures for Special-Status Aquatic Species

If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that special-status aquatic species (Lahontan cutthroat trout, Lahontan mountain sucker, steelhead, mountain whitefish, Lahontan lake tui chub, southern long-toed salamander, Mount Lyell salamander, western spadefoot, California red-legged frog, foothill yellow-legged frog [North and South Sierra DPS], northern leopard frog, Sierra Nevada yellow-legged frog, or northwestern pond turtle) have the potential to occur within a project area or be impacted by construction, then the following measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts.

- Project applicants shall consult with the qualified biologist during the project design phase to ensure that project designs make every attempt to avoid impacts to aquatic resources through project alignment shifts, work area restrictions, construction methods, or other means.
- A qualified biologist shall map aquatic resources with a sub-meter GPS and delineate suitable aquatic habitats as described in Mitigation Measure BIO-9. These aquatic features shall have wildlife exclusion fencing installed around them prior to the start of construction. Wetland avoidance areas shall be depicted in project work plans. Fencing

shall be solid fencing and not include a mesh design that could trap wildlife. Fencing shall be trenched into the soil at least six inches, and the soil must be carefully compacted against both sides of the fence for its entire length to prevent animals from entering the construction area. Exclusion fencing will be inspected daily for the duration of construction to ensure it remains intact, and any holes, tears, or gaps will be repaired immediately. Fencing will be removed upon construction completion.

- Focused surveys for special-status aquatic species (Lahontan cutthroat trout, Lahontan mountain sucker, steelhead, mountain whitefish, Lahontan lake tui chub, southern long-toed salamander, Mount Lyell salamander, western spadefoot, California red-legged frog, foothill yellow-legged frog [North and South Sierra DPS], northern leopard frog, Sierra Nevada yellow-legged frog, or northwestern pond turtle) shall be conducted by a qualified biologist according to the most current agency protocols (<https://wildlife.ca.gov/Conservation/Survey-Protocols>) before any ground disturbing activities in suitable habitat. If no special-status aquatic species are detected, then a letter report documenting the survey results should be prepared and submitted to the project applicant, and no further measures are recommended.
- A qualified biologist shall conduct a pre-construction survey for special-status aquatic species within 24 hours before the start of grading or land-disturbing activities. If the survey shows that there is no evidence of these species, then a letter report shall be prepared to document the survey and provided to the project applicant and El Dorado County, and no additional measures are recommended. If development does not commence within 24 hours of the survey, or halts for more than seven days, then an additional survey is required before starting or resuming work.
 - If any of these species are observed during the survey, no work shall occur within a 250-foot buffer of the species occurrence until consulting with the appropriate wildlife agencies to determine if additional mitigation and avoidance measures are required.

A qualified biologist shall monitor construction and be present during all ground disturbance activities within suitable habitat for special-status species. If any of these special-status species are observed within the project area, all work shall immediately halt in the vicinity of the special-status aquatic species to allow the species to leave the area of its own will. If the special-status aquatic species is in immediate danger, the qualified biologist shall relocate the species outside of the construction zone, at a safe distance from all construction-related activities, and within suitable habitat as approved by the wildlife agencies. No one other than the qualified biologist shall handle, take, or otherwise harass the aquatic species. No work within a 250-foot buffer of the species occurrence shall resume until the aquatic species has left the project area or been relocated from areas of potential disturbance.

Mitigation Measure BIO-5: Implement Mitigation Measures for Coast Horned Lizard

If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that coast horned lizard has the potential to occur within a project area or be impacted by construction, then the following mitigation measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts.

- A qualified biologist shall conduct a pre-construction survey for coast horned lizard within 24 hours before the start of grading or land-disturbing activities. Surveys shall be conducted as specified in this measure or according to the most current agency guidelines. If the survey shows that there is no evidence of this species, then a letter report shall be prepared to document the survey and provided to the project applicant and El Dorado County, and no additional measures are recommended. If development does not commence within 24 hours of the survey, or halts for more than seven days, then an additional survey is required before starting or resuming work.
 - If any coast horned lizards are observed during the survey, no work shall occur until CDFW has been consulted to determine appropriate mitigation and avoidance measures.

