EL DORADO COUNTY PLANNING SERVICES
2850 FAIRLANE COURT
PLACERVILLE, CA 95667
INITIAL STUDY
OF ENVIRONMENTAL SIGNIFICANCE

Project Title: SP94-0002-R-2/Carson Creek Specific Plan Amendment

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

Contact Person: Jennifer Franich, Associate Planner | **Phone Number:** (530) 621-6591

Applicant Name and Address: Anthony Scotch, President, Portico Development, LLC
3225 Stonehurst Drive, El Dorado Hills, CA 95762

Owner Name and Address: El Dorado Hills Business Park Investors, LLC
3225 Stonehurst Drive, El Dorado Hills, CA 95762

Engineer/Architect Name and Address: Perkins, Williams, and Cotterill Architects
3320 Data Drive, Suite 200, El Dorado Hills, CA 95762

Project Location: West side of Carson Crossing Drive at the intersections with White Rock Road in the Carson Creek Specific Plan area.

Assessor's Parcel Number: 117-490-01-100 **Acres:** 4.11 acres

Sections: S: 15 **T:** 9N **R:** 8E

General Plan Designation: Adopted Plan (AP) – Carson Creek Specific Plan

Zoning: Local Convenience Commercial (LC) – Community Commercial (CC)

PROJECT DESRIPTION: This project is an amendment to the Carson Creek Specific Plan (CCSP) to allow community care facilities in the Local Convenience Commercial (LC) - Community Commercial (CC) Zone. The text amendment would include community care facilities under the uses allowed with a Conditional Use Permit in the LC – CC zone, and allow this use an increase in the maximum floor-to-area ratio (FAR) from 0.40 to 0.50. Senior-related facilities, including but not limited to congregate care, skilled nursing, and assisted living, are allowed with a special use permit in the Multifamily, Single Family (7,000 square foot minimum), Single Family (6,000 square foot minimum), and Single Family (3,000 square foot minimum) zones in the CCSP. However, this use is not currently allowed in the LC - CC Zone. The El Dorado County zoning ordinance defines Community Care Facilities as, "Any facility, place, or building that is maintained and operated to provide nonmedical residential care, day treatment, adult day care, or foster family agency services for children, adults, or children and adults..." (130.80.020). This definition would allow for senior assisted living or memory care facilities, but exclude senior housing that does not include a service or care aspect. The proposed commercial facilities currently listed under the LC - CC Zone would remain viable. An increase in FAR is also proposed, for Community Care Facilities in particular, as part of the amendment. The limits to lot coverage and height set forth in the CCSP are not proposed to be changed and would continue to apply to the LC - CC Zone.

ENVIRONMENTAL SETTING: The project site consists of 4.11 acres of land within the CCSP. The project site is located at the county line between El Dorado County and Sacramento County. The project is located adjacent to existing residential uses to the east and potential multi-family development to the north. Lands to the west of the project site are within the City of Folsom, undeveloped, and currently used for grazing of livestock. The site is moderately sloped with a relative high point near the center of the site. Vegetation is limited to native grasslands. The project frontage along White Rock Road and Carson Crossing Drive has been improved with existing curb, gutter, and sidewalk improvements. The project site is buffered from White Rock Road via a 20-foot wide landscape buffer as required by the CCSP.

DETERMINATION: Based on the findings below, it has been determined that the criteria requiring a subsequent or supplemental Environmental Impact Report (EIR) pursuant to Sections 15162 and 15163 of the California Environmental Quality Act (CEQA) Guidelines have not been met and that an Addendum to the CCSP EIR pursuant to Section 15164 of the CEQA Guidelines is sufficient to analyze the minor changes to allowed uses and the FAR standard in the LC - CC Zone. Pursuant to Section 15150 of the CEQA Guidelines, the CCSP EIR, 1997 CCSP EIR Addendum, and associated Mitigation Measures are hereby incorporated by reference.

EXHIBIT I

ADDITIONAL/NO ADDITIONAL IMPACT FINDING

As required by Section 15164(e), I find that 1) Substantial changes are NOT proposed for the project which will require major revisions to the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and 2) Substantial changes have NOT occurred with respect to the circumstances under which the project would be undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified, does NOT show any of the following: a) that the project will have one or more significant effects not discussed in the previous EIR; b) that significant effects previously examined will be substantially more severe than shown in the previous EIR; c) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or d) that mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Signature: _____ Date: 5/4/2016

Printed Name: Jennifer Franich, Project Planner For: El Dorado County

Signature: _____ Date: 05/04/16

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

All referenced documentation is available for public review at El Dorado County Development Services, 2850 Fairlane Court, Building C, Placerville, CA 95667.

INTRODUCTION

This document is an Addendum to the Final Environmental Impact Report (Final EIR) prepared by El Dorado County for the Carson Creek Specific Plan (CCSP) (State Clearinghouse No. 94072021). The Final EIR evaluated the potential environmental effects of the CCSP, which proposed a specific plan for the development of 1,700 residential units, up to 40,000 square feet of commercial uses, 449,605 square feet of research and development, 780,279 square feet of industrial uses, 37 acres of public parks, and 198.9 acres of enhanced open space. The Final EIR was certified on March 4, 1997 by the Board of Supervisors of El Dorado County, which acted as the Lead Agency pursuant to the California Environmental Quality Act (CEQA) (CEQA Guidelines (Title 14, California Code of Regulations, Section 15300 et. seq.) §15090).

Since the certification of the Final EIR, a proposed change to allow assisted living facilities in the LC-CC Zone with a Conditional Use Permit and an increase in the FAR from .40 to .50 for assisted living facilities has been proposed. Under CEQA, an addendum may be prepared when minor modifications are proposed for a project that has already

been approved when no additional significant environmental impacts would result (CEQA Guidelines, §15164). This Addendum evaluates whether any new significant impacts would result from implementation of the proposed modifications.

HISTORY OF ENVIRONMENTAL REVIEW AND PROJECT APPROVAL

The County completed the preparation of a draft EIR on the CCSP and issued it for public review in May 1996. The Draft EIR revealed that the CCSP would have significant and unavoidable environmental impacts related to aesthetics, air quality, water consumption, and consistency with General Plan Policies on water supply. In August 1996, the County issued the original Final EIR. The County Planning Commission recommended certification of the Final EIR on September 12, 1996. The County Board of Supervisors considered the CCSP on September 24, 1996, certified the Final EIR and approved the Project.

On October 5, 1996, El Dorado County Taxpayers for Quality Growth and the Environmental Planning and Information Center of Western El Dorado County ("EPIC") filed a Petition for Writ of Mandate in the El Dorado County Superior Court, requesting the Court to order the County to void its certification of the EIR and its approval of the CCSP. In this special proceeding, the Taxpayers and EPIC alleged that the County failed to comply with CEQA and the Planning and Zoning Law (Government Code, § 650 0 *et seq.)* when it approved the CCSP. An Addendum intended to be part of an expanded Final EIR for the Project was prepared in 1997 to address the issues in the Writ. The expanded Final EIR consists of the Draft EIR, the original Final EIR, and the 1997 Addendum. The EIR for the CCSP was certified by the Board of Supervisors on September 28, 1999 with the adoption of the amended specific plan.

In accordance with CEQA Section 15164(a), an addendum to a previously adopted EIR shall be prepared if some changes or additions to the project are necessary but none of the conditions described in CEQA Section 15162 or 15163 calling for preparation of a subsequent or supplemental EIR have occurred. An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration. The decision making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project. The following details the determination by the County in preparing an addendum to the CCSP EIR for the purpose of evaluating the addition of assisted living facility uses to the LC - CC Zone.

PURPOSE

Under CEQA, the Lead Agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary to the prior EIR, but none of the conditions calling for preparation of a subsequent or supplemental EIR have occurred (CEQA Guidelines §15164). Once an EIR has been certified, a subsequent EIR is only required when the Lead Agency determines that one of the following conditions has been met:

(1) Substantial changes are proposed in the project, or substantial changes occur with respect to the circumstances under which the project is undertaken, which require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects (CEQA Guidelines §15162(a)(1), (2));

(2) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

   a. The project will have one or more significant effects not discussed in the previous EIR;

   b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;

c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative (CEQA Guidelines §15162(a)(3)).

If one or more of the conditions described above for a subsequent EIR exist, but only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation, then the lead agency may prepare a supplement to an EIR, rather than a subsequent EIR (CEQA Guidelines §15163(a)). This Addendum has been prepared because the proposed modifications to the CCSP do not meet the conditions for a subsequent or supplemental EIR. The modifications would not result in new significant environmental effects or change the conclusions of the previously certified Final EIR.

An addendum does not need to be circulated for public review, but rather can be attached to the final EIR (CEQA Guidelines §15164(c)). At the time a project would be initiated, "[t]he decision making body [El Dorado County] shall consider the addendum with the final EIR...prior to making a decision on the project" (CEQA Guidelines §15164(d)). A brief explanation of the decision not to prepare a subsequent or supplemental EIR should be included in an addendum or elsewhere in the record (CEQA Guidelines §15164(e)).

PROPOSED PROJECT DESCRIPTION

Introduction

This Addendum has been prepared in accordance with CEQA to evaluate the potential environmental impacts resulting from the proposed project. The project would amend the text of the CCSP to allow community care facilities in the LC - CC Zone, a zone designation that is applied only to the subject parcel, located on the East side of White Rock road along the border with Sacramento County. The amendment would also allow this particular use an increase in the maximum floor-to-area ratio (FAR) from 0.40 to 0.50. The applicant proposes the eventual development of an assisted living facility at the site, which is currently not allowed in the LC - CC zone in the CCSP. The Amendment to the CCSP is required in order to allow a community care facility at the site.

Project Description

This project is an amendment to the CCSP to allow community care facilities in the LC - CC Zone. The text amendment would include community care facilities under the uses allowed with a Conditional Use Permit in the LC - CC Zone, and allow this use an increase in the FAR from 0.40 to 0.50. The El Dorado County zoning ordinance defines Community Care Facilities as, "Any facility, place, or building that is maintained and operated to provide nonmedical residential care, day treatment, adult day care, or foster family agency services for children, adults, or children and adults..." (130.80.020). This definition would allow for senior assisted living or memory care facilities, but exclude senior housing that does not include a service or care aspect.

Senior-related facilities, including but not limited to congregate care, skilled nursing, and assisted living, are allowed in the Multifamily Residential (include all of the other zones it is allowed in) zone in the CCSP Plan area. This use is currently allowed in some commercial zones according to the Zoning Ordinance (130.22.020), however, it is not listed as an allowed use under the Specific Plan. The zoning ordinance defines Community Care Facilities as, "Any facility, place, or building that is maintained and operated to provide nonmedical residential care, day treatment, adult day care, or foster family agency services for children, adults, or children and adults, subject to licensing by the State Department of Social Services, Health and Welfare Agency. Such facilities typically serve the physically disabled, mentally impaired, incompetent persons, and abused or neglected children. Facilities included in this definition are listed under California Health and Safety Code (HSC), Section 1502.a.1-a.12 and 1502.3, and include, but are not limited to, residential facilities and foster family homes. Excluded from this definition is any house,

institution, hotel, homeless shelter, or other similar place that supplies board and room only, or room only, or board only, provided that no resident thereof requires any element of care. Also excluded are recovery houses or similar facilities providing group living arrangements for persons recovering from alcoholism or drug addiction where the facility provides no care or supervision or where the facility provides alcohol and/or drug recovery treatment or detoxification services *(HSC 1505, 11834.02)*." This definition allows for senior assisted living or memory care facilities, but excludes senior housing that does not include a service or care aspect. For this reason, the number of housing units specified under the Specific Plan, and analyzed under the CCSP EIR, would not increase. The Specific Plan amendment would also not necessitate the revision of any tentative maps.

Project Location and Surrounding Land Uses

The site is located in the El Dorado Hills Community Region on the east side of White Rock Road, north of the intersection with Carson Crossing Drive in the CCSP Plan Area. The surrounding land uses are single-family residential and agricultural lands to the west in Sacramento County.

APPROVALS REQUIRED

A Specific Plan Amendment, like a General Plan Amendment, must be heard first by the Planning Commission. The Planning Commission will forward a recommendation to the Board of Supervisors. The Board will hold a hearing and make the final decision. The applicant proposes the eventual development of an assisted living facility at the site. With approval of the Specific Plan Amendment, a community care facility, which includes assisted living facilities, would be allowed at the site with an approved Conditional Use Permit. The Conditional Use Permit would be reviewed under a separate discretionary review process and would include a specific site plan, facility operation plan, and project-specific approvals.

ENVIRONMENTAL CONCLUSION

El Dorado County has considered the previously certified EIR together with the comments received during the public review process. The EIR reflects the independent judgment of the County, was completed in compliance with CEQA, and is adequate for this project. As required by Section 15164(e), the following discussion details the consistency determination under Section 15162 required for the preparation of this addendum:

1. Section 15162(a)(1): Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

   Rationale: The proposed addition of a community care facility as an allowed use in the LC - CC Zone would not introduce any new or more severe impacts that were not addressed in the EIR, and would be adequately mitigated with application of original mitigation measures identified in the EIR. The use is considered a commercial use under the General Plan, and many of the impacts associated with a retail center would be more severe than those associated with the proposed community care facility use. The mitigation measures are imposed as conditions of approval for any project within the specific plan area, and would apply to this use. The additions represent a minor revision and include no additional significant effects.

2. Section 15162 (a)(2): Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

   Rationale: The circumstances under which the specific plan has been implemented have not changed to the extent that warrants a revision to the EIR . The site was analyzed for commercial zoning, and the analysis is still applicable. The physical and environmental setting is not substantially different from that which was analyzed under the EIR, and the project would not involve any new or more

severe effects that were not involved in the original approval. Additional regulations have been adopted by the county with respect to some environmental impact areas, however, these regulations would only serve to better protect the environment as they are applicable to all projects and would apply even without the identification of mitigation measures. Conditions of approval and subsequent permit requirements would further avoid any potentially significant environmental effects. The revision includes an additional allowed use, community care facilities in the LC – CC Zone, however the revision would not result in any impacts that would be considered significant.

3. Section 15162(a)(3): New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

   (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

   (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

   (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; and

   (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

   Rationale: As analyzed below, the addition of a community care facility as an allowed use in the LC - CC Zone would not result in any new or more severe significant effects that require analysis due to new information that was not known at the time that the EIR was certified. The original mitigation measures adopted with the specific plan, as identified in the EIR, will be applied as required for any project at this site, including for a community care facility. No new measures were found to be necessary. Based on the findings above, this addendum to the CCSP EIR is sufficient in analyzing the minor changes involving the revision to the LC - CC Zone. No additional environmental impact is anticipated to occur. The original mitigation measures will be applied to this new use as deemed necessary. Conditions of approval and subsequent permit requirements would further avoid any potential significant environmental effects. There were no mitigation measures that were determined to be infeasible at the time, but that would be feasible today. There were no mitigation measures identified throughout the review of the revision which are considerably different from any standard conditions or project components identified in the previous document. The project revision includes changes to the allowed uses, however the project would not involve any new or more severe effects that were not involved in the original approval, and the revision would not result in any impacts that would be considered significant.

Impacts associated with the implementation of the CCSP were evaluated pursuant to CEQA requirements in the 1997 Final EIR. The mitigation measures identified in the Final EIR would apply to construction and operation of the modified uses described in this Addendum. The environmental effects of the proposed modifications to the CCSP for all environmental resource areas covered in the Final EIR are discussed below. An analysis of cumulative impacts is included with each resource area. A discussion of growth-inducing impacts is provided separately at the end of this section.

No new significant effects have been identified and the County has determined that there is no legal or evidentiary basis for the preparation of a Supplemental or Subsequent EIR pursuant to State CEQA Guidelines Sections 15162 and 15163, and that an Addendum to the CCSP 1997 FEIR, pursuant to State CEQA Guidelines Section 15164, is the appropriate environmental document for the proposed project.

MITIGATION MONITORING PROGRAM

A Mitigation Monitoring and Reporting Program (MMRP) is included at the end of the document. All referenced documentation is available for public review at El Dorado County Development Services, 2850 Fairlane Court, Building C, Placerville, CA 95667.

ENVIRONMENTAL CHECKLIST

COMPARING CHANGES AND/OR NEW INFORMATION TO PREVIOUS ENVIRONMENTAL DOCUMENTS

The purpose of the checklist is to evaluate the categories in terms of any "changes" or "new information" that may result in a changed environmental impact evaluation. A "no" answer does not necessarily mean that there are no potential impacts relative to the environmental category, but that there is no relevant change in the condition or status of the impact due to its insignificance or its treatment in a previous environmental document.

