

**LATE DISTRIBUTION****DATE** 8/14/18 #38

EDC COB <edc.cob@edcgov.us>

PD17-0002/Diamond Springs Village Apartments

1 message

Steve Nicolls <steve_nicolls@hotmail.com>

Tue, Aug 14, 2018 at 11:42 AM

To: "edc.cob@edcgov.us" <edc.cob@edcgov.us>

Cc: "courtsidemanor@gmail.com" <courtsidemanor@gmail.com>

I am opposing the development which is currently being reviewed because of my concern for the negative effect it will have on the community and also for the following reasons.

It is my understanding that the EIR did not evaluate the potential asbestos hazard due to the location of the development. The EIR mentioned that there were no hazardous materials/ waste concerns in the area. Has the CAL EPA remediation report been reviewed for the Diometrics facility and the waste oil concern that existed before El Dorado Disposal purchased the property?

The emergency evacuation gate that is part of the Courtside Manor development has never been installed which is an outstanding fire code concern.

Also, another fire code concern is water flow available for the development and potential first responder access concerns since the available roads for access to the development do not currently meet county standards and to mitigate the concern would involve purchasing property along the access routes to provide the required road width.

I would like to request that the above items are discussed as part of the evaluation of the development.

Thank you

Steve Nicolls
3041 Courtside Dr
Diamond Springs, CA
530 306 4304



LATE DISTRIBUTION

DATE 8/14/18 #38

EDC COB <edc.cob@edcgov.us>

#38. Legistar #18-1133:Planned Development PD17-0002/Diamond Springs Village Apartments

1 message

Nisenan Mewuk <tribalcouncil@eldoradonisenanmewuk.com>
To: edc.cob@edcgov.us

Tue, Aug 14, 2018 at 11:42 AM

comments please submit

--
Tribal Council,
El Dorado County Nisenan-Mewuk Tribe
Shingle Springs, CA
--

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2 attachments

 **Copy of AB52 Notice_7.0.docx-2.pdf**
224K

 **DiamondSprings_Village.pdf**
355K

WOPUMNES NISENAN-MEWUK NATION OF EL DORADO COUNTY
*****SB-18, AB 52, NEPA 106: NOTIFICATION OF HISTORIC PRESERVATION**
JURISDICTION for OUR ANCESTRAL TERRITORY OF EL DORADO COUNTY***

edc.cob@edcgov.us

James S. Mitrising

The Clerk of the Board of Supervisors

Please attach my comments to Item #38. Legistar #18-1133: Appealing the Planning Commission's June 28, 2018 neg dec for Planned Development PD17-0002/Diamond Springs Village Apartments

Item #38. Legistar #18-1133: Appealing the Planning Commission's June 28, 2018 Negative Declaration for Planned Development PD17-0002/Diamond Springs Village Apartments

Cultural Resources:

Discussion: In general, significant impacts are those that diminish the integrity, research potential, or other characteristics that make a TCR significant or important. To be considered a TCR, a resource must be either: (1) listed, or determined 17-0651 G 50 of 140 PD17-0002/Diamond Springs Village Apartments Initial Study/Environmental Checklist Form Page 50 to be eligible for listing, on the national, state, or local register of historic resources, or: (2) a resource that the lead agency chooses, in its discretion, to treat as a TCR and meets the criteria for listing in the state register of historic resources pursuant to the criteria set forth in Public Resources Code Section 5024.1(c). A substantial adverse change to a TCR would occur if the implementation of the project would: · Disrupt, alter, or adversely affect a TCR such that the significance of the resource would be materially impaired a. Tribal Cultural Resources. The United Auburn Indian Community of the Auburn Rancheria (UAIC), the Wilton Rancheria, the Washoe Tribe of Nevada and California, the Ione Band of Miwok Indians, the Nashville El Dorado Miwok, the T'si-Akim Maidu, and the Shingle Springs Band of Miwok Indians were notified of the proposed project and given access to all project documents on April 10, 2017, via certified mail. No other tribes had requested to be notified of proposed projects for consultation in the project area at the time. In response to a request from the UAIC, dated May 3, 2017, the Cultural Resources Search for the project was sent to the tribe via email. Additional, comments are adequately addressed by Condition of Approval 11. No other requests for further information or formal consultation were received for this project. Pursuant to the Records Search prepared by the North Central Information Center (2017), the geographic area of the project site is not known to contain any resources listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or considered significant by a California Native American tribe. The impact would be less than significant.

WOPUMNES NISENAN-MEWUK NATION OF EL DORADO COUNTY
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****FINDING: No significant TCRs are known to exist on the project site. As a result, the proposed project would not cause a substantial adverse change to a TCR and any impact would be less than significant.*

*****I disagree with this conclusion.** Every tribe is on here except the one that is indigenous to this area. At one time this was a huge gathering of the natives in this area and it was labeled as one of their most sacred sites. Unfortunately our county has implicated itself with the desecration of our sacred ancestral site. We ask the County to stop its dis-respect of our sacred site and develop a new policy of protecting our sacred sites. A better examination should take place and effort to contact the local tribe to verify possible loss of cultural resource before the back-hoe comes in.

Transportation:

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, including ramp terminal intersections. This state agency is also responsible for highway, bridge, and rail transportation planning, construction, and maintenance on the state highway system. Caltrans typically establishes a Concept Level of Service (LOS) for each facility in its long-range 17-0651 G 47 of 140 PD17-0002/Diamond Springs Village Apartments Initial Study/Environmental Checklist Form Page 47 planning documents. The Concept LOS is considered to be the minimum acceptable LOS for the typical weekday peak hour. "The documents establish LOS E as the Concept LOS for both US 50 and SR 49."

*****This statement is misleading.** Yes Caltrans has set the concept of LOS to be E at Highway 50, but that is not where the LOS in this project. The LOS is miles away from Highway 50 and not of the same specification as Highway 50! It's been stated by Caltrans to be at F and that more needs to be done to the interchange before more capacity can be allowed in the Missouri Flat area.

Additional Comments

**WOPUMNES NISENAN-MEWUK NATION OF EL DORADO COUNTY
***SB-18, AB 52, NEPA 106: NOTIFICATION OF HISTORIC PRESERVATION
JURISDICTION for OUR ANCESTRAL TERRITORY OF EL DORADO COUNTY*****

June 25, 2018

Dear Lead Agency Native American Coordinator,

We, the **EL DORADO COUNTY WOPUMNES NISENAN-MEWUK NATION OF SHINGLE SPRINGS**, are the traceable, historic, aboriginal, 1934 IRA Indian Tribe of El Dorado County and claim "Recognized Indian Title" over all sacred sites and artifacts found in our ancestral territory of El Dorado County. We carry Federally issued "Miwok" Identification that is traceable to the 1928 CIJA California Indian Rolls and Museum Records of El Dorado County.

We are separate from, not sharing any Cultural, Historical, Territorial or Ancestral DNA with the group of migrant people from Sutter County the "Verona-Sacramento Band of Homeless Indians" doing business as "Shingle Springs Band of Miwok Indians" and "Redhawk