A qualified biologist shall monitor construction and be present during ground disturbance activities within suitable habitat. If coast horned lizards are observed within the project area during work, all work shall immediately halt in the vicinity of the observation to allow the lizard to leave the area of its own will. If the lizard is in immediate danger, the qualified biologist shall relocate the lizard outside of the construction zone, at a safe distance from all construction-related activities, and within suitable habitat as approved by CDFW. No one other than the qualified biologist shall handle, take, or otherwise harass the animal. No work within a 250-foot buffer of the species occurrence shall resume until the animal has moved or been removed from areas of potential disturbance.

Mitigation Measure BIO-6: Implement Mitigation Measures for Special-Status Bird Species and Other Nesting Birds

Active nests are protected by the California Fish and Game Code Section 3503.5 and the MBTA. Construction activities could result in disturbance of nest sites through temporary increases in ambient noise levels and increased human activity. In addition, vegetation clearing operations, including pruning or the removal of trees and shrubs, could impact nesting birds if these activities occur during the nesting season (February 1 to August 31). All vegetation clearing, including removal of trees and shrubs, shall be completed between September 1 and January 31, if feasible. If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1, that special-status bird species and other nesting birds have the potential to occur within a project area or be impacted by construction, then the following mitigation measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts.

- If construction activities are proposed to begin during the non-breeding season (September 1 through January 31), a survey is not required, and no further studies are necessary.
- If vegetation removal and grading activities begin during the nesting season (February 1 to August 31), the project applicant shall require that a qualified biologist conduct a pre-construction survey of the project area for active nests. Additionally, the surrounding 500 feet should be surveyed for active raptor nests, where accessible. The pre-construction survey should be conducted within 7 days before the commencement of ground-disturbing activities. Surveys shall be conducted as specified in this measure or according to the most current agency guidelines. If the pre-construction survey shows

that there is no evidence of active nests, a letter report shall be prepared to document the survey, and no additional measures are recommended. If construction does not commence within 7 days of the pre-construction survey, or halts for more than 7 days, an additional survey is required before starting work.

If nests are found during construction activities and considered to be active, the qualified biologist shall establish buffer zones to prohibit construction activities and minimize nest disturbance until the young have successfully fledged. Buffer width will be determined by the qualified biologist and will depend on the species in question, surrounding existing disturbances, and specific site characteristics, but may range from 20 feet for some songbirds to 250 feet for most raptors. If active nests are found within any trees slated for removal, then an appropriate buffer shall be established around the trees and the trees will not be removed until the qualified biologist determines that the nestlings have successfully fledged.

Mitigation Measure BIO-7: Implement Mitigation Measures for Special-Status Bat Species

If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that special-status bat species (pallid bat or Townsend's big eared bat) have the potential to occur within a project area or be impacted by construction, then the following mitigation measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts.

- The project applicant shall require that a qualified biologist conduct a pre-construction survey within 7 days before clearing or grading operations. Surveys shall be conducted as specified in this measure or according to the most current agency guidelines. If no bats are observed, a letter report should be prepared and submitted to the project applicant and El Dorado County to document the survey, and no additional measures are recommended. If construction does not commence within 7 days of the pre-construction survey, or halts for more than 7 days, an additional survey shall be completed before starting work.
- If bats are present and roosting on or within 100 feet of the project area, then the qualified biologist shall establish an appropriate buffer around the roost site. At minimum, no trees or structures shall be removed until the biologist has determined that the bat is no longer roosting in the tree or structure. Additional mitigation measures for bat species, such as the installation of bat boxes or alternate roost structures, would be recommended if special-status bat species are found to be roosting within the project area.

Mitigation Measure BIO-8: Implement Mitigation Measures for Other Special-Status Mammal Species

If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1, that special-status mammal species (Sierra Nevada mountain beaver, Sierra Nevada snowshoe hare, Sierra Nevada red fox, fisher, wolverine, or American badger) have the potential to occur within a project area or be impacted by construction, then the following mitigation measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP, to avoid and/or reduce potential impacts.