Overriding considerations were adopted with the certification of the 1997 CCSP EIR that accepted the possibility of certain impacts regardless of whether mitigations could reduce them to a less-than-significant level. Thus, certain environmental categories might be answered with a "no" in the checklist because the proposed project does not introduce changes that would result in a modification to the conclusion of the EIR Findings Document.

EXPLANATION OF CHECKLIST EVALUATION CATEGORIES:

Where Impact was Analyzed in Prior Environmental Documents

This column provides a crosswalk to the sections of the other environmental documents where information and analysis may be found relative to the environmental issue listed under each topic.

Do Proposed Changes Involve New or More Severe Impacts?

Pursuant to Section 15162(a)(l) of the CEQA Guidelines, this column indicates whether the changes represented by the proposed project will result in new impacts that have not already been considered and mitigated by other EIRs or that substantially increase the severity of a previously identified impact. If a "yes" answer is given, additional mitigations will be specified in the discussion section including a statement of impact status after mitigation.

Any New Circumstances Involving New or More Severe Impacts?

Pursuant to Section 15162(a)(2) of the CEQA Guidelines, this column indicates whether there have been changes to the project site or the vicinity (environmental setting) that have occurred subsequent to the certification of an EIR, which would result in the proposed project having significant impacts that were not considered or mitigated by that EIR or which substantially increase the severity of a previously identified impact.

Any New Information Requiring New Analysis of Verification?

Pursuant to Section 15162(a)(3) of the CEQA Guidelines, this column indicates whether new information is available requiring an update to the analysis of a previous EIR.

Prior Environmental Document Mitigations Implemented or Address Impacts.

Pursuant to Section 15162(a)(3) of the CEQA Guidelines, this column indicates whether other environmental documents provide mitigations to address effects in the related impact category. If N/A is indicated, a previous environmental document and this initial study conclude that the impact does not occur with this project, and therefore no mitigation is needed. If mitigation measures were identified to mitigate an impact, they are noted here.

DISCUSSION AND MITIGATION SECTIONS

Discussion

A discussion of the elements of the checklist is provided under each environmental category in order to clarify the answers. The discussion provides information about the particular environmental issue, how the project relates to the issue and the status of any mitigation that may be required or that has already been implemented.

EIR Mitigation Measures

Applicable mitigation measures from previous EIRs that apply to the changes or new information are referenced under each environmental category.

Special Mitigation Measures

If changes or new information involve new impacts, special mitigations will be listed which will be included as project conditions to address those impacts.

ENVIRONMENTAL CHECKLIST

I. **AESTHETICS.** *Would the project:*	Where impact was analyzed in prior environmental documents?	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts?
a. Have a substantial adverse effect on a scenic vista?	**Section 4.3**	**No**	**No**	**No**	**No. Significant and Unavoidable MM: 4.3-2 through 4.3-5**
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	**Section 4.3**	**No**	**No**	**No**	**No. Significant and Unavoidable MM: 4.3-2 through 4.3-5**
c. Substantially degrade the existing visual character quality of the site and its surroundings?	**Section 4.3**	**No**	**No**	**No**	**No. Significant and Unavoidable MM: 4.3-2 through 4.3-5**
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	**Section 4.3**	**No**	**No**	**No**	**No. Significant and Unavoidable MM: 4.3-2 through 4.3-5**

Regulatory Setting:

Federal Laws, Regulations, and Policies

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

State Laws, Regulations, and Policies

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

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

Local Laws, Regulations, and Policies

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

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

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

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

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

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

The CCSP EIR analyzes the potential effects of the CCSP on aesthetics and visual resources (EIR Section 4.3). The primary effects of implementation of the CCSP on visual resources were described as potential obstruction of views from publicly accessible locations, substantial and adverse changes to visual resources, or creation of visual amenities.

The Final EIR determines that implementation of the CCSP would result in significant and unavoidable impacts in relation to views from White Rock Road and Golden Foothills Parkway. Views from White Rock Road at the El Dorado/Sacramento County line featured open views of undeveloped, gently sloping land along White Rock Road near the Sacramento County border that would be substantially altered by the proposed project and a significant impact would result. There are no officially designated scenic resources in the area, however, there are many scenic vistas surrounding the plan area. Mitigation Measures 4.3-2 through 4.3-5 require landscaping, visual screening techniques, and the use of natural elements and colors to minimize aesthetic impacts, although it was determined that these mitigation measures would not reduce the impact to less than significant levels. Lighting would be designed to minimize new sources of light or glare, as required by the Zoning Ordinance. The addition of the community care facility use to the LC - CC zone would not involve any more severe impacts that those previously analyzed under the EIR. No new mitigation measures are required.

The Final EIR concludes that there would be a cumulatively-considerable, long-term impact to aesthetic and visual resources in the vicinity of the Carson Creek Specific Plan area due to the change in character of from a more urban rather than rural

visual experience. This impact is significant and unavoidable when considering the effects of the CCSP and other development plans in the area. Mitigation measure 4.3-2 and 4.3-5 would reduce this impact, but the effect would remain significant. The proposed modifications would not further affect the aesthetic character and thus would not change the conclusions of the Final EIR.

EIR Mitigation Measures:

MITIGATION MEASURE 4.3-2: WHITE ROCK ROAD AT MANCHESTER LANE

a) Use a majority of native plant species in the proposed 30-foot greenbelt to maximize a compatible visual relationship with residential uses to the north, and with the surrounding natural terrain and vegetation.

b) Require use of natural colored roof materials in project development to maximize consistency with the surrounding natural environment to minimize stark visual contrasts.

c) Use natural components in fencing materials (e.g., wood, stone, brick) that would be consistent with residential uses to the north, and would enhance visual compatibility with the natural surroundings of the site.

MITIGATION MEASURE 4.3-3: WHITE ROCK ROAD AT EL DORADO/SACRAMENTO COUNTY LINE.

Apply mitigation measure 4.3-2. No other mitigation measures are available.

MITIGATION MEASURE 4.3-5: GOLDEN FOOTHILLS PARKWAY AT CARSON CREEK.

a) Use native plant species as the majority of those planted in the proposed 30-foot greenbelt to maximize a compatible visual relationship with the surrounding natural terrain and vegetation.

b) Require use of natural colored roof materials in project developments to maximize consistency with the surrounding natural environment and to minimize stark visual contrasts.

c) Use natural components in fencing materials (e.g., wood, stone, brick) in developments along Carson Creek to enhance visual compatibility with the natural surroundings of the site.

d) Use natural components in pedestrian trail features (e.g., fences, trail materials) to enhance visual compatibility with the natural surroundings of the site.

e) Retain unobstructed views of Carson Creek from locations along Golden Foothills Parkway.

Conclusion: The EIR concluded that with the incorporation of mitigation measures, visual impacts would be reduced, but not to a less than significant level. Significant and unavoidable impacts would remain in relation to views from White Rock Road. However, the addition of the community care facility use to the LC - CC Zone would not involve any more severe impacts that those previously analyzed under the EIR.

II. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Locally Important Farmland (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	**Section 4.2, Addendum Part V**	**No**	**No**	**No**	**Yes**
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	**Section 4.2-6, Addendum Part V**	**No**	**No**	**No**	**Yes**
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	**Not analyzed; no forest or timberland on site or nearby**	**No**	**No**	**No**	**N/A**
d. Result in the loss of forest land or conversion of forest land to non-forest use?	**Not analyzed; no forest or timberland on site or nearby**	**No**	**No**	**No**	**N/A**
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	**Section 7.1**	**No**	**No**	**No**	**Yes**

Regulatory Setting:

Federal Laws, Regulations, and Policies

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

State Laws, Regulations, and Policies

Farmland Mapping and Monitoring Program

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

> ***Prime Farmland:*** Farmland with the best combination of physical and chemical features able to sustain long-term agricultural production. These lands have the soil quality, growing season, and moisture supply needed to produce sustained high yields. Prime Farmland must have been used for irrigated agricultural production at some time during the 4 years before the FMMP's mapping date.
>
> ***Farmland of Statewide Importance:*** Farmland similar to Prime Farmland, but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Farmland of Statewide Importance must have been used for irrigated agricultural production at some time during the 4 years before the FMMP's mapping date.
>
> ***Unique Farmland***: Farmland of lesser quality soils used for the production of the state's leading agricultural crops. These lands are usually irrigated but might include non-irrigated orchards or vineyards, as found in some climatic zones. Unique Farmland must have been cropped at some time during the 4 years before the FMMP's mapping date.
>
> ***Farmland of Local Importance:*** Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.

California Land Conservation Act of 1965 (Williamson Act)

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

Z'berg-Nejedly Forest Practice Act

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

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

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

The Final EIR analyzes the potential effects of the CCSP on agricultural resources in the land use sections of the EIR (Section 4.2). Zoning for the project site was modified from Exclusive Agriculture (AE) by the adoption of the CCSP. The land within the CCSP was used primarily for grazing under a Williamson Act Contract, but a Notice of Nonrenewal was filed

in 1990 to remove the site from agricultural preserve status. Adjacent Sacramento County property to the west of the Specific Plan was zoned Permanent Agriculture 80 acre minimum (AG-80), and it was anticipated that this land would remain grazing land.

The CCSP EIR evaluated the impact of converting predominantly open space and vacant land to urban development. Portions of the project site were, at the time, leased by the property owner for cattle grazing. This lease could be terminated at the owner's discretion. The EIR concluded that because the land was being used for cattle grazing under the terms of a lease, it was considered a temporary use, rather than permanent farmland, that could be moved to another site without substantial environmental consequences. The conversion of land was deemed a less than significant impact. No mitigation measures were proposed. The loss of agricultural land inherent in the proposed project was considered an irreversible and irretrievable commitment of resources within the Specific Plan area and, cumulatively with other similar projects, within El Dorado County as a whole, was considered an irreversible environmental change. The Addendum to the EIR provided a specific discussion of compatibility with the agricultural area to the west, which issued primarily for cattle grazing. Mitigation in the form of a 30-foot landscaped buffer and a protective fence was included in the project design to alleviate impacts on residents within the CCSP, and impacts on cattle grazing operations. The proposed modifications to the CCSP also would not permanently convert farmland to nonagricultural uses, as the site has already been graded, and surrounding residential development currently exists on site. No new impacts would result, and no new mitigation measures are required.

The proposed modifications to the CCSP would not change the conclusion of the Final EIR with respect to cumulative impacts to agricultural resources (EIR Section 7.2.3). The EIR concluded that though some previously undeveloped land areas would be developed under the General Plan, the rural/semi-rural nature of a majority of the County would be preserved, and restrictions on the development of open space and scenic areas would limit potential future land use conflicts with existing residents. There would be no cumulatively considerable impacts to agricultural resources. The proposed modifications would not further affect the farmland and thus would not change the conclusions of the Final EIR.

EIR Mitigation Measures:

None.

Special Mitigation Measures:

None.

Conclusion: The EIR concluded that impacts to agricultural land uses would be less than significant. The proposed amendment to the CCSP would not result in any more severe impacts that those previously analyzed under the EIR.

III. AIR QUALITY. *Would the project:*	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
a. Conflict with or obstruct implementation of the applicable air quality plan?	**Section 4.6**	**No**	**No**	**No**	**No. Significant and Unavoidable MM: 4.6-1 through 4.6-4, 7-2**
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	**Section 4.6**	**No**	**No**	**No**	**No. Significant and Unavoidable MM: 4.6-1 through 4.6-4**
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	**Section 4.6**	**No**	**No**	**No**	**No. Significant and Unavoidable MM: 4.6-1 through 4.6-4**
d. Expose sensitive receptors to substantial pollutant concentrations?	**Section 4.6**	**No**	**No**	**No**	**Yes. 4.6-1 through 4.6-4**
e. Create objectionable odors affecting a substantial number of people?	**Section 4.6**	**No**	**No**	**No**	**Yes. 4.6-1 through 4.6-4**

Regulatory Setting:

Federal Laws, Regulations, and Policies

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

State Laws, Regulations, and Policies

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

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

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

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

Criteria Pollutant	**El Dorado County Threshold**	
Reactive Organic Gasses (ROG)	82 lbs/day	
Nitrogen Oxides (NOx)	82 lbs/day	
Carbon Monoxide (CO)	8-hour average: 6 parts per million (ppm)	1-hour average: 20 ppm
Particulate Matter (PM10):	Annual geometric mean: 30 µg/m3	24-hour average: 50 µg/m3
Particulate Matter (PM2.5):	Annual arithmetic mean: 15 µg/m3	24-hour average: 65 µg/m3
Ozone	8-hour average: 0.12 ppm	1-hour average: .09

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

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

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

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

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

On November 30, 2015, the California Supreme Court decided Center for Biological Diversity v. California Department of Fish and Wildlife (Newhall Ranch). Although three issues were taken up by the Court for decision, of importance here is the question: Does the EIR validly determine that the project would not significantly impact the environment by its discharge of GHGs? Air quality emissions thresholds established by the EDCAQMD are in place to evaluate the impacts of air quality emissions on the environment. As discussed below, the 1997 EIR addressed air emissions and determined mitigation measure implementation as appropriate to reduce impacts.

Discussion: The El Dorado County Air Pollution Control District (APCD) has developed a Guide to Air Quality Assessment (2002) to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. A substantial adverse effect on air quality would occur if:

- Emissions of ROG and No_x will result in construction or operation emissions greater than 82lbs/day (Table 3.2);
- Emissions of PM_{10}, CO, SO_2 and No_x, as a result of construction or operation emissions, will result in ambient pollutant concentrations in excess of the applicable National or State Ambient Air Quality Standard (AAQS). Special standards for ozone, CO, and visibility apply in the Lake Tahoe Air Basin portion of the County; or
- Emissions of toxic air contaminants cause cancer risk greater than 1 in 1 million (10 in 1 million if best available control technology for toxics is used) or a non-cancer Hazard Index greater than 1. In addition, the project must demonstrate compliance with all applicable District, State and U.S. EPA regulations governing toxic and hazardous emissions.

The Final EIR assesses the potential effects of the CCSP on air quality during project construction and operation (EIR Section 4.6). Air quality impacts to occur during the grading phase of construction include those resulting from employee trips, exhaust emissions from grading equipment, and fugitive dust emissions. Long-term operational emissions, also affecting air quality, were anticipated to result from stationary energy use and residential fireplace emissions on the project site, and mobile source emissions, which result from motor vehicle trips generated by the proposed Specific Plan land uses.

The proposed modifications to the CCSP would result in similar impacts to air quality as those described in the EIR. Air emissions for project construction and operation would be the same as those summarized in Tables 4.6-3, 4.6-4, and 4.6-5 in the EIR. The additional use would not result in a greater amount of air quality impacts. The number of trips anticipated as a result of a community care facility would produce many fewer trips than originally anticipated in the EIR, as evidenced by the Technical Memorandum from Fehr and Peers Dated September 25, 2015, which compared the trip generation for Local Convenience Commercial uses included in the DEIR to the potential trip generation resulting from the CCSP Amendment. While 71,400 square feet of Local Convenience Commercial uses would result in approximately 3,672 daily trips, 81 AM trips, and 343 PM trips, Assisted Living facilities with 100 beds would generate 274 Daily Trips, 18 AM trips, and 29 PM trip ends. The revision would not preclude other commercial uses, which were analyzed in the EIR, from locating within the LC - CC Zone. The proposed modifications would not introduce any more severe impacts beyond those previously analyzed. Mitigation Measures 4.6-1 through 4.6-4 would reduce the air quality impacts of the Specific Plan implementation. No additional mitigation measures are required.

The Final EIR concluded buildout of the Specific Plan, in conjunction with cumulative growth, would contribute to and exacerbate western EI Dorado County's non-compliance with state and federal ambient air quality standards. Implementation of the cumulative traffic mitigation measures and emissions mitigation would reduce cumulative air quality impacts, but not

to a less-than-significant level. The proposed modifications would not result in new air quality impacts and would not change the conclusion of the Final EIR.

EIR Mitigation Measures:

MITIGATION MEASURE 4.6-1: PHASE I (GRADING PHASE) CONSTRUCTION EMISSIONS

a) The project applicant shall comply with El Dorado County APCD Rule 223 as required by the Air Pollution Control Officer. Such precautions may include, but are not limited to, the following:

- Application of water or suitable chemicals or other specified covering on materials stockpiles, wrecking activity, excavation, grading, sweeping, clearing of land, solid waste disposal operations, or construction or demolition of buildings or structures (all exposed soil shall be kept visibly moist during grading);
- Installation and use of hoods, fans and filters to enclose, collect, and clean the emissions of dusty materials;
- Covering or wetting at all times when in motion of open-bodied trucks, trailer or other vehicles transporting materials which create a nuisance by generating particulate matter in areas where the general public has access;
- Application of asphalt, oil, water or suitable chemicals on dirt roads;
- Paving of public or commercial parking surfaces;
- Removal from paved streets and parking surfaces of earth or other material which has a tendency to become airborne;
- Limiting traffic speeds on all unpaved road surfaces to 15 mph;
- Suspending all grading operations when wind speeds exceed 20 miles per hour (including instantaneous gusts);
- Alternate means of control as approved by the Air Pollution Control Officer.

b) Construction equipment engines shall be maintained in proper operating condition.