- Focused surveys for special-status mammal species (Sierra Nevada mountain beaver, Sierra Nevada snowshoe hare, Sierra Nevada red fox, fisher, wolverine, or American badger) shall be conducted by a qualified biologist as appropriate and following the most recent agency protocol (<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281285-mammals>) before any ground disturbing activities in suitable habitat. Focused survey methods may include camera trapping or the use of track plates over extended periods of time. If no special-status mammals are detected, then a letter report documenting the survey results shall be prepared and submitted to the project applicant, and no further measures are recommended.
- A qualified biologist shall conduct a preconstruction survey for special-status mammals no more than 7 days prior to the beginning of ground disturbance related to construction activities, or any other project activity likely to impact them (such as staging, mowing, vegetation clearing), to determine if there are any mammal dens on the project site. If there are no mammal dens on the project site, no further mitigation is necessary. If dens are located within the work area and cannot be avoided, a qualified biologist shall determine if the dens are occupied. If unoccupied, the dens shall be collapsed under the supervision of the biologist. If occupied, the biologist shall determine if it is a natal/pupping den or a solitary badger den. Dens of solitary individuals may be collapsed under the supervision of the biologist once the animal has vacated the den. Natal/pupping dens shall be avoided by establishment of an exclusion zone around the den, the size of the exclusion zone shall be determined by the qualified biologist on site, until the young are old enough to leave the den and survive on their own.

Mitigation Measure BIO-92: Jurisdictional Delineation and Regulatory Permitting

If it is determined that impacts to jurisdictional waters or other sensitive natural communities cannot be avoided, then the project applicant of an individual fiber project shall apply for any necessary permits from the USACE, CDFW, and the RWQCB (e.g., Section 401/404 permits, CDFW Lake or Streambed Alteration Agreement, etc.) prior to approval. If necessary, a formal delineation of wetlands and “other waters” of the U.S. shall be prepared in accordance with USACE’s *Corps of Engineers Wetlands Delineation Manual* and appropriate regional supplements to determine the extent of aquatic resources and quantify impacts. Impacts to jurisdictional waters and/or sensitive natural habitat shall be mitigated in accordance with agency requirements.

Mitigation Measure BIO-103: Oak Resources Inventory

If it is determined during the biological resources assessment that an individual fiber project will result in impacts to oak resources, depending on the location of an individual fiber project, the County, incorporated cities, or TRPA may require mitigation for impacts to oak resources or regulated individual oak trees. Depending on the location of the individual fiber project, the County Community Planning and Building Department, City of Placerville Planning Division, City of South Lake Tahoe Planning Division, and/or TRPA may require an inventory of prematurely removed trees or canopy cover to determine the extent of the loss prior to approval of the individual fiber project. The inventory shall be prepared by a resource professional with expertise in oak woodlands ecology who is on the list of qualified consultants maintained by the County Community Planning and Building Department, City of Placerville Planning Division, City

of South Lake Tahoe Planning Division, or TRPA. Resource professionals may include botanists, ecologists, wildlife biologists, and foresters.

The following revision applies to Section 4.4.1, Environmental Setting, pgs. 4.4-4 and 4.4-5.

~~The California Native Plant Protection Act of 1977 (California Fish and Game Code Sections 1900-1913) requires all state agencies to use their authority to carry out programs to conserve endangered and otherwise rare species of native plants. Provisions of the act prohibit the taking of listed plants from the wild and require notification of CDFW at least 10 days in advance of any change in land use other than changing from one agricultural use to another, which allows CDFW to salvage listed plants that would otherwise be destroyed. The Native Plant Protection Act (NPPA), enacted in 1977, allows the Fish and Game Commission to designate plants as rare or endangered. There are 64 species, subspecies, and varieties of plants protected under the NPPA. The NPPA prohibits take of endangered or rare native plants, with some exceptions for agricultural and nursery operations and emergencies. Vegetation removal from canals, roads, and other sites, changes in land use, and certain other situations require proper advance notification to CDFW.~~

The following revision applies to Section 4.4.1, Environmental Setting; pg. 4.4-6.