MITIGATION MEASURE 4.6-2: PHASE II (FACILITIES PHASE) CONSTRUCTION EMISSIONS

a) Low emission mobile construction equipment shall be used (e.g., tractor, scraper, dozer, etc.).

b) Construction equipment engines shall be maintained in proper operating condition.

c) Low-emission stationary construction equipment shall be used.

d) A trip reduction plan shall be developed and implemented to achieve 1.5 average vehicle occupancy (AVO) for construction employees.

e) Construction activity management techniques, such as extending construction period, reducing number of pieces used simultaneously, increasing distance between emission sources, reducing or changing hours of construction, and scheduling activity during off-peak hours shall be developed and implemented.

f) The project applicant shall comply with EI Dorado County APCD Rule 224.

g) The project applicant shall comply with EI Dorado County APCD Rule 215.

MITIGATION MEASURE 4.6-3: STATIONARY SOURCE EMISSIONS

a) The applicant shall incorporate energy-saving design features into future levels of project implementation as feasible and appropriate. The feasibility and appropriateness of each measure can best be determined at future, more-detailed levels of planning. These design features may include, but are not limited to, the following:

- Solar or low-emission water heaters;
- Central water heating systems;
- Shade trees;

- Energy-efficient and automated air conditioners;
- Double-pane glass in all windows;
- Energy-efficient low-sodium parking lot lights;
- Adequate ventilation systems for enclosed parking facilities;
- Energy-efficient lighting and lighting controls.

b) The applicant, future successors in interest, or future homebuilders shall install only EPA-certified woodstoves and fireplaces.

MITIGATION MEASURE 7-2: PROJECT CONTRIBUTION TO CUMULATIVE AIR QUALITY IMPACTS

Apply mitigation measure 7-2. No further mitigation measures are available.

Special Mitigation Measures:

None.

Conclusion: The EIR concluded that air quality impacts related to Phase I and Phase II construction emissions, stationary source emissions, and regional mobile source emissions would remain significant and unavoidable despite the incorporation of mitigation measures. The proposed amendment to the CCSP would not result in any more severe impacts that those previously analyzed under the EIR.

IV. BIOLOGICAL RESOURCES. *Would the project:*	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	**Section 4.8**	**No**	**No**	**No**	**Yes. MM: 4.8-2, 4.8-3**
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	**Section 4.8**	**No**	**No**	**No**	**Yes. MM: 4.8-2, 4.8-3**

IV. BIOLOGICAL RESOURCES. *Would the project:*	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	**Section 4.8**	**No**	**No**	**No**	**Yes. MM: 4.8-2**
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	**Section 4.8**	**No**	**No**	**No**	**Yes. MM: 4.8-2**
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	**Section 4.8**	**No**	**No**	**No**	**Yes. MM: 4.8-2, 4.8-3**
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	**Section 4.8**	**No**	**No**	**No**	**N/A**

Regulatory Setting:

Federal Laws, Regulations, and Policies

Endangered Species Act

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

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

activities that incidentally may result in "take" of endangered or threatened species, subject to specific conditions. A habitat conservation plan (HCP) must accompany an application for an incidental take permit.

Migratory Bird Treaty Act

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

Bald and Golden Eagle Protection Act

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

Clean Water Act

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

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

State Laws, Regulations, and Policies

California Fish and Game Code

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

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

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

Streambed Alteration Agreement

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

California Native Plant Protection Act

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

Forest Practice Act

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

Local Laws, Regulations, and Policies

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

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

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

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

The Final EIR analyzes the potential for the CCSP to adversely affect biological resources, including special status species and habitats, wetlands, and other waters of the U.S. during construction and operation. The Final EIR includes mitigation measures (4.8-2 and 4.8-3) to reduce these impacts to levels less than significant. Most of these mitigation measures concern the stream and wetlands and riparian habitat that are located in many areas of the Specific Plan area. However, the subject site, which is the only area in the CCSP affected by the change to the allowed uses in the LC - CC Zone, does not contain any of these habitat types. The site contains mostly native grassland, for which one of the mitigation measures could apply (4.8-3). Local protection of biological resources includes the IBC overlay, oak woodland preservation, rare plants and special-status species, and wetland preservation with the goal to preserve and protect sensitive natural resources within the County. The project is not located within any of these areas. No oak trees are located on site. This project would not conflict with the provisions of an adopted Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

This Addendum analyzes whether the mitigation measures in the Final EIR remain adequate to reduce impacts to less than significant. To make this determination, the following reviews and analyses were undertaken:

- Review of state and federal listing status of rare, endangered and threatened species to determine whether changes in listing status would change the Final EIR conclusions on impact significance.

- Review of California Natural Diversity Data Base (CNDDB) records to determine if populations of special status species have been documented within the specific plan area, or if new populations have been documented since the Final EIR was completed.

CNDDB records indicate that there are no new populations of special status species located within the specific plan area. A review of state and federal listing status of rare, endangered and threatened species within the United States Geological Survey (USGS) 7.5-minute quadrangles (quad) in which the project is located, as well as the eight surrounding quads, determined that there have been no changes in listing status since the Final EIR was adopted. Therefore, changes in biological resource habitat locations and changes in species status would not change the Final EIR conclusions on impact significance.

The Final EIR did not find that significant cumulative impacts to biological resources would result from the CCSP. Implementation of the CCSP, in conjunction with other reasonably foreseeable future developments in the project vicinity, would contribute to the ongoing loss of natural, undisturbed open space in the region, resulting in a decline of biological resources and species diversity. Cumulative development would also result in increased traffic and human use of the project vicinity, which would further reduce the quantity and quality of wildlife habitat. However, the EIR determined that cumulative impacts to biological resources would be mitigated on a project-by-project basis, as with the proposed amendment. The proposed modifications would not result in new biological resources impacts and would not change the conclusion of the Final EIR.

EIR Mitigation Measures:

MITIGATION MEASURE 4.8-2: LOSS OF WETLANDS.

a) Prior to issuance of a grading permit, the wetland delineation completed for the Euer Ranch shall be verified by USACE. After verification, any wetlands that would be lost or disturbed shall be replaced or rehabilitated on a "no-net-loss" basis in accordance with USACE mitigation guidelines. El Dorado County has also supported the protection of wetlands as

specified in the County's General Plan under Objective 7.4.2. Habitat restoration, rehabilitation, and/or replacement shall be at a location and by methods agreeable to USACE.

b) Prior to issuance of a grading permit, a Streambed Alteration Agreement shall be obtained from CDFG, pursuant to §1600 of the California Fish and Game Code, for each stream crossing and any other activities affecting the bed, bank, or associated riparian vegetation of the stream. If required, the project applicant shall coordinate with CDFG in developing appropriate mitigation, and shall abide by the conditions of any executed permits.

c) Grading activities shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance. Appropriate runoff controls such as berms, storm grates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.

MITIGATION MEASURE 4.8-3: SPECIAL-STATUS PLANTS.

Prior to issuance of a grading permit, habitat on the Euer Ranch that is suitable to support Bogg's Lake hedge-hyssop shall be surveyed. If any significant populations of this species are found in areas proposed for development, a mitigation plan designed to result in a no-net-loss of the species shall be prepared by the project proponent and approved by USFWS. The plan may include measures such as transplantation or revegetation in protected areas onsite. Approval of this plan by USFWS and its implementation by the project proponent would reduce impacts to a less than significant level.

Special Mitigation Measures:

None.

Conclusion: The EIR concluded that impacts related to biological resources including protected species, habitat, wetlands, or oak trees would be less than significant with the incorporation of mitigation measures. The proposed amendment to the CCSP would not result in any more severe impacts that those previously analyzed under the EIR.

V. CULTURAL RESOURCES. *Would the project:*	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	**Section 4.11**	**No**	**No**	**No**	**Yes. MM: 4.11-1**
b. Cause a substantial adverse change in the significance of archaeological resource pursuant to Section 15064.5?	**Section 4.11**	**No**	**No**	**No**	**4.11-1**
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	**Section 4.11**	**No**	**No**	**No**	**Yes. MM: 4.11-1**
d. Disturb any human remains, including those interred outside of formal cemeteries?	**Section 4.11**	**No**	**No**	**No**	**Yes. MM: 4.11-1**

Regulatory Setting:

Federal Laws, Regulations, and Policies

The National Register of Historic Places

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

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

State Laws, Regulations, and Policies

California Register of Historical Resources

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

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

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

The California Register of Historic Places

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

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

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

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

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

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

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

Assembly Bill 52

Assembly Bill 52 (AB 52), passed in 2014, requires environmental review documents to disclose and analyze potential significant impacts to tribal cultural resources including sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe. Lead agencies are also required to begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project if the tribe requests to the lead agency, in writing, to be informed by the lead agency of proposed projects in that geographic area and the tribe requests consultation, prior to determining whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project. AB 52 applies to projects that have a notice of preparation or a notice of negative declaration filed or mitigated negative declaration on or after July 1, 2015.

El Dorado County circulated a NOP for the CCSP on July 8, 1994, prior to implementation of AB 52. Therefore, AB 52 is not applicable to the CCSP Amendment project.

CEQA and CEQA Guidelines

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

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

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

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

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

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

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

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

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

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

The EIR assessed the effects of the proposed project on cultural resources, including paleontological resources, prehistoric resources, and historic resources. The effects of the proposed modifications to the CCSP on cultural resources were evaluated in the cultural resources report (Lindstrom, 1995) required by the EIR and included by reference in this Addendum. Standard conditions of approval would apply in the event of accidental discovery during any future construction. The impacts are considered less than significant, the same determination made in the EIR.

Given the geographic extent of paleontological sensitivity analysis conducted for the EIR and the lack of change in placement proposed by the Addendum, no further analysis of paleontological resources has been prepared for the Addendum. It is expected that no additional impacts to paleontological resources would result from the proposed modifications to the CCSP, and that the implementation of Mitigation Measures 4.11-1 through 4.11-4 would reduce impacts to a less than significant level.

The proposed modifications to the CCSP would not change the conclusion of the EIR with respect to cumulative impacts on cultural resources. Incorporation of mitigation would reduce the contribution of the CCSP to potentially significant cultural resources. Though any future development that would require excavation or grading activities has the potential to disturb cultural materials, the potential for cumulative impacts can be mitigated through project-by-project management of resources. There would be no cumulatively considerable impacts to cultural resources.

EIR Mitigation Measures:

MITIGATION MEASURE 4.11-1: ARCHAEOLOGICAL SITES:

a. Prior to grading and construction activities, significant cultural resources found on the project site shall be recorded or described in a professional report and submitted to the North Central Information Center at California State University at Sacramento.

b. During grading and construction activities, the name and telephone number of an El Dorado County approved, licensed archaeologist shall be available at the project site. In the event a heritage resource is encountered during grading or construction activities, the project applicant shall insure that all activities will cease in the vicinity of the recovered heritage resource until an archaeologist can examine the find in place and determine its significance. If a find is authenticated, the archaeologist shall determine proper methods of handling the resource(s) for transport and placement in an appropriate repository. Grading and construction activities may resume, after the resource is either retrieved or found to be not of consequence.

Special Mitigation Measures:

None.

Conclusion: The EIR concluded that cultural resources impacts would be less than significant with the incorporation of mitigation measures. The proposed amendment to the CCSP would not result in any more severe impacts that those previously analyzed under the EIR.

VI. GEOLOGY AND SOILS. *Would the project:*	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	**Section 4.9**	**No**	**No**	**No**	**Yes. MM: 4.9-1 through 4.9-8**
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	**Section 4.9**	**No**	**No**	**No**	**Yes. MM: 4.9-3 and 4.9-4**

VI. GEOLOGY AND SOILS. *Would the project:*	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
ii) Strong seismic ground shaking?	**Section 4.9**	**No**	**No**	**No**	**Yes. MM: 4.9-5**
iii) Seismic-related ground failure, including liquefaction?	**Section 4.9**	**No**	**No**	**No**	**Yes. MM: 4.9-1**
iv) Landslides?	**Section 4.9**	**No**	**No**	**No**	**Yes. MM: 4.9-7, 4.9-8**
b. Result in substantial soil erosion or the loss of topsoil?	**Section 4.9**	**No**	**No**	**No**	**Yes. MM: 4.9-7**
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	**Section 4.9**	**No**	**No**	**No**	**Yes. MM: 4.9-7, 4.9-8**
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) creating substantial risks to life or property?	**Section 4.9**	**No**	**No**	**No**	**Yes. MM: 4.9-8**
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	**Section 4.9**	**No**	**No**	**No**	**N/A**

Regulatory Setting:

Federal Laws, Regulations, and Policies

National Earthquake Hazards Reduction Act

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

1. Develop effective measures to reduce earthquake hazards;

2. Promote the adoption of earthquake hazard reduction activities by federal, state, and local governments; national building standards and model building code organizations; engineers; architects; building owners; and others who play a role in planning and constructing buildings, bridges, structures, and critical infrastructure or "lifelines";
3. Improve the basic understanding of earthquakes and their effects on people and infrastructure through interdisciplinary research involving engineering; natural sciences; and social, economic, and decision sciences; and
4. Develop and maintain the USGS seismic monitoring system (Advanced National Seismic System); the NSF-funded project aimed at improving materials, designs, and construction techniques (George E. Brown Jr. Network for Earthquake Engineering Simulation); and the global earthquake monitoring network (Global Seismic Network).

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

State Laws, Regulations, and Policies

Alquist–Priolo Earthquake Fault Zoning Act

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

Historical seismic activity and fault and seismic hazards mapping in the project vicinity indicate that the area has relatively low potential for seismic activity (El Dorado County 2003). No active faults have been mapped in the project area, and none of the known faults have been designated as an Alquist-Priolo Earthquake Fault Zone.

Seismic Hazards Mapping Act

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

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

California Building Standards Code

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

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

- Allow substantial development of structures or features in areas susceptible to seismically induced hazards such as groundshaking, liquefaction, seiche, and/or slope failure where the risk to people and property resulting from earthquakes could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards;
- Allow substantial development in areas subject to landslides, slope failure, erosion, subsidence, settlement, and/or expansive soils where the risk to people and property resulting from such geologic hazards could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards; or
- Allow substantial grading and construction activities in areas of known soil instability, steep slopes, or shallow depth to bedrock where such activities could result in accelerated erosion and sedimentation or exposure of people, property, and/or wildlife to hazardous conditions (e.g., blasting) that could not be mitigated through engineering and construction measures in accordance with regulations, codes, and professional standards.

The Final EIR analyzes the potential for the CCSP to be negatively affected by geologic, seismic, and soil hazards (EIR Section 4.9). The Final EIR describes the geologic, seismic, and soil conditions within and around the project area. The topography of the site is fairly flat with a few low rolling hills, and gently slopes to the southwest. Carson Creek, an intermittent drainage, and several small tributary intermittent streams drain southwesterly through the central portion of CCSP area, but there are no streams near the LC - CC Zone. Liquefaction and differential compaction or seismic settlement were determined to be possible, though of low potential, within the Carson Creek Drainage. This impact was considered potentially significant to uses proposed within these areas (flood control and recreational trails). Any further grading activities onsite would comply with the El Dorado County Grading, Erosion and Sediment Control Ordinance including the implementation of pre- and post-construction Best Management Practices (BMPs). Implemented BMPs are required to be consistent with the County's California Stormwater Pollution Prevention Plan (SWPPP) issued by the State Water Resources Control Board to eliminate run-off and erosion and sediment controls. Any grading activities exceeding 250 cubic yards of graded material or grading completed for the purpose of supporting a structure must meet the provisions contained in the County of El Dorado Grading, Erosion, and Sediment Control Ordinance.

The EIR establishes mitigation measures to minimize the potential impacts due to project construction and operation (Mitigation Measures 4.10-1 through 4.10-7). The proposed changes to the allowed land uses would not result in new impacts associated with geology, seismicity, or soils. The modified project elements would similarly be affected by ground shaking, rupture, and topographic alterations (ground instability and erosion). Implementation of Mitigation Measures 4.10-1 through 4.10-7 would avoid or minimize impacts to less than significant levels. No additional mitigation measures are necessary. Seismic investigations and project design requirements in the mitigation measures, as well as application of the El Dorado County Grading, Erosion Control and Sediment Ordinance would address potential impacts related to soil erosion, landslides and other geologic impacts. Future development would be required to comply with the Uniform Building Code which would address potential seismic related impacts.

As concluded in the EIR, the negative impacts associated with geology and soils are site-specific. No cumulative effects are expected due to the project modifications.

EIR Mitigation Measures:

MITIGATION MEASURE 4.10-1: INCREASED SURFACE RUNOFF

a) Prior to the approval of the first tentative subdivision or parcel map, the project applicant shall submit and obtain approval of final drainage plans by the EI Dorado County Department of Transportation. These final drainage plans shall demonstrate that future post-development stormwater discharge levels from the project will remain at existing stormwater discharge levels and detention basins will be permanently maintained. The drainage plan shall be prepared by a certified Civil Engineer and shall be in conformance with the EI Dorado County Drainage Manual adopted by the Board of Supervisors in March 1995. The project applicant shall form a drainage zone of benefit (ZOB) responsible for all stormwater drainage facility maintenance requirements. The drainage plan shall include, at a minimum, written "text addressing existing conditions, the effects of project improvements, all appropriate calculations, a watershed map, potential increases in downstream flows. proposed onsite improvements, and drainage easements, if necessary, to accommodate flows from the site and implementation and maintenance

responsibilities. The plan shall address storm drainage during construction and proposed BMPsto reduce erosion and water quality degradation. All onsite drainage facilities shall be constructed to EI Dorado County Department of Transportation satisfaction. BMPs shall be implemented throughout the construction process. The following BMPs, or others deemed effective by the Department of Transportation, will be implemented as necessary and appropriate:

Soil Stabilization Practices
- o Straw Mulching
- o Hydromulching
- o Jute Netting
- o Revegetation
- o Preservation of Existing Vegetation

Sediment Barriers
- o Straw Bale Sediment Barriers
- o Filter Fences
- o Straw Bale Drop Inlet Sediment Barriers

Site Construction Practices
- o Winterization
- o Traffic Control
- o Dust Control

Runoff Control in Slopes/Streets
- o Diversion Dikes
- o Diversion Swales
- o Sediment Traps

b) Specific measures shall be identified in the final drainage plans to reduce stormwater discharge at the Southern Pacific Railroad bridge (Malby Crossing) at the site's southern end. These measures shall include detention basins of adequate size to reduce post-development discharge to predevelopment levels. Maintenance of the detention basin and drainage facilities shall include periodic inspections (e.g., annual) to ensure facility integrity and debris removal as necessary.

MITIGATION MEASURE 4.10-2: 100-YEAR FLOOD EVENT

Project development shall not occur in areas within the 100-year flood zone shown in the Final Carson Creek Regional Drainage Study. The hydrologic study outlines the 100-year flood zones associated with the project and proposed flood control measures such as detention basins. Alternatively, 100-year flood protection improvements, approved by the EI Dorado County Department of Transportation, can be implemented to allow development in these areas.

MITIGATION MEASURE 4.10-3: FLOODING ASSOCIATED WITH THE FAILURE OF DAMS AND LEVEES

Apply mitigation measure 4.10-2 and no further mitigation is required.

MITIGATION MEASURE 4.10-5: SHORT-TERM CONSTRUCTION-RELATED WATER QUALITY IMPACTS

a) Prior to issuance of a grading permit, the developer shall obtain from the CVRB a General Construction Activity Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES) and comply with all requirements of the permit to minimize pollution of stormwater discharges during construction activities.

b) Prior to issuance of a grading permit, the project applicant shall submit to the El Dorado County Department of Transportation for review and approval an erosion control program which indicates that proper control of siltation, sedimentation and other pollutants will be implemented per NPDES permit requirements. The erosion control plan shall include BMPs as discussed' in Mitigation Measure 4.10-1, and as follows: sediment basins, sediment traps, silt fences, hay bale dikes, gravel construction entrances, maintenance programs, and hydroseeding.

MITIGATION MEASURE 4.10-6: LONG-TERM WATER QUALITY IMPACTS

a) Onsite detention basins shall be constructed and maintained through the construction period to receive stormwater runoff from graded areas to allow capture and settling of sediment prior to discharge to receiving waters.

b) Prior to issuance of a grading permit, the project applicant shall develop a surface water pollution control plan (i.e., parking lot sweeping program and periodic storm drain cleaning) to reduce longterm surface water quality impacts. Parking lot sweeping shall occur on a weekly basis and storm drain clearing shall occur semi-annually. The plan shall also include the installation of oil, gas and grease trap separators in the project parking lot. These grease trap separators will be cleaned annually. The project applicant shall develop a financial mechanism, to be approved by the El Dorado County Department of Transportation, that ensures the long-term implementation of the program.

MITIGATION MEASURE 4.10-7: CONSISTENCY WITH RELEVANT GENERAL PLAN PROVISIONS

Apply Mitigation Measures 4.8-2, 4.10-1, 4.10-2, 4.10-5, 4.1, and no further mitigation is required.

Special Mitigation Measures:

None.

FINDING: The EIR determined that following implementation of the mitigation measures, the project impact on earth resources would be reduced to less than significant. The proposed amendment to the CCSP would not result in any more severe impacts that those previously analyzed under the EIR.

VII. GREENHOUSE GAS EMISSIONS. *Would the project:*	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Not Addressed	Not Addressed	Not Addressed	Not Addressed	No. MM: 4.6-2, 4.6-3
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Not Addressed	Not Addressed	Not Addressed	Not Addressed	No. MM: 4.6-2, 4.6-3

Background/Science

Cumulative greenhouse gases (GHG) emissions are believed to contribute to an increased greenhouse effect and global climate change, which may result in sea level rise, changes in precipitation, habitat, temperature, wildfires, air pollution levels, and changes in the frequency and intensity of weather-related events. While criteria pollutants and toxic air contaminants are pollutants of regional and local concern (see Section III. Air Quality above); GHG are global pollutants. The primary land-use related GHG are carbon dioxide (CO_2), methane (CH_4) and nitrous oxides (N_2O). The individual pollutant's ability to retain infrared radiation represents its "global warming potential" and is expressed in terms of CO_2 equivalents; therefore CO_2 is the benchmark having a global warming potential of 1. Methane has a global warming potential of 21 and thus has a 21 times greater global warming effect per metric ton of CH_4 than CO_2. Nitrous Oxide has a global warming potential of 310. Emissions are expressed in annual metric tons of CO_2 equivalent units of measure (i.e., $MTCO_2e/yr$). The three other main GHG are Hydroflourocarbons, Perflourocarbons, and Sulfur Hexaflouride. While these

compounds have significantly higher global warming potentials (ranging in the thousands), all three typically are not a concern in land-use development projects and are usually only used in specific industrial processes.

GHG Sources

The primary man-made source of CO_2 is the burning of fossil fuels; the two largest sources being coal burning to produce electricity and petroleum burning in combustion engines. The primary sources of man-made CH_4 are natural gas systems losses (during production, processing, storage, transmission and distribution), enteric fermentation (digestion from livestock) and landfill off-gassing. The primary source of man-made N_2O is agricultural soil management (fertilizers), with fossil fuel combustion a very distant second. In El Dorado County, the primary source of GHG is fossil fuel combustion mainly in the transportation sector (estimated at 70% of countywide GHG emissions). A distant second are residential sources (approximately 20%), and commercial/industrial sources are third (approximately 7%). The remaining sources are waste/landfill (approximately 3%) and agricultural (<1%).

Regulatory Setting:

In 2002, Governor Davis signed Assembly Bill (AB) 1493 requiring the California Air Resources Board (CARB) to develop and implement regulations to reduce automobile and light truck greenhouse (GHG) emissions. These emissions standards, which are stricter than those for other states, were designed to apply to automobiles and light trucks, beginning with the 2009 model year. Ultimately, the USEPA granted California's related request for a waiver to enact the stricter standards. Later, in 2005, Governor Arnold Schwarzenegger issued Executive Order S-3-05, which established GHG emission reduction targets for California. The Executive Order identified statewide targets for GHG reductions to 2000 levels by 2010, to 1990 levels by 2020, and to 80 percent below 1990 levels by 2050. Later, in September 2006, Governor Schwarzenegger signed AB 32, the California Global Warming Solutions Act of 2006. AB 32 established regulatory, reporting, and market mechanisms to achieve quantifiable GHG emission reductions and a climate action plan (CAP) on statewide GHG emissions. AB 32 requires that statewide GHG emissions be reduced to 1990 levels by 2020. This reduction is to be accomplished through an enforceable statewide CAP on GHG emissions that was to be phased-in starting in 2012. To effectively implement the CAP, AB 32 directs the CARB to develop and implement regulations to reduce statewide GHG emissions from stationary sources. AB 32 specifies that regulations adopted in response to AB 1493 should be used to address GHG emissions from vehicles. However, AB 32 also includes language stating that if the AB 1493 regulations cannot be implemented, then CARB should develop new regulations to control vehicle GHG emissions under the authority of AB 32.

Prior to the enactment of AB 32 in late 2006, only a few CEQA documents in California addressed climate change issues. In late 2006 and early 2007, the environmental consulting industry and lead agency staffs began to address climate change issues in CEQA documents going forward. Over the course of 2007 and beyond, agencies around the state began to address climate change issues as a matter of course in their CEQA documents. But for most local governments, pre-2007 EIRs for major planning decisions still lacked analyses of the extent to which general plans, specific plans, and zoning documents tended to increase or decrease activities leading to GHG emissions. In the mid-1990s, the Governor's Office of Planning and Research (OPR), in response to a legislative directive, had prepared a report to the Legislature setting forth the conclusion that CEQA was not a tool that could meaningfully address global warming, which was a problem of international scale. That conclusion reflected the common view up until the time period in which AB 32 was enacted.

Senate Bill (SB) 97, signed August 2007, acknowledged that climate change is a prominent environmental issue that requires analysis under CEQA. This bill directed the OPR to prepare, develop, and transmit to the California Natural Resources Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions, as required by CEQA, by July 1, 2009. The California Natural Resources Agency adopted those guidelines on December 30, 2009, and the guidelines became effective March 18, 2010. The new Guidelines are embodied most substantively in State CEQA Guidelines §15064.4, §15126.4(c), and §15183.5. Between late 2006, when AB 32 was enacted, and March 2010, when the new Guidelines came into effect, neither CEQA nor the State CEQA Guidelines included any specific rules or directives about how to analyze the effects of GHGs, but lead agencies were generally doing the best they could to develop methodologies on their own, with input from leading consultants, other experts, and air pollution control districts and air quality management districts.

After the passage of AB 32, growing societal concern of over climate change prompted project opponents around California to argue in many instances that new environmental documents building on pre-2007 environmental documents must address

climate change as a "new significant impact" where the prior environmental document had been silent on the issue. In response to these contentions, three California appellate cases from three different districts of the Court of Appeal have considered whether, pursuant to State CEQA Guidelines §15162(a), impacts related to GHG emissions constitute a new significant impact or new information of substantial importance "which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified." All three decisions have answered these questions in the negative, holding that climate change is not a "new" issue even if societal concern about it has been growing in recent years.

In *Citizens for Responsible Equitable Environmental Development (CREED) v. City of San Diego* (2011) 196 Cal. App. 4th 515, the Court of Appeal, Fourth Appellate District, concluded that the issue of GHG emissions and climate change could have been raised at the time that the original EIR was prepared (in 1994). For this reason, the lead agency was not required to prepare a Supplemental or Subsequent EIR. In the CREED case, the court noted that scientists and the government have been aware that GHG emissions could trigger climatic changes as early as the 1970's, or before. Specifically, the Court of Appeal noted that in *Massachusetts v. E.P.A.* (2007) 549 U.S. 497, 507, the United States Supreme Court stated the following:

> *"In the late 1970's, the Federal Government began devoting serious attention to the possibility that carbon dioxide emissions associated with human activity could provoke climate change. In 1978, Congress enacted the National Climate Program Act, 92 Stat. 601, which required the President to establish a program to 'assist the Nation and the world to understand and respond to natural and man-induced climate processes and their implications,' [citation][sic]. President Carter, in turn, asked the National Research Council, the working arm of the National Academy of Sciences, to investigate the subject. The Council's response was unequivocal: 'If carbon dioxide continues to increase, the study group finds no reason to doubt that climate changes will result and no reason to believe that these changes will be negligible. A wait-and-see policy may mean waiting until it is too late.'"*

The Court of Appeal concluded by stating that "[t]he effect of GHG emissions on climate could have been raised in 1994 when the City considered the FEIR." In *Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal.App.4th 1301, the Court of Appeal for the Fourth Appellate District adopted this reasoning as its own, reaching exactly the same conclusion on similar facts.

In *Citizens Against Airport Pollution v. City of San Jose* (2014) 227 Cal.App.4th 788, the Court of Appeal, Sixth Appellate District, considered whether the lack of GHG and climate change analysis in a 1997 EIR and 2003 SEIR precluded adoption of an addendum. The court relied on previous case law to conclude that the potential environmental impact of GHG emissions was known or could have been known at the time of certification of the 1997 EIR and 2003 SEIR. The court thus upheld the eighth addendum that the City of San Jose had prepared after having completed the 1997 and 2003 EIRs.

Most recently, on November 30, 2015, the California Supreme Court decided Center for Biological Diversity v. California Department of Fish and Wildlife (Newhall Ranch). Although three issues were taken up by the Court for decision, of importance here is the question: Does the EIR validly determine that the project would not significantly impact the environment by its discharge of GHGs? Neither this analysis nor previously prepared analyses for the project area measure GHG emissions against an established threshold. The EDCAQMD does not have a GHG threshold and does not have an adopted climate action plan. As discussed below, the 1997 EIR addressed GHG emissions and determined mitigation measure implementation as appropriate to reduce GHG-related impacts. The proposed CCSP Amendment would not change trip lengths, traffic volumes, or vehicle miles traveled beyond that described in previous environmental documents prepared for the project site. The discussion below describes how the proposed CCSP Amendments' GHG emissions compare to emissions levels previously prepared environmental documents.

Discussion:

The CCSP EIR did not analyze the impacts to global climate change. The modifications to the specific plan would not change any of the operational characteristics of the specific plan, therefore there are no potential increased direct or indirect greenhouse gas emissions associated with the addition of an allowed use in the LC - CC Zone. No substantial changes have occurred since the certification of the CCSP EIR. The proposed changes would not result in an increase in overall GHG emissions compared to the currently allowed uses in the LC - CC Zone.

The conclusions that were made in the *CREED*, *Dublin Citizens*, and *Citizens Against Airport Pollution* cases can be made also regarding the EIR that was certified in 1996. Under the law as set forth in these cases, the County may not undertake the

preparation of a Supplemental or Subsequent EIR based solely on issues relating to climate change. The modifications to the specific plan would allow an additional use in the LC - CC Zone and would not change any of the operational characteristics of the specific plan. There are no potential increases to direct or indirect greenhouse gas emissions associated with the addition. These changes would not appreciably change the total GHG emissions that would result from implementation of the Specific Plan. Thus, the overall creation of GHG emissions from development within the project site cannot under the law constitute a new significant impact or new information of substantial importance.

The general climate attributes and topography of the project site has not changed since the release of the CCSP EIR. As described above, changes introduced by the proposed project and/or new circumstances relevant to the project would not, as compared to the prior CEQA documents, result in a new significant impact or significant impacts that are substantially more severe than significant impacts previously disclosed. In addition, there is no new information of substantial importance showing that the project would have one or more significant effects not previously discussed or that any previously examined significant effects would be substantially more severe than significant effects shown in the prior CEQA documents. Further, there is no new information of substantial importance showing (i) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative or (ii) that mitigation measures or alternatives considerably different from those analyzed in the prior CEQA documents would substantially reduce one or more significant effects, but the proponents decline to adopt the mitigation measure or alternative.

EIR Mitigation Measures:

Although the issue of GHG emissions was not considered as part of the development of the CCSP, the CCSP, nonetheless, contains the following mitigation measures that would serve to reduce GHG emissions:

MITIGATION MEASURE 4.6-2: PHASE II (FACILITIES PHASE) CONSTRUCTION EMISSIONS

a) Low emission mobile construction equipment shall be used (e.g., tractor, scraper, dozer, etc.).

b) Construction equipment engines shall be maintained in proper operating condition.

c) Low-emission stationary construction equipment shall be used.

d) A trip reduction plan shall be developed and implemented to achieve 1.5 average vehicle occupancy (AVO) for construction employees.

e) Construction activity management techniques, such as extending construction period, reducing number of pieces used simultaneously, increasing distance between emission sources, reducing or changing hours of construction, and scheduling activity during off-peak hours shall be developed and implemented.

f) The project applicant shall comply with EI Dorado County APCD Rule 224.

g) The project applicant shall comply with EI Dorado County APCD Rule 215.