“The CDFW also protects streams, water bodies, and riparian corridors through the Lake and Streambed Alteration Agreement (SAA) process under Section 1601 to 1606 of the California Fish and Game Code.”

The following revisions apply to Section 4.4.4, Impact Analysis; pg. 4.4-22.

With the programmatic nature of this EIR, a precise, project-level analysis of the specific effects of individual fiber projects on special-status species is not possible at this time; the analysis is maintained at the County level. As individual fiber projects would be primarily located within previously disturbed and/or developed areas (e.g., in ROW or public utility easement), it is unlikely that the proposed Project would result in a substantial adverse effect on special-status species or their associated habitats, including USFWS designated critical habitats and/or NMFS essential fish habitat. However, individual fiber projects would be required to prepare a biological resources assessment (BRA) that would assess the potential for occurrence and impacts to special-status species on the individual fiber project site, as outlined in Mitigation Measure BIO-1. With If it is determined in the BRA that there is the potential for impacts to special-status species, implementation of the recommended mitigation and/or avoidance measures detailed in Mitigation Measures BIO-2 through BIO-8 shall be included in the project-specific BRA to be prepared as required by Mitigation Measure BIO-1 below, impacts to special-status species would be less than significant.

The following revisions apply to Section 4.4.4, Impact Analysis; pgs. 4.4-30 and 4.4-31.

Some areas along the northern and southwestern boundary of the County are mapped as ECAs by the California Essential Habitat Connectivity Project. However, El Dorado County is a rural county that currently provides extensive open, dispersal habitat for wildlife movement in the project area. The proposed Project would install fiber optic conduit underground, aboveground on overhead pole lines, or a combination of both. Implementation of the Project is unlikely to substantially interfere with the movement or wildlife or interfere with the functionality of

wildlife corridors; however, potential impacts to the movement of native resident wildlife species or wildlife corridors would be addressed in the project-specific BRA to be prepared as required by Mitigation Measure BIO-1 and in the species-specific avoidance measures described in Mitigation Measures BIO-2 through BIO-8. With implementation of Mitigation Measure BIO-1 through BIO-8, the impact would be less than significant.

Significance without Mitigation: Potentially significant impact.

See Impact BIO-1 for Mitigation Measure BIO-1 through BIO-8.

REVISIONS TO MITIGATION MEASURE NOI-1

The following revisions to Mitigation Measure NOI-1, Construction Hours, were made to the PEIR and applies to Table ES-1 of the Executive Summary (pg. ES-24), and Section 4.13, Noise (pg. 4.13-17).

Mitigation Measure NOI-1: Construction Hours

Construction activities shall not occur outside the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, or outside the hours of 8:00 a.m. and 5:00 p.m. on weekends, or at all on federally recognized holidays. Prior to starting construction activities, the~~The~~ project applicant or construction contractor shall post a publicly visible sign at the entrance to the individual fiber project site listing the allowable construction hours and the contact information, including telephone numbers, to report noise violations to the County and the contractor.

REVISIONS TO SECTION 4.18, TRIBAL CULTURAL RESOURCES

The following language has been added to the impact discussion under Impact TCR-1 on pg. 4.18-14 of the PEIR.

CEQA, as amended in 2014 by AB 52, requires that the County provide notice to California Native American tribes that have requested notice of projects subject to CEQA review and consult with tribes that responded to the notice within 30 days of receipt with a request for consultation. Section 21073 of the PRC defines California Native American tribes as “a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of the Statutes of 2004.” This includes both federally and non-federally recognized tribes. AB 52 letters were sent by the County on December 18, 2024, to the following seven tribes, which included a summary of the proposed project:

- Lone Band of Miwok Indians
- Nashville Enterprise Miwok-Maidu-Nishinam Tribe
- Shingle Springs Band of Miwok Indians
- Tsi Akim Maidu
- United Auburn Indian Community (UAIC) of the Auburn Rancheria
- Washoe Tribe of Nevada and California
- Wilton Rancheria