MITIGATION MEASURE 4.6-3: STATIONARY SOURCE EMISSIONS

a) The applicant shall incorporate energy-saving design features into future levels of project implementation as feasible and appropriate. The feasibility and appropriateness of each measure can best be determined at future, more-detailed levels of planning. These design features may include, but are not limited to, the following:

- Solar or low-emission water heaters;
- Central water heating systems;
- Shade trees;
- Energy-efficient and automated air conditioners;
- Double-pane glass in all windows;
- Energy-efficient low-sodium parking lot lights;

- Adequate ventilation systems for enclosed parking facilities;
- Energy-efficient lighting and lighting controls.

b) The applicant, future successors in interest, or future homebuilders shall install only EPA-certified woodstoves and fireplaces.

Special Mitigation Measures:

None.

FINDING: Changes introduced by the proposed project and/or new circumstances relevant to the project would not, as compared to the prior CEQA documents, result in a new significant impact or significant impacts to greenhouse gas emissions that are substantially more severe than significant impacts previously disclosed.

VIII. HAZARDS AND HAZARDOUS MATERIALS. *Would the project:*	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	**Section 4.22**	**No**	**No**	**No**	**Yes. MM: 4.22-1 through 4.22-6**
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	**Section 4.22**	**No**	**No**	**No**	**Yes. MM: 4.22-1 through 4.22-6**
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	**Section 4.22**	**No**	**No**	**No**	**Yes. MM: 4.22-1 through 4.22-6**
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	**Section 4.22**	**No**	**No**	**No**	**Yes. MM: 4.22-1 through 4.22-6**
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	**None**	**No**	**No**	**No**	**N/A**

VIII. HAZARDS AND HAZARDOUS MATERIALS. *Would the project:*	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	**None**	**No**	**No**	**No**	**N/A**
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	**Section 4.22**	**No**	**No**	**No**	**N/A**
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	**4.18**	**No**	**No**	**No**	**Yes. MM: 4.18-1**

Regulatory Setting:

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

Federal Laws, Regulations, and Policies

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, also called the Superfund Act; 42 USC Section 9601 *et seq.*) is intended to protect the public and the environment from the effects of past hazardous waste disposal activities and new hazardous material spills. Under CERCLA, USEPA has the authority to seek the parties responsible for hazardous materials releases and to ensure their cooperation in site remediation. CERCLA also provides federal funding (through the "Superfund") for the remediation of hazardous materials contamination. The Superfund Amendments and Reauthorization Act of 1986 (Public Law 99-499) amends some provisions of CERCLA and provides for a Community Right-to-Know program.

Resource Conservation and Recovery Act

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

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

Energy Policy Act of 2005

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

Spill Prevention, Control, and Countermeasure Rule

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

Occupational Safety and Health Administration

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

Federal Communications Commission Requirements

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

FCC has established two sets of RF radiation exposure limits—Occupational/Controlled and General Population/Uncontrolled. The less-restrictive Occupational/Controlled limit applies only when a person (worker) is exposed as a consequence of his or her employment and is "fully aware of the potential exposure and can exercise control over his or her exposure," otherwise the General Population limit applies (47 CFR Section 1.1310).

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

Code of Federal Regulations (14 CFR) Part 77

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

State Laws, Regulations, and Policies

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

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

The Unified Program

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

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

Hazardous Materials Business Plans

Hazardous materials business plans are required for businesses that handle hazardous materials in quantities greater than or equal to 55 gallons of a liquid, 500 pounds of a solid, or 200 cubic feet (cf) of compressed gas, or extremely hazardous substances above the threshold planning quantity (40 CFR, Part 355, Appendix A) (Cal OES, 2015). Business plans are required to include an inventory of the hazardous materials used/stored by the business, a site map, an emergency plan, and a training program for employees (Cal OES, 2015). In addition, business plan information is provided electronically to a statewide information management system, verified by the applicable CUPA, and transmitted to agencies responsible for the protection of public health and safety (i.e., local fire department, hazardous material response team, and local environmental regulatory groups) (Cal OES, 2015).

California Occupational Safety and Health Administration

Cal/OSHA assumes primary responsibility for developing and enforcing workplace safety regulations in California. Cal/OSHA regulations pertaining to the use of hazardous materials in the workplace (CCR Title 8) include requirements for safety training, availability of safety equipment, accident and illness prevention programs, warnings about exposure to hazardous substances, and preparation of emergency action and fire prevention plans.

Hazard communication program regulations that are enforced by Cal/OSHA require workplaces to maintain procedures for identifying and labeling hazardous substances, inform workers about the hazards associated with hazardous substances and their handling, and prepare health and safety plans to protect workers at hazardous waste sites. Employers must also make material safety data sheets available to employees and document employee information and training programs. In addition, Cal/OSHA has established maximum permissible RF radiation exposure limits for workers (Title 8 CCR Section 5085[b]), and requires warning signs where RF radiation might exceed the specified limits (Title 8 CCR Section 5085 [c]).

California Accidental Release Prevention

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

California Department of Forestry and Fire Protection Wildland Fire Management

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

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

California Highway Patrol

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

Local Laws, Regulations, and Policies

A map of the fuel loading in the County (General Plan Figure HS-1) shows the fire hazard severity classifications of the SRAs in El Dorado County, as established by CDF. The classification system provides three classes of fire hazards: Moderate, High, and Very High. Fire Hazard Ordinance (Chapter 8.08) requires defensible space as described by the State Public Resources Code, including the incorporation and maintenance of a 30-foot fire break or vegetation fuel clearance around structures in fire hazard zones. The County's requirements on emergency access, signing and numbering, and emergency water are more stringent than those required by state law (Patton 2002). The Fire Hazard Ordinance also establishes limits on campfires, fireworks, smoking, and incinerators for all discretionary and ministerial developments.

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

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

The EIR assesses the potential hazards associated with the construction and operation of the CCSP (EIR Section 4.22). Farm houses, out buildings, a number of trucks and farm-related vehicles, and other materials were observed throughout the former Euer Ranch portion of the site. Three hand-dug water wells and two possible leach fields were previously located throughout the site. Additionally, a Southern Pacific Railroad line extends along the southwest portion of the project site, and this rail line may have been used for the transport of hazardous substances. The possibility that some hazardous substance may have been used or released in the past that could have been deposited into the water wells, or entered the septic system from use of domestic cleaning products or other chemicals, or been released near the site and eventually contaminated the groundwater. However, the proposed project would not rely on septic systems or well water, thereby eliminating exposure of onsite residents to possible groundwater contamination from these sources. Moreover, the number of sites for hazardous substances to have entered the soil and groundwater system in relation to the overall project site is very small. Last, any substances transmitted during percolation would have dissipated or been flushed (i.e., through rainfall) over time. Given these considerations, this impact was considered to be less-than-significant.

There is a potential for hazardous substances to have been stored and potentially released by underground storage tanks located on-site and near the site. Due to the hydrogeology of the project area, there is a potential that hazardous substances could affect the project site, if discharge has occurred. Exploration for mineral deposits previously occurred on the project site, and mercury was frequently used to process gold deposits uncovered during onsite exploration activities. There is a potential for mercury to have been deposited in onsite drainages (i.e., Carson Creek and unnamed tributaries) and/or areas of shallow groundwater. The potential for contaminated soils associated with these activities was considered potentially significant.

The proposed modifications to the CCSP would not result in new impacts due to hazards or hazardous materials. Construction of modified project elements would be subject to the same hazards identified within the project area in the EIR. Mitigation Measures 4.22-1 through 4.22-6 would reduce these impacts to less than significant levels. No additional mitigation measures are necessary.

The EIR concluded that the cumulative impacts due to hazards and hazardous materials would be less than significant. The proposed modifications would not change the conclusion of the Final EIR. There would be no cumulatively considerable hazards associated with the proposed modifications.

EIR Mitigation Measures:

MITIGATION MEASURE 4.18-1: WATER CONSUMPTION

Project impacts cannot be reduced to a less-than-significant level until the EID procures new water supplies that are sufficient to meet water needs of the proposed Specific Plan at buildout in conjunction with existing planned growth, or an alternative public water source is secured. Implementation of the following mitigation measures would reduce potential project impacts on water supply. The project applicant would be required to implement these measures before approval of building permits.

a) In accordance with EID Policy Statement No. 22, the project applicant shall prepare a Facility Plan Report (FPR) for the proposed project. The FPR shall address the expansion of the water and sewer facilities and the specific fire flow requirements for all phases of the project.

b) Low-volume and low-flow fixtures shall be installed to reduce water consumption.

c) Efficient irrigation systems shall be installed to minimize runoff and evaporation and maximize the water that will reach plant roots. One or any combination of the following methods of increasing irrigation efficiency shall be

employed: drip irrigation, soil moisture sensors, and automatic irrigation systems. Mulch shall be used extensively in all landscaped areas. Drought resistant and native vegetation shall be used in landscaped areas.

MITIGATION MEASURE 4.22-1: WORK SHED AND BARN AREAS

If onsite contamination resulting from the storage and use of hazardous substances within the area of the work shed and barn is discovered during grading or construction, the appropriate local, state, and/or federal agencies shall be contacted. Remediation of any unauthorized release of hazardous substances shall be undertaken in accordance with all existing local, state, and federal regulations/requirements and guidelines established for the treatment of hazardous materials.

MITIGATION MEASURE 4.22-4: HISTORICAL MINING

Prior to the issuance of a grading permit, shallow groundwater and onsite drainage area shall be sampled to determine the potential presence of onsite contamination (mercury, etc.). If contamination is found, the appropriate regulatory agency shall be contacted. If deemed necessary by the appropriate regulatory agency, remediation shall be undertaken in accordance with all existing local, state, and federal regulations/requirements and guidelines established for the treatment of hazardous substances.

MITIGATION MEASURE 4.22-6: UNDERGROUND STORAGE TANKS

Prior to the issuance of a grading permit, the extent (soil and/or groundwater) of potential onsite contamination resulting from the operation of offsite USTs shall be assessed. Once the extent of contamination has been determined, the appropriate regulatory agency shall be consulted in identifying the responsible party and initiating the development of a remediation program in accordance with all applicable local, state, and federal regulations/requirements and guidelines established for the treatment of hazardous substances.

Special Mitigation Measures:

None.

FINDING: The EIR determined that following implementation of the mitigation measures, the proposed project would not expose the area to hazards relating to the use, storage, transport, or disposal of hazardous materials. The impact was determined to be less than significant, and the proposed modifications would not affect this conclusion.

IX. HYDROLOGY AND WATER QUALITY. Would the project:	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
a. Violate any water quality standards or waste discharge requirements?	**4.10**	**No**	**No**	**No**	**Yes. MM: 4.10-1, 4.10-5, 4.10-6, 4.10-7**
a. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support	**4.10**	**No**	**No**	**No**	**Yes.**

IX. HYDROLOGY AND WATER QUALITY. Would the project:	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
existing land uses or planned uses for which permits have been granted)?					
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or -off-site?	**4.10**	**No**	**No**	**No**	**Yes. MM: 4.10-1**
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	**4.10**	**No**	**No**	**No**	**Yes. MM: 4.10-1**
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	**4.10**	**No**	**No**	**No**	**Yes. MM: 4.10-1**
f. Otherwise substantially degrade water quality?	**4.10**	**No**	**No**	**No**	**Yes. MM: 4.10-1**
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	**4.10**	**No**	**No**	**No**	**Yes. MM: 4.10-2**
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	**4.10**	**No**	**No**	**No**	**Yes. MM: 4.10-2**
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	**4.10**	**No**	**No**	**No**	**Yes. MM: 4.10-2**
j. Inundation by seiche, tsunami, or mudflow?	**4.10**	**No**	**No**	**No**	**N/A**

Regulatory Setting:

Federal Laws, Regulations, and Policies

Clean Water Act

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

Section 303(d) — Listing of Impaired Water Bodies

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

Section 402—NPDES Permits for Stormwater Discharge

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

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

Municipal Stormwater Permitting Program

SWRCB regulates stormwater discharges from municipal separate storm sewer systems (MS4s) through its Municipal Storm Water Permitting Program (SWRCB, 2013). Permits are issued under two phases depending on the size of the urbanized area/municipality. Phase I MS4 permits are issued for medium (population between 100,000 and 250,000 people) and large (population of 250,000 or more people) municipalities, and are often issued to a group of co-permittees within a metropolitan area. Phase I permits have been issued since 1990. Beginning in 2003, SWRCB began issuing Phase II MS4 permits for smaller municipalities (population less than 100,000).

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

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

National Flood Insurance Program

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

State Laws, Regulations, and Policies

Porter–Cologne Water Quality Control Act

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

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

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

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

The EIR analyzes the potential for the CCSP to negatively affect hydrology and water quality for both surface water and groundwater (EIR Section 4.10). The EIR establishes mitigation measures to minimize impacts to hydrology and water quality as a result of construction activities and project operation (Mitigation Measures 4.10-1 through 4.10-7). The mitigation measures include erosion control during construction and a surface water pollution control plan to maintain water quality long-term.

The proposed modifications would not result in any additional impacts to hydrology or water quality. Construction of the proposed modifications could negatively impact surface water quality and groundwater quality due to contamination by fuel,

oil, or other hazardous construction-related materials. Implementation of Mitigation Measure 4.10-5 would avoid or reduce construction impacts to water quality to less than significant levels. No additional mitigation is necessary.

As in the Final EIR, the drainage and storm water runoff systems would be designed to avoid significant impacts to surface water and groundwater quality, as required by the West Slope MS4 NPDES Permit. No additional mitigation measures are required.

The EIR also analyzes the cumulative impact of the CCSP on water supply and water quality. Future development upstream of the Specific Plan would likely contribute to the majority of the projected peak flow increase. However, because buildout of the Specific Plan could contribute to this projected increase in peak flows in the Carson Creek watershed, surface runoff impacts would be considered potentially significant. This cumulative impact would be mitigated by the measures proposed in the EIR. The proposed modifications would not result in additional cumulative impacts and would not change the conclusions of the Final EIR.

EIR Mitigation Measures:

MITIGATION MEASURE 4.10-1: INCREASED SURFACE RUNOFF

a) Prior to the approval of the first tentative subdivision or parcel map, the project applicant shall submit and obtain approval of final drainage plans by the EI Dorado County Department of Transportation. These final drainage plans shall demonstrate that future post-development stormwater discharge levels from the project will remain at existing stormwater discharge levels and detention basins will be permanently maintained. The drainage plan shall be prepared by a certified Civil Engineer and shall be in conformance with the EI Dorado County Drainage Manual adopted by the Board of Supervisors in March 1995. The project applicant shall form a drainage zone of benefit (ZOB) responsible for all stormwater drainage facility maintenance requirements. The drainage plan shall include, at a minimum, written "text addressing existing conditions, the effects of project improvements, all appropriate calculations, a watershed map. Potential increases in downstream flows proposed onsite improvements, and drainage easements, if necessary, to accommodate flows from the site and implementation and maintenance responsibilities. The plan shall address storm drainage during construction and proposed BMPs to reduce erosion and water quality degradation. All onsite drainage facilities shall be constructed to EI Dorado County Department of Transportation satisfaction. BMPs shall be implemented throughout the construction process. The following BMPs, or others deemed effective by the Department of Transportation, will be implemented as necessary and appropriate:

Soil Stabilization Practices
- Straw Mulching
- Hydromulching
- Jute Netting
- Revegetation
- Preservation of Existing Vegetation

Sediment Barriers
- Straw Bale Sediment Barriers
- Filter Fences
- Straw Bale Drop Inlet Sediment Barriers

Site Construction Practices
- Winterization
- Traffic Control
- Dust Control .

Runoff Control in Slopes/Streets
- Diversion Dikes
- Diversion Swales
- Sediment Traps

b) Specific measures shall be identified in the final drainage plans to reduce stormwater discharge at the Southern Pacific Railroad bridge (Malby Crossing) at the site's southern end. These measures shall include detention basins of adequate size to reduce post-development discharge to predevelopment levels. Maintenance of the detention basin and drainage facilities shall include periodic inspections (e.g., annual) to ensure facility integrity and debris removal as necessary.

MITIGATION MEASURE 4.10-2: 100-YEAR FLOOD EVENT

Project development shall not occur in areas within the 100-year flood zone shown in the Final Carson Creek Regional Drainage Study. The hydrologic study outlines the 100-year flood zones associated with the project and proposed flood control measures such as detention basins. Alternatively, 100-year flood protection improvements, approved by the EI Dorado County Department of Transportation, can be implemented to allow development in these areas.

MITIGATION MEASURE 4.10-3: FLOODING ASSOCIATED WITH THE FAILURE OF DAMS AND LEVEES

Apply mitigation measure 4.102 and no further mitigation is required.