The County received a response from one tribe, UAIC, on January 3, 2025 via email. UAIC requested to consult under AB 52 to discuss the contents of Section 4.18, Tribal Cultural

Resources, of the Draft PEIR, and requested additional information regarding the project-specific broadband routes. The County responded to UAIC on January 8, 2025 via email to clarify that due to the programmatic nature of the proposed project, project-specific broadband routes are currently unknown. The County's response noted that the Draft PEIR will include Mitigation Measure TCR-1 to address potential impacts to TCRs for each individual fiber project that tiers off of the PEIR; specifically, each individual fiber project would be required to initiate AB 52 consultation, which would provide UAIC the opportunity to review project-specific routes and consider engaging in consultation when project location and activity information is available for a future individual broadband fiber project. The County engaged in further consultation with UAIC in May of 2025 and Mitigation Measure TCR-2 was revised based on feedback provided by UAIC. The revisions to the Tribal Cultural Resources Chapter were shared with UAIC on June 2, 2025. Upon review of these revisions, UAIC agreed to close consultation on June 2, 2025.

The following revisions to Mitigation Measure TCR-1, Tribal Consultation, and Mitigation Measure TCR-2, Tribal Treatment and Tribal Consultation, were made to the PEIR and apply to Table ES-1 of the Executive Summary (pg. ES-28), and Section 4.18, Tribal Cultural Resources (pg. 4.18-14 and 4.18-15).

Mitigation Measure TCR-1: Tribal Consultation

When an application for an individual fiber project is deemed complete by El Dorado County, the County, as CEQA Lead Agency, shall conduct the appropriate tribal consultation outreach to relevant California Native American tribes, pursuant to PRC Section 21080.3.1, for all individual fiber projects included within the scope of the El Dorado County Broadband Fiber Project Program EIR prior to project approval. The County shall utilize the outreach procedures of AB 52 regardless of the level of environmental review required for the individual fiber project. Pursuant to PRC Section 21080.3.1 (b), the tribes will have 30 days for AB 52 from the receipt of the request for consultation to either request or decline consultation, in writing, with the County for each proposed individual fiber project. In the event that a general plan or specific plan adoption or amendment is required for the implementation of an individual fiber project, the County shall comply with the requirements of Senate Bill 18 (SB 18), in coordination with AB 52, as described in California Government Code Section 65352.3.

Mitigation Measure TCR-2: ~~Archaeological~~ Tribal Treatment and Tribal Consultation

In the event that potential tribal cultural resources (TCRs) are exposed during ground-disturbing activities, construction activities (e.g., grading, grubbing, or vegetation clearing) shall be halted in the immediate vicinity of the discovery. ~~An archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards~~ The consulting tribe that is culturally and geographically affiliated with the area shall then be retained to evaluate if the resource is a TCR, and thus significant under CEQA. the resource's significance under CEQA in direct coordination with tribal members who would provide traditionally based cultural knowledge as a basis for collaboratively assessing said significance. If the discovery is a Tribal Cultural Resource proves to be significant, additional work and mitigation measures shall be required, such as those listed in PRC §21084.3, as deemed appropriate by the tribal organization consulting on the find. ~~Mitigation Measures CUL 1 and CUL 2, as deemed appropriate by the tribal organization consulting on the find.~~ Such mitigation may include avoidance and preservation in place as the preferred alternative. ~~, data recovery excavation, or traditional ethnographic research into the cultural importance of the find to contemporary descendant communities.~~

5.0 MITIGATION MONITORING AND REPORTING PROGRAM

Public Resources Code Section 21081.6 requires that the Lead Agency adopt a Mitigation Monitoring and Reporting Program (MMRP) for any project for which it has made mitigation findings pursuant to Public Resources Code 21081. The MMRP is intended to ensure the implementation of all mitigation measures adopted through the preparation of an EIR. The final MMRP for the proposed project includes the revised and additional mitigation measures as outlined above in Chapter 4.0, Errata, and is included as Appendix B to this Final PEIR.

A Project-Specific Addendum Checklist to the PEIR is included as Appendix C to this Final PEIR and would serve as a template for individual fiber projects tiering off of the PEIR.