MITIGATION MEASURE 4.10-5: SHORT-TERM CONSTRUCTION-RELATED WATER QUALITY IMPACTS

a) Prior to issuance of a grading permit, the developer shall obtain from the CVRB a General Construction Activity Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES) and comply with all requirements of the permit to minimize pollution of stormwater discharges during construction activities.

b) Prior to issuance of a grading permit, the project applicant shall submit to the El Dorado County Department of Transportation for review and approval an erosion control program which indicates that proper control of siltation, sedimentation and other pollutants will be implemented per NPDES permit requirements. The erosion control plan shall include BMPs as discussed' in Mitigation Measure 4.10-1, and as follows: sediment basins, sediment traps, silt fences, hay bale dikes, gravel construction entrances, maintenance programs, and hydroseeding.

MITIGATION MEASURE 4.10-6: LONG-TERM WATER QUALITY IMPACTS

a) Onsite detention basins shall be constructed and maintained through the construction period to receive stormwater runoff from graded areas to allow capture and settling of sediment prior to discharge to receiving waters.

b) Prior to issuance of a grading permit, the project applicant shall develop a surface water pollution control plan (i.e., parking lot sweeping program and periodic storm drain cleaning) to reduce longterm surface water quality impacts. Parking lot sweeping shall occur on a weekly basis and storm drain clearing shall occur semi-annually. The plan shall also include the installation of oil, gas and grease trap separators in the project parking lot. These grease trap separators will be cleaned annually. The project applicant shall develop a financial mechanism, to be approved by the EI Dorado County Department of Transportation, that ensures the long-term implementation of the program.

MITIGATION MEASURE 4.10-7: CONSISTENCY WITH RELEVANT GENERAL PLAN PROVISIONS

Apply Mitigation Measures 4.8-2,4.10-1,4.10-2, 4.10-5, 4.1~, and no further mitigation is required.

Special Mitigation Measures:

None.

FINDING: For this project, no significant hydrological impacts are expected with the development of the project either directly or indirectly. Following implementation of the above mitigation measures, project impacts on hydrology and water quality would be reduced to less than significant. The proposed modifications would not affect this conclusion.

X. **LAND USE PLANNING.** *Would the project:*	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
a. Physically divide an established community?	**Section 4.2**	**No**	**No**	**No**	**None**
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	**Section 4.2**	**No**	**No**	**No**	4.14-1, 4.14-2, 4.16-1, 4.18-1, and 5-3
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	**Section 4.2**	**No**	**No**	**No**	**None**

Regulatory Setting:

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

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

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

The EIR analyzes the potential effects of the CCSP on land use and land use policies (EIR Section 4.2). The EIR determines that the CCSP is compatible with the underlying land use designations (adopted plan) in the El Dorado County General Plan and is compatible with the General Plan strategies, concepts for growth, and the land use policies in the 1996 General Plan. Mitigation measure 5-1, which was described as optional fiscal mitigation, was removed as part of the CCSP revision, pursuant to Condition of Approval 11 (CCSP pp. 7-3).The EIR states the CCSP would not significantly impact land use and thus no mitigation measures are necessary.

The proposed modifications are associated with land uses already analyzed in the Final EIR. Senior related facilities including but not limited to congregate care, skilled nursing and assisted living are currently allowed in the Multifamily, Single Family (7,000 square foot minimum), Single Family (6,000 square foot minimum), and Single Family (3,000 square foot minimum) zones with a conditional use permit. All proposed projects would be considered a special use and would therefore undergo a separate discretionary process, allowing for further analysis of the suitability of the project. No additional

impacts to land use or land use policies would result from the proposed modifications to the CCSP, and no additional mitigation measures are required.

The proposed modifications to the CCSP would not change the conclusion of the EIR with respect to cumulative impacts on land use. Some previously undeveloped land would be developed, however development would be consistent with the General Plan. The proposed modifications are compatible with all land use designations. There would be no cumulatively considerable impacts to land use or land use policies.

EIR Mitigation Measures:

MITIGATION MEASURE 4.14-1: LAW ENFORCEMENT SERVICES.

The project applicant shall ensure adequate law enforcement personnel and equipment to serve the Specific Plan area through one of the following mechanisms:

a) Prior to the issuance of each building permit, the project applicant will be required to obtain a service letter from the EI Dorado County Sheriff's Department identifying that law enforcement staff and equipment are available to serve the proposed land use upon occupancy and the Department has reasonably estimated that annual funding is available to provide adequate staff and equipment in the future.

MITIGATION MEASURE 4.14-2: GENERAL PLAN CONSISTENCY - RESPONSE TIMES.

Apply Mitigation Measure 4.14-1, and no further mitigation is required.

MITIGATION MEASURE 4.16-1: ACTIVE PARKS AND RECREATIONAL FACILITIES
The project applicant shall pay in-lieu fees for the purchase and development of approximately 7 acres of active parks and recreation facilities in addition to the 31.2 acres the applicant shall dedicate for such purposes. Actual land dedication and in-lieu fees will vary based on the final densities proposed in each phase of development.

MITIGATION MEASURE 4.18-1: WATER CONSUMPTION

Project impacts cannot be reduced to a less-than-significant level until the EID procures new water supplies that are sufficient to meet water needs of the proposed Specific Plan at buildout in conjunction with existing planned growth, or an alternative public water source is secured. Implementation of the following mitigation measures would reduce potential project impacts on water supply. The project applicant would be required to implement these measures before approval of building permits.

d) In accordance with EID Policy Statement No. 22, the project applicant shall prepare a Facility Plan Report (FPR) for the proposed project. The FPR shall address the expansion of the water and sewer facilities and the specific fire flow requirements for all phases of the project.

e) Low-volume and low-flow fixtures shall be installed to reduce water consumption.

f) Efficient irrigation systems shall be installed to minimize runoff and evaporation and maximize the water that will reach plant roots. One or any combination of the following methods of increasing irrigation efficiency shall be employed: drip irrigation, soil moisture sensors, and automatic irrigation systems. Mulch shall be used extensively in all landscaped areas. Drought resistant and native vegetation shall be used in landscaped areas.

MITIGATION MEASURE 5-3: EL DORADO HILLS CSD FISCAL IMPACTS

The EI Dorado Hills CSD should consider forming a Landscaping and Lighting District to cover the cost of park maintenance in the Carson Creek Specific Plan Area. Landscaping and Lighting Districts are established through a protest proceeding and may fund park and landscape maintenance as well as capital improvements.

Special Mitigation Measures:

None.

FINDING: The EIR concluded that following implementation of the mitigation measures, project impacts on General Plan Consistency and Land Use would be reduced to a less-than-significant level. The proposed modifications would not affect this conclusion.

XI. MINERAL RESOURCES. *Would the project:*	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	**Section 4.9**	**No**	**No**	**No**	**N/A**
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	**Section 4.9**	**No**	**No**	**No**	**N/A**

Regulatory Setting:

State Laws, Regulations, and Policies

Surface Mining and Reclamation Act

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

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

Local Laws, Regulations, and Policies

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

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

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

Discussion: A substantial adverse effect on Mineral Resources would occur if the implementation of the project would result in obstruction of access to, and extraction of mineral resources classified MRZ-2x, or result in land use compatibility conflicts with mineral extraction operations.

The EIR analyzes the potential effects of the CCSP on mineral resources (EIR Section 4.9). The EIR determines that the CCSP is compatible with the underlying land use designations (adopted plan) in the El Dorado County General Plan and is compatible with the General Plan strategies, concepts for growth, and the land use policies in the 1996 General Plan. The project site is in mineral resource zone (MRZ-4) classified as areas where the available data does not preclude the presence or absence of mineral deposits. Although evidence of early dredging of Carson Creek exists within the northwestern portion of the site near White Rock Road, there is no indication of production or recent activity. The EIR states the CCSP would not significantly impact mineral resources and thus no mitigation measures are necessary. The proposed modifications are associated with land uses already analyzed in the Final EIR. No additional impacts to mineral resources would result from the proposed modifications to the CCSP, and no additional mitigation measures are required.

As concluded in the EIR, the negative impacts associated with mineral resources are site-specific. No cumulative effects are expected due to the project modifications.

EIR Mitigation Measures:

None.

Special Mitigation Measures:

None.

FINDING: The EIR concluded that project impacts on mineral resources would be less-than-significant. The proposed modifications would not affect this conclusion.

XII. NOISE. *Would the project result in:*	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	**Section 4.7**	**No**	**No**	**No**	**Yes. MM: 4.7-2, 4.7-3, 4.7-4**
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	**Section 4.7**	**No**	**No**	**No**	**N/A**
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	**Section 4.7**	**No**	**No**	**No**	**N/A**
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	**Section 4.7**	**No**	**No**	**No**	**Yes. MM: 4.7-1**
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise level?	**N/a**	**No**	**No**	**No**	**N/A**
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	**N/a**	**No**	**No**	**No**	**N/A**

Regulatory Setting:

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

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

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

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

TABLE 6-2
NOISE LEVEL PERFORMANCE PROTECTION STANDARDS FOR NOISE SENSITIVE LAND USES AFFECTED BY NON-TRANSPORTATION* SOURCES

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

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

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

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

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

The Final EIR assesses the potential noise impacts associated with the construction and operation of the CCSP (EIR Section 4.7). Most of the noise impacts are construction related, with short term ambient noise levels increasing due to use of construction equipment such as rock drills, generators, and various earthmoving equipment and trucks. Noise from increased traffic and proximity to the planned future light rail station would increase long-term noise levels.

The proposed modifications would not introduce new noise impacts other than those covered in the Final EIR. For short-term construction activity, noise impacts would be mitigated to less than significant levels by Mitigation Measures 4.7-1. For long-term project operation, noise generated by traffic, rail, and commercial and residential development would be mitigated to less than significant levels due to setbacks, sound barriers, or noise berms in the case that a specific development would produce noise impacts in exceedance of General Plan thresholds. No new mitigation measures are required for the modifications.

Buildout of the proposed Specific Plan, in conjunction with existing and reasonably foreseeable future development, would cumulatively result in increased noise levels along roadways and in developed areas in the project vicinity. Traffic volumes would increase in the project vicinity with cumulative development, and the cumulative-plus-project traffic noise increases over existing levels would be greater than 3 dBA along 8 of 10 modeled roadway segments. This was determined to be a significant cumulative impact. The proposed modifications to the CCSP would not change the conclusion of the EIR with respect to cumulative impacts on noise.

EIR Mitigation Measures:

MITIGATION MEASURE 4.7-1: SHORT-TERM CONSTRUCTION NOISE Construction activities shall be conducted in accordance with the County noise regulation or limited to the following hours and days:

- Between the hours of 7:00 a.m. and 7:00 p.m. on any weekday
- Between the hours of 8:00 a.m. and 6:00 p.m. on Saturdays
- Prohibited on Sundays and holidays

At the time of the letting of the construction contract, it shall be demonstrated that engine noise from excavation equipment would be mitigated by keeping engine doors closed during equipment operation. For equipment that cannot be enclosed behind doors, lead curtains shall be used to attenuate noise.

MITIGATION MEASURE 4.7-2: INCREASED TRAFFIC NOISE

Where the development of a project could result in the exposure of noise-sensitive land uses to existing or projected future traffic noise levels in excess of the applicable County noise standards, the County shall require an acoustical analysis to be performed prior to the approval of such projects. Where acoustical analysis determines that the project would contribute to traffic noise levels in excess of applicable County noise standards at proposed onsite or planned future offsite noise sensitive uses, the County shall require the implementation of noise attenuation measures, such as setbacks, sound barrier walls, or noise berms, as necessary to reduce traffic noise levels at proposed noise sensitive uses to conform with the applicable County standards.

MITIGATION MEASURE 4.7-3: RAILROAD NOISE

Where the development of a project could result in the exposure of noise-sensitive land uses to projected future railroad noise levels in excess of the applicable County noise standards, the County shall require an acoustical analysis to be performed prior to the approval of such projects. Where acoustical analysis determines that railroad noise levels would exceed applicable County noise standards at proposed onsite noise sensitive uses, the County shall require the implementation of noise attenuation measures, such as setbacks, sound barrier walls, or noise berms, as necessary to reduce traffic noise levels at proposed noise sensitive uses to conform with the applicable County standards.

MITIGATION MEASURE 4.7-4: STATIONARY SOURCE NOISE

Where the development of a project could result in the exposure of onsite noise-sensitive land uses to projected onsite or offsite stationary source noise levels in excess of the applicable County noise standards, the County shall require an acoustical analysis to be performed prior to the approval of such projects. Where acoustical analysis determines that stationary source noise levels would exceed applicable County noise standards at proposed onsite noise sensitive uses, the County shall require the implementation of noise attenuation measures, such as setbacks, sound barrier walls, or noise berms, as necessary to reduce traffic noise levels at proposed noise sensitive uses to conform with the applicable County standards.

Special Mitigation Measures:

None.

FINDING: As conditioned, and with adherence to County Code, no significant direct or indirect impacts to noise levels are expected either directly or indirectly as a result of the proposed amendment to the CCSP. For this Noise category, the thresholds of significance would not be exceeded. The proposed modifications would not affect this conclusion.

XIII. POPULATION AND HOUSING. *Would the project:*	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
a. Induce substantial population growth in an area, either directly (i.e., by proposing new homes and businesses) or indirectly (i.e., through extension of roads or other infrastructure)?	4.4	No	No	No	N/A
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	4.4	No	No	No	N/A
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	4.4	No	No	No	N/A

Regulatory Setting:

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

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

- Create substantial growth or concentration in population;
- Create a more substantial imbalance in the County's current jobs to housing ratio; or
- Conflict with adopted goals and policies set forth in applicable planning documents.

The CCSP determined buildout of the community to include 1,700 housing units, with the majority being age-restricted units. However, the EIR assumed development of up to 2,701 new housing units and increasing household population by up to approximately 7,565. This projected population increase was not considered a substantial deviation from county projections, and was determined to be necessary for the projected housing need. The impact was considered less than significant. The proposed modifications would add assisted living care to the allowed uses in the LC - CC Zone, effectively allowing for the development of a different type of housing, though not increasing the maximum number of units allowed in the CCSP. No additional impacts are expected due to the project modifications.

The EIR concluded that the impacts of projected changes in population and housing are considered in the analyzing cumulative impacts in other impact areas, and cumulative population and housing impacts would not be considered significant in and of themselves. The proposed project is generally within the residential and employment development parameters assumed in the County General Plan for the project area. No additional cumulative effects are expected due to the project modifications.

EIR Mitigation Measures:

None.

Special Mitigation Measures:

None.

FINDING: The project would not displace housing. There would be no potential for a significant impact due to substantial growth either directly or indirectly. For this Population and Housing category, the threshold of significance was not anticipated to be exceeded. The proposed modifications would not affect this conclusion.

XIV. PUBLIC SERVICES. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
a. Fire protection?	**Section 4.13**	**No**	**No**	**No**	**Yes**
b. Police protection?	**Section 3.5**	**No**	**No**	**No**	**Yes**
c. Schools?	**Section 4.12**	**No**	**No**	**No**	**Yes. MM: 4.12-1, 4.12-2, 4.12-4**
d. Parks?	**Section 4.16**	**No**	**No**	**No**	**Yes: MM: 4.16-1, 4.16-4**
e. Other government services?	**Section 5.2**	**No**	**No**	**No**	**Yes**

Regulatory Setting:

Federal Laws, Regulations, and Policies

California Fire Code

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

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

- Substantially increase or expand the demand for fire protection and emergency medical services without increasing staffing and equipment to meet the Department's/District's goal of 1.5 firefighters per 1,000 residents and 2 firefighters per 1,000 residents, respectively;
- Substantially increase or expand the demand for public law enforcement protection without increasing staffing and equipment to maintain the Sheriff's Department goal of one sworn officer per 1,000 residents;
- Substantially increase the public school student population exceeding current school capacity without also including provisions to adequately accommodate the increased demand in services;

- Place a demand for library services in excess of available resources;
- Substantially increase the local population without dedicating a minimum of 5 acres of developed parklands for every 1,000 residents; or
- Be inconsistent with County adopted goals, objectives or policies.

The EIR analyzed the potential effects of the CCSP on public services, including fire protection, emergency services, law enforcement, schools, and parks. The EIR determined that the CCSP would not significantly impact public services except for schools. Build out of the Specific Plan was anticipated to generate an estimated 378 middle school (Grades 7-8) students, based on a generation factor of 0.14 middle school students per household. Because projected growth in the Latrobe School District exceeds available capacity of existing facilities, additional middle school facilities were determined to be necessary to accommodate district-wide population growth. The impacts were to be reduced to less than significant levels with the implementation of Mitigation Measures 4.12-1, 4.12-2, and 4.12-4, which include payment of fees and the development of an agreement with the schools in order to have schools in place as needed with an increase in housing. The proposed modifications would not result in additional negative impacts to public services.

The proposed project would not result in significant impacts on fire services, police protection, schools, or parks and would not, therefore, contribute to cumulative public services impacts. Although mitigation for cumulative impacts is available in the form of developer fees and funding, such measures alone would not reduce cumulative impacts to a less-than-significant level. Accordingly, mitigation for cumulative schools impacts would continue to be required on a project-by-project basis. Cumulative buildout of the El Dorado Hills area would increase the current demand for fire protection, ambulance services, police, schools, and parks, however, the development of additional services are planned for when additional development occurs. Cumulative impacts are anticipated to be less than significant. The proposed modifications to the CCSP would not change the conclusion of the EIR with respect to cumulative impacts on public services.

EIR Mitigation Measures:

MITIGATION MEASURE 4.12-1: ELEMENTARY SCHOOL.

a) The project applicant shall pay school district developer fees in accordance with Board of Supervisors Resolution 220-91 prior to issuance of a building permit. The fees shall be the amount in effect at the time building permits are issued.

b) The applicant shall ensure that proposed school facilities are in place prior to issuance of occupancy permits. Assurances can be made in various ways such as the following:

    1. Creation of Mello-Roos district or other financing entity/arrangement to finance construction of the elementary school at the first possible time following approval of the school site and design from the California State Department of Education or its successors;

    2. Provisions for temporary school facilities to accommodate additional students including, but not limited to, portable classrooms, lease of commercial space in the EI Dorado Hills Business Park, and other temporary facilities;

    3. Any combination of the aforementioned, or other arrangement, financial agreement, and/or inter-district agreement between the applicant and relevant school district(s), and with evidence of appropriate approvals filed with the EI Dorado County Planning Department.

MITIGATION MEASURE 4.12-2: MIDDLE SCHOOL

Apply mitigation measure 4.12-1 and no further mitigation is required.

MITIGATION MEASURE 4.12-4: EL DORADO UNION HIGH SCHOOL DISTRICT

Apply Mitigation Measure 4. 12-1(a) and no further mitigation is required.

MITIGATION MEASURE 4.14-1: LAW ENFORCEMENT SERVICES.

The project applicant shall ensure adequate law enforcement personnel and equipment to serve the Specific Plan area through one of the following mechanisms:

a) Prior to the issuance of each building permit, the project applicant will be required to obtain a service letter from the EI Dorado County Sheriff's Department identifying that law enforcement staff and equipment are available to serve the proposed land use upon occupancy and the Department has reasonably estimated that annual funding is available to provide adequate staff and equipment in the future.

MITIGATION MEASURE 4.14-2: GENERAL PLAN CONSISTENCY - RESPONSE TIMES.

Apply Mitigation Measure 4.14-1, and no further mitigation is required.

MITIGATION MEASURE 4.16-1: ACTIVE PARKS AND RECREATIONAL FACILITIES

The project applicant shall pay in-lieu fees for the purchase and development of approximately 7 acres of active parks and recreation facilities in addition to the 31.2 acres the applicant shall dedicate for such purposes. Actual land dedication and in-lieu fees will vary based on the final densities proposed in each phase of development.

MITIGATION MEASURE 4.16-4: GENERAL PLAN CONSISTENCY - ACTIVE PARKS AND RECREATIONAL FACILITIES

Apply mitigation measure 4.16-1 and no further mitigation is required.

MITIGATION MEASURE 5-3: EL DORADO HILLS CSD FISCAL IMPACTS

The EI Dorado Hills CSD should consider forming a Landscaping and Lighting District to cover the cost of park maintenance in the Carson Creek Specific Plan Area. Landscaping and Lighting Districts are established through a protest proceeding and may fund park and landscape maintenance as well as capital improvements.

Special Mitigation Measures:

None.

FINDING: The project would not result in a significant increase of needed public services to the project. Increased demand of services would be addressed through the payment of established impact fees. For this Public Services category, impacts were determined to be less than significant. The proposed amendment to the CCSP would not result in any more severe impacts that those previously analyzed under the EIR.

XV. PARKS AND RECREATION. *Would the project:*	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	**4.16**	**No**	**No**	**No**	**Yes. MM: 4.16-1, 4.16-4**
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	**4.16**	**No**	**No**	**No**	**Yes. MM: 4.16-1, 4.16-4**

Regulatory Setting:

National Trails System

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

The National Trails System includes four classes of trails:

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

State Laws, Regulations, and Policies

The California Parklands Act

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

The California state legislature approved the California Recreational Trail Act of 1974 (Public Resources Code Section 2070-5077.8) requiring that the Department of Parks and Recreation prepare a comprehensive plan for California trails. The

California Recreational Trails Plan is produced for all California agencies and recreation providers that manage trails. The Plan includes information on the benefits of trails, how to acquire funding, effective stewardship, and how to encourage cooperation among different trail users.

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

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

Local Laws, Regulations, and Policies

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

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

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

The EIR evaluated the potential impacts of the CCSP on parkland and recreation facilities. Based on El Dorado Hills Community Service District's (EDHCSD) requirement of 5 acres of developed or active parkland for every 1,000 population, development consistent with the Specific Plan would result in a demand for up to 38 acres of active parkland. The CCSP proposed 7 acres less than this. Mitigation measures included fees that would reduce this impact to less than significant. The proposed modifications would not result in additional negative impacts to parks and recreation.

The proposed project would not result in significant impacts on parks or recreation and would not, therefore, contribute to cumulative parks and recreation impacts. Since the proposed project itself would result in a shortfall of up to 7 fewer acres of active parkland than required by EDHCSD, depending on the densities proposed in each phase of development, it would contribute to a cumulative shortfall of parks and would be considered a significant cumulative impact. Project mitigation would resolve the shortfall contributed by the CCSP. The proposed modifications to the CCSP would not change the conclusion of the EIR with respect to cumulative impacts on parks and recreational facilities.

EIR Mitigation Measures:

MITIGATION MEASURE 4.16-1: ACTIVE PARKS AND RECREATIONAL FACILITIES

The project applicant shall pay in-lieu fees for the purchase and development of approximately seven acres of active parks and recreation facilities in addition to the 31.2 acres the applicant shall dedicate for such purposes. Actual land dedication and in-lieu fees will vary based on the final densities proposed in each phase of development.

MITIGATION MEASURE 4.16-4: GENERAL PLAN CONSISTENCY - ACTIVE PARKS AND RECREATIONAL FACILITIES

Apply mitigation measure 4.16-1 and no further mitigation is required.

Special Mitigation Measures:

None.

FINDING: No significant impacts to open space or park facilities would result as part of the project. For this Recreation category, impacts were determined be less than significant. The proposed amendment to the CCSP would not result in any more severe impacts that those previously analyzed under the EIR.

XVI. TRANSPORTATION/TRAFFIC *Would the project:*	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	**4.5**	**No**	**No**	**No**	**Yes. MM: 4.5-1, 4.5-5, 4.5-6, 4.5-7, 4.5-8, 4.5-9, 4.5-10, 7-2**
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	**4.5**	**No**	**No**	**No**	**No. Significant and Unavoidable Cumulative Impacts. MM: 4.5-1, 4.5-5, 4.5-6, 4.5-7, 4.5-10, 7-2**
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	**n/a**	**No**	**No**	**No**	**N/A**
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	**4.5**	**No**	**No**	**No**	**Yes. MM: 4.5-1, 4.5-5, 4.5-6, 4.5-7, 4.5-8, 4.5-9, 4.5-10, 7-2**

XVI. TRANSPORTATION/TRAFFIC *Would the project:*	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
e. Result in inadequate emergency access?	**4.5**	**No**	**No**	**No**	**Yes. MM: 4.5-1, 4.5-5, 4.5-6, 4.5-7, 4.5-10, 7-2**
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	**4.5**	**No**	**No**	**No**	**Yes. MM: 4.5-8, 4.5-9**

Regulatory Setting:

Federal Laws, Regulations, and Policies

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

State Laws, Regulations, and Policies

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

Local Laws, Regulations, and Policies

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

A. A two percent increase in traffic during a.m., p.m. peak hour, or daily
B. The addition of 100 or more daily trips, or
C. The addition of 10 or more trips during the a.m. or p.m. peak hour.

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

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

- Result in or worsen Level of Service (LOS) F traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county as a result of a residential development project of 5 or more units.

The EIR analyzes the potential effects of the CCSP on transportation and circulation (EIR Section 4.5). The majority of the impacts are associated with an increase of daily traffic volumes on Latrobe Road, White Rock Road, El Dorado Hills Boulevard, and at the US Highway 50 interchange, resulting in a deterioration of LOS. Bicycle and pedestrian facilities impacts were determined to be less than significant, as the Specific Plan is consistent with trails and facilities plans. Although the Specific Plan specifies that a mass transit station would be available in the future, it does not identify the timing, location, or responsibilities for the mass transit station or parking development, which was considered to be a significant impact. Because the Specific Plan was determined to be inconsistent with General Plan provisions for bus turnouts, shelters, and bike lanes along White Rock Road, this was considered a significant impact. Mitigation measures require the developer to pay impact fees, or "fair-share" fees that will be used to construct roadway improvements or interchange improvements, which would reduce traffic impacts. Mitigation measure 4.5-7 (a) and 7-2 (b) and (c) (requiring a separate agreement with Sacramento County) were removed as part of the CCSP revision, pursuant to Condition of Approval 11 (CCSP pp. 7-3).

The modifications would apply to a site within the project area already evaluated in the Final EIR. Daily, AM, and PM peak hour trip generation was documented in the DEIR for the CCSP. A Technical Memorandum from Fehr and Peers Dated September 25, 2015 compared the trip generation for Local Convenience Commercial uses included in the DEIR to the potential trip generation resulting from the CCSP Amendment. While 71,400 square feet of Local Convenience Commercial uses would result in approximately 3,672 daily trips, 81 AM trips, and 343 PM trips, Assisted Living facilities with 100 beds would generate 274 Daily Trips, 18 AM trips, and 29 PM trip ends. The proposed use at the site would not add any vehicle trips to number of potential trips analyzed under the CCSP; if the site were to be developed as an Assisted Living facility, the number of trips generated would be substantially less than anticipated. The proposed modifications would not result in additional impacts to transportation and circulation and would result in the same or less impacts analyzed in the Final EIR. Application of mitigation measures would reduce significant impacts to a less-than-significant level (consistent with General Plan Policy 3.2.1.4), as described below, and no significant and unavoidable traffic and circulation impacts would remain.

The Final EIR concludes that there would be a cumulatively-considerable, long-term impact to traffic and transportation due to increased traffic and worsening of LOS F conditions. This was considered to be a significant cumulative impact. Incorporation of Mitigation Measure 7-2 would reduce impacts, but the cumulative impact would remain significant and unavoidable. Long-term impacts to transit systems and bicycle and pedestrian systems would be less than significant with mitigation. The proposed modifications to the CCSP would not further affect transportation and would not change the conclusions of the Final EIR regarding cumulatively-considerable impacts to traffic.

EIR Mitigation Measures:

MITIGATION MEASURE 4.5-1: DAILY TRAFFIC VOLUME

The project developer shall be responsible for their "fair-share" cost of widening Latrobe Road from two lanes to six lanes with a median from White Rock Road to the U.S. Highway 50 eastbound ramps. These improvement projects are included in the EI Dorado Hills RIF; therefore, the project developer shall pay the RIF fee prior to the issuance of building permits. Implementation of this mitigation measure would improve the daily level of service on Latrobe Road to B.

MITIGATION MEASURE 4.5-5: PEAK HOUR TRAFFIC VOLUMES

The project developer shall be responsible for contributing their "fair-share" of the cost to reconstruct the EI Dorado Hills Boulevard/Latrobe Road interchange and widen U.S. Highway 50 to six lanes as shown in Exhibit 4.5-10. Reconstruction of the interchange is included in the RIF; therefore, the project developer shall pay the RIF fee prior to the issuance of building permits. A separate impact fee program has been established to fund the mainline widening of U.S. Highway 50 through the western portion of EI Dorado County. A fair-share contribution of this fee shall also be paid by the project developer prior to the issuance of building permits. Implementation of this mitigation measure would improve the ramp intersection and ramp junction levels of service as follows:

- El Dorado Hills Boulevard/U.S. Highway 50 westbound ramps intersection - LOS from F to B during the a.m. peak: hour and from E to C during the p.m. peak: hour;
- Latrobe Road/U.S. Highway 50 eastbound ramps intersection LOS from F to B during the a.m. peak: hour and from F to B during the p.m, peak: hour;
- U.S. Highway 50 eastbound diagonal on-ramp - LOS A during the a.m. peak: hour and LOS D during the p.m. peak: hour;
- U.S. Highway 50 eastbound loop off-ramp - LOS B during the a.m. peak: hour and LOS D during the p.m. peak: hour;
- U.S. Highway 50 westbound diagonal on-ramp - LOS C during the a.m. peak: hour and LOS B during the p.m, peak: hour; and
- U.S. Highway 50 westbound diagonal off-ramp - LOS C during the a.m, peak: hour and LOS B during the p.m. peak: hour.

Reconstruction of the interchange may also include the addition of a eastbound diagonal off-ramp and westbound loop off-ramp. Both of these new ramps would also operate at LOS D or better during both peak: hours.

MITIGATION MEASURE 4.5-6: PEAK HOUR TRAFFIC VOLUMES (LATROBE ROAD INTERSECTIONS).

The following mitigation measures address the four intersections along Latrobe Road that are projected to operate at unacceptable (worse than LOS E) levels of service with buildout of the Specific Plan.

a) In addition to mitigation measure 4.5-1, the project developer shall be responsible for their "fairshare" cost of signalization and turn lane improvements at the White Rock Road/Latrobe Road intersection as shown on Exhibit 4.5-11. Signalization of this intersection is currently included in the RIF program; therefore, the project developer shall pay the RIF fee prior to the issuance of building permits. Implementation of this mitigation measure would improve the White Rock Road/Latrobe Road intersection LOS from F to B during the a.m. peak: hour and from F to C during the p.m. peak: hour.

b) The project developer shall be responsible for their "fair-share" cost of signalization and turn lane improvements at the Latrobe Road/Golden Foothill Parkway North intersection as shown on Exhibit 4.5-11. EI Dorado County shall include this project in the Traffic Impact Mitigation (TIM) program and the project developer shall pay the updated TIM fee prior to the issuance of building permits. Implementation of this mitigation measure would improve the Latrobe Road/Golden Foothill Parkway North intersection LOS from F to B during the a.m. peak hour and from F to D during the p.m. peak hour.

c) The project developer shall be responsible for their "fair-share" cost of signalization and tum lane improvements at the Latrobe Road/Golden Foothill Parkway South intersection as shown on Exhibit 4.5-11. EI Dorado County shall include this project in the updated TIM fee and the project developer shall pay the fee prior to the issuance of building permits. Implementation of this mitigation measure would improve the Latrobe Road/Golden Foothill Parkway South intersection LOS from F to B during the a.m, and from F to C during the p.m. peak hours.

- The project developer shall be responsible for their "fair-share" cost of the following improvements: Modifying turn lanes at the Latrobe Road/Investment Boulevard intersection (see Exhibit 4.5-11);

- Signalizing the Latrobe Road/Investment Boulevard intersection.

EI Dorado County shall include these improvement projects in the TIM program. The project developer shall pay the updated TIM fee prior to the issuance of building permits. Implementation of this mitigation measure would improve the Latrobe Road/Investment Boulevard intersection LOS from F to B during the a.m. and p.m, peak hours.

The Latrobe Road/Investment Boulevard intersection operates at LOS B during the p.m. peak hour with one left-turn lane on the eastbound approach. The left-turn volume is 600 vehicles per hour during the p.m. peak hour. Occasional queuing of vehicles on the left-turn lane could occur on the eastbound approach. The County should monitor the queues and design the left-turn pocket for this movement to accommodate the volumes. If the County decides to provide dual left-turn lanes for this

left-turn movement, an additional northbound lane would be required on Latrobe Road between Investment Boulevard and Golden Foothill Parkway South.

MITIGATION MEASURE 4.5-7: PEAK HOUR TRAFFIC VOLUMES

The following mitigation measures address the two intersections along White Rock Road (west of Latrobe Road) that are projected to operate at LOS F with buildout of the Specific Plan.

b) The project developer shall be responsible for their "fair-share" cost of signalization and turn lane improvements at the White Rock Road/Project Access Road intersection as shown on Exhibit 4.5-11. El Dorado County shall include this project in the TIM program and the project developer shall pay the updated TIM fee prior to the issuance of building permits. Implementation of this mitigation measure would improve the White Rock Road/Project Access Road intersection LOS from D to B during the a.m. peak hour and from F to C during the p.m. peak hour. This intersection was analyzed with lane configuration as shown in Exhibit 4.5-11. For a worst-case scenario, this analysis assumed that all the project traffic traveling on White Rock Road would use this intersection to access the site resulting in a westbound to southbound left-turn volume of approximately 600 vehicles during the p.m, peak hour. This volume is conservative since westbound left-turn access on White Rock Road will be available at one other project driveway according to El Dorado County Department of Transportation staff.

MITIGATION MEASURE 4.5-8: PUBLIC TRANSIT.

The project developer shall be responsible for the construction of a bus turnout and transit shelter along the project site frontage on White Rock Road when fixed route transit service or commuter service is extended to serve the project. The project developer shall also reserve the land area for the proposed mass transit station and parking area as identified in the Carson Creek Specific Plan.

Although not required as part of this mitigation measure, the project developer, El Dorado County Department of Transportation, and the El Dorado County Transit Authority should also develop an implementation plan that identifies the construction phasing and financing for the parking area, other transit shelters within the project site, and the mass transit station. This implementation plan should be approved by El Dorado County Department of Transportation and the El Dorado County Transit Authority prior to the issuance of building permits.

MITIGATION MEASURE 4.5-9: BICYCLE/PEDESTRIAN FACILITIES.

The project developer shall be responsible for the construction of Class Il bike lanes along the project site frontage on White Rock Road prior to the issuance of building permits. Implementation of mitigation measure 4.5-2 includes the construction of Class II bike lanes; therefore, no additional mitigation is necessary.

MITIGATION MEASURE 4.5-10: CONSISTENCY WITH RELEVANT GENERAL PLAN PROVISIONS

Apply mitigation measures 4.5-1, 4.5-5 through 4.5-9 and no further mitigation is required.

MITIGATION MEASURE 7-2: CUMULATIVE ROADWAY SYSTEM IMPACTS

a) Widening Latrobe Road from two to four lanes between Golden Foothill Parkway South and Investment Boulevard would improve the daily roadway segment LOS to B or better. El Dorado County considers that additional widening may not be feasible due to cost and right-of-way constraints. Due to the uncertainty regarding feasibility, this cumulative impact would remain significant and unavoidable.

d) Mitigation measure 4.5-5 requires the project developer to contribute their "fair-share" cost of widening U.S. Highway 50 to six lanes through the western portion of El Dorado County. Although this would not improve the LOS to E or better, EI Dorado County considers that additional widening may not be feasible due to cost and right-of-way constraints. However, widening certain sections to more than six lanes may be possible. Therefore, this cumulative impact would remain significant and unavoidable.

Special Mitigation Measures:

None.

FINDING: The EIR concluded that the application of mitigation measures would reduce significant impacts to a less-than-significant level (consistent with General Plan Policy 3.2.1.4), and no significant and unavoidable traffic and circulation impacts would remain. However, cumulative impacts were considered to be significant and unavoidable. The proposed amendment to the CCSP would not result in any impacts more severe that those previously analyzed under the EIR.

XVII. TRIBAL CULTURAL RESOURCES. *Would the project:*	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
a. Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Section 21074?	**Not analyzed.**	**No**	**No**	**No**	**N/A**

Regulatory Setting:

Federal Laws, Regulations, and Policies

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

State Laws, Regulations, and Policies

Assembly Bill (AB) 52

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

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

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

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

TCRs are further defined under Section 21074 as follows:

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

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

Discussion:

El Dorado County circulated a NOP for the CCSP on June 30, 1994, prior to implementation of AB 52. Therefore, AB 52 is not applicable to the CCSP Amendment project.

XVIII. UTILITIES AND SERVICE SYSTEMS. *Would the project:*	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	**Section 4.19, Addendum Section III**	**No**	**No**	**No**	**Yes**
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	**Section 4.19**	**No**	**No**	**No**	**Yes**
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	**Section 4.10**	**No**	**No**	**No**	**Yes. MM: 4.10-1, 4.10-5, 4.10-6**
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	**Section 4.18, Addendum Section III**	**No**	**No**	**No**	**Yes. MM: 4.18-1**
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	**Section 4.19**	**No**	**No**	**No**	**Yes**
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	**Section 4.15**	**No**	**No**	**No**	**Yes**

XVIII. UTILITIES AND SERVICE SYSTEMS. *Would the project:*	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
g. Comply with federal, state, and local statutes and regulations related to solid waste?	**Section 4.15**	**No**	**No**	**No**	**Yes**
h. Use substantial amounts of fuel or energy, or result in a substantial increase in demand upon existing sources of energy or require the development of new sources of energy?	**Section 4.20, 4.21**	**No**	**No**	**No**	**Yes**
i. Result in the need for new, or substantial alteration to, electricity, natural gas, or communications systems?	**Section 4.20, 4.21**	**No**	**No**	**No**	**Yes**

Regulatory Setting:

Federal Laws, Regulations, and Policies

Energy Policy Act of 2005

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

State Laws, Regulations, and Policies

California Integrated Waste Management Act of 1989

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

California Solid Waste Reuse and Recycling Access Act of 1991

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

California Integrated Energy Policy

Senate Bill 1389, passed in 2002, requires the California Energy Commission (CEC) to prepare an Integrated Energy Policy Report for the governor and legislature every 2 years (CEC 2015a). The report analyzes data and provides policy recommendations on trends and issues concerning electricity and natural gas, transportation, energy efficiency, renewable energy, and public interest energy research (CEC 2015a). The 2014 Draft Integrated Energy Policy Report Update includes

policy recommendations, such as increasing investments in electric vehicle charging infrastructure at workplaces, multi-unit dwellings, and public sites (CEC 2015b).

Title 24–Building Energy Efficiency Standards

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

Urban Water Management Planning Act

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

Other Standards and Guidelines

Leadership in Energy & Environmental Design

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

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

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

The EIR analyzes the cumulative impact of the CCSP on water supply, wastewater capacity, storm water facilities, and solid waste. Water supply was determined to be adequate for the project, and was not determined to result in a significant impact to water supply. This conclusion was further clarified and supported in the 1997 Addendum to the Final EIR. Future development upstream of the Specific Plan would likely contribute to the majority of the projected peak flow increase. However, because buildout of the Specific Plan could contribute to this projected increase in peak flows in the Carson Creek watershed, surface runoff impacts would be considered potentially significant. This cumulative impact would be mitigated by the measures proposed in the EIR. As discussed in the EIR, there is sufficient landfill capacity and wastewater capacity

available to accommodate regional growth for the reasonably foreseeable future, and no significant cumulative solid waste impacts would be anticipated. Water availability was considered a cumulatively significant impact, as water supply to accommodate the specific plan build-out was considered probable but not certain.

The CCSP also evaluated impacts to electricity and natural gas for up to 2,701 additional residential dwelling units and commercial land. The EIR concluded that impacts would be less than significant, since infrastructure and service to the site would not present difficulties and would be incorporated into a phasing and financing plan. Increased residential, commercial, and industrial demand for telephone services was also analyzed. Telephone service extensions would connect to the existing underground transmission lines along White Rock Road and those serving the EI Dorado Hills Business Park, according to the developing portion of the CCSP site. The proposed modifications would not result in additional or cumulative impacts and would not change the conclusions of the Final EIR.

EIR Mitigation Measures:

MITIGATION MEASURE 4.10-1: INCREASED SURFACE RUNOFF

c) Prior to the approval of the first tentative subdivision or parcel map, the project applicant shall submit and obtain approval of final drainage plans by the EI Dorado County Department of Transportation. These final drainage plans shall demonstrate that future post-development stormwater discharge levels from the project will remain at existing stormwater discharge levels and detention basins will be permanently maintained. The drainage plan shall be prepared by a certified Civil Engineer and shall be in conformance with the EI Dorado County Drainage Manual adopted by the Board of Supervisors in March 1995. The project applicant shall form a drainage zone of benefit (ZOB) responsible for all stormwater drainage facility maintenance requirements. The drainage plan shall include, at a minimum, written "text addressing existing conditions, the effects of project improvements, all appropriate calculations, a watershed map, potential increases in downstream flows. proposed onsite improvements, and drainage easements, if necessary, to accommodate flows from the site and implementation and maintenance responsibilities. The plan shall address storm drainage during construction and proposed BMPsto reduce erosion and water quality degradation. All onsite drainage facilities shall be constructed to EI Dorado County Department of Transportation satisfaction. BMPs shall be implemented throughout the construction process. The following BMPs, or others deemed effective by the Department of Transportation, will be implemented as necessary and appropriate:

Soil Stabilization Practices
- Straw Mulching
- Hydromulching
- Jute Netting
- Revegetation
- Preservation of Existing Vegetation

Sediment Barriers
- Straw Bale Sediment Barriers
- Filter Fences
- Straw Bale Drop Inlet Sediment Barriers

Site Construction Practices
- Winterization
- Traffic Control
- Dust Control

Runoff Control in Slopes/Streets
- Diversion Dikes
- Diversion Swales
- Sediment Traps

d) Specific measures shall be identified in the final drainage plans to reduce stormwater discharge at the Southern Pacific Railroad bridge (Malby Crossing) at the site's southern end. These measures shall include detention basins of

adequate size to reduce post-development discharge to predevelopment levels. Maintenance of the detention basin and drainage facilities shall include periodic inspections (e.g., annual) to ensure facility integrity and debris removal as necessary.

MITIGATION MEASURE 4.10-5: SHORT-TERM CONSTRUCTION-RELATED WATER QUALITY IMPACTS

c) Prior to issuance of a grading permit, the developer shall obtain from the CVRB a General Construction Activity Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES) and comply with all requirements of the permit to minimize pollution of stormwater discharges during construction activities.

d) Prior to issuance of a grading permit, the project applicant shall submit to the El Dorado County Department of Transportation for review and approval an erosion control program which indicates that proper control of siltation, sedimentation and other pollutants will be implemented per NPDES permit requirements. The erosion control plan shall include BMPs as discussed' in Mitigation Measure 4.10-1, and as follows: sediment basins, sediment traps, silt fences, hay bale dikes, gravel construction entrances, maintenance programs, and hydroseeding.

MITIGATION MEASURE 4.10-6: LONG-TERM WATER QUALITY IMPACTS

c) Onsite detention basins shall be constructed and maintained through the construction period to receive stormwater runoff from graded areas to allow capture and settling of sediment prior to discharge to receiving waters.

d) Prior to issuance of a grading permit, the project applicant shall develop a surface water pollution control plan (i.e., parking lot sweeping program and periodic storm drain cleaning) to reduce long term surface water quality impacts. Parking lot sweeping shall occur on a weekly basis and storm drain clearing shall occur semi-annually. The plan shall also include the installation of oil, gas and grease trap separators in the project parking lot. These grease trap separators will be cleaned annually. The project applicant shall develop a financial mechanism, to be approved by the EI Dorado County Department of Transportation, that ensures the long-term implementation of the program.

MITIGATION MEASURE 4.10-7: CONSISTENCY WITH RELEVANT GENERAL PLAN PROVISIONS

Apply Mitigation Measures 4.8-2,4.10-1,4.10-2, 4.10-5, 4.10-6 and no further mitigation is required.

MITIGATION MEASURE 4.18-1: WATER CONSUMPTION

Project impacts cannot be reduced to a less-than-significant level until the EID procures new water supplies that are sufficient to meet water needs of the proposed Specific Plan at buildout in conjunction with existing planned growth, or an alternative public water source is secured. Implementation of the following mitigation measures would reduce potential project impacts on water supply. The project applicant would be required to implement these measures before approval of building permits.

a) In accordance with EID Policy Statement No. 22, the project applicant shall prepare a Facility Plan Report (FPR) for the proposed project. The FPR shall address the expansion of the water and sewer facilities and the specific fire flow requirements for all phases of the project.

b) Low-volume and low-flow fixtures shall be installed to reduce water consumption.

c) Efficient irrigation systems shall be installed to minimize runoff and evaporation and maximize the water that will reach plant roots. One or any combination of the following methods of increasing irrigation efficiency shall be employed: drip irrigation, soil moisture sensors, and automatic irrigation systems. Mulch shall be used extensively in all landscaped areas. Drought resistant and native vegetation shall be used in landscaped areas.

Special Mitigation Measures:

None.

FINDING: For this Utilities and Service Systems category, the thresholds of significance would not be exceeded. No significant utility and service system impacts would be expected with the modifications to the CCSP, either directly or indirectly. The proposed amendment to the CCSP would not result in any more severe impacts that those previously analyzed under the EIR.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE. *Does the project:*	Where impact was analyzed in prior environmental documents.	Do proposed changes involve new significant impacts or substantially more severe impacts?	Any new circumstances involving new significant impacts or substantially more severe impacts?	Any new information Requiring new analysis or verification?	Prior Environmental Document Mitigations Implemented or address Impacts.
a. Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	**Throughout**	**No**	**No**	**No**	**Yes**
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	**Throughout**	**No**	**No**	**No**	**No. Impacts to Traffic and Aesthetics were determined to be Significant and Unavoidable**
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	**7.2**	**No**	**No**	**No**	**Yes**

Discussion:

a. No substantial evidence contained in the project record has been found that would indicate that this project would have the potential to significantly degrade the quality of the environment beyond what was previously addressed in the 1997 CCSP EIR. As conditioned or mitigated, and with adherence to County permit requirements, this project would not have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of California history, pre-history, or tribal cultural resources.

There are no substantial changes in circumstance under which the project would be carried out. The supplemental information provided for the preparation of the project EIR Addendum has not identified significant environmental effects or substantial increases in the severity of previously identified significant effects. Implementation of the project would facilitate completion of the proposed residential density contemplated within the Specific Plan.

Any impacts from a project at the site would be analyzed according to the specific features of the project. Required standards would be implemented prior to or along with the building permit processes and/or any required project-specific improvements on the property.

b. Cumulative impacts are defined in Section 15355 of the CEQA Guidelines as *two or more individual effects, which when considered together, would be considerable or which would compound or increase other environmental impacts.*

The original Specific Plan was not determined to involve development or changes in land use that would result in an excessive increase in population growth area and the project would not require an increase in the wastewater treatment capacity of the County. Impacts due to increased demand for public services associated with the project would be offset by the payment of fees as required by service providers to extend the necessary infrastructure services. The project was, however, anticipated to contribute substantially to increased traffic in the area. Impacts to the aesthetics of the area were also determined to be cumulatively considerable. Due to the small size of the proposed amendment, types of activities proposed, and site-specific environmental conditions, which have been disclosed in the Project Description and analyzed in Items I through XVIII, there would be no additional significant impacts anticipated related to agriculture resources, air quality, biological resources, cultural resources, geology/soils, hazards/hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, traffic/transportation, or utilities/service systems that would combine with similar effects such that the project's contribution would be cumulatively considerable. For these issue areas, either no impacts, or less than significant impacts would be anticipated. As outlined and discussed in this document, and as conditioned and with compliance with County Codes, this project would be anticipated to have a less than significant project-related environmental effect which would cause substantial adverse effects on human beings, either directly or indirectly. Based on the analysis in this study, it has been determined that the proposed changes to the CCSP project would not have additional significant cumulative impacts.

c. Based on the discussion contained in this document, no additional potentially significant impacts to human beings are anticipated to occur with respect to project impacts. Any future development or physical changes resulting from the amendments would require review and permitting through the County. Adherence to these standard conditions would be expected to reduce potential impacts to a less than significant level.

Implementation of the proposed project would result in a similar scale and nature of development anticipated under the 1997 Specific Plan EIR. The proposed project is substantially consistent with the circulation, open space, grading and related policies contained within the Specific Plan.

There are no substantial changes in circumstance under which the project would be carried out. The supplemental information provided for the preparation of the project EIR Addendum has not identified significant environmental effects or substantial increases in the severity of previously identified significant effects. Implementation of the project would facilitate completion of the proposed commercial development anticipated under the Specific Plan.

Considerable supplemental information has been assembled for the preparation of this Addendum. None of this information is of substantial importance, which was not known and could not have been known at the time the previous EIR was certified. Specifically, the project does not present any new potentially significant effects not evaluated in the previous EIR. In addition, the previously identified significant effects of the Specific Plan would not be accentuated through implementation of the proposed project. No changes in the feasibility of the originally adopted Specific Plan mitigation measures have been identified.

FINDINGS: It has been determined that the proposed project would not result in additional significant environmental impacts, exceed applicable environmental standards, or significantly contribute to previously less-than-significant cumulative environmental impacts.

SUPPORTING INFORMATION SOURCE LIST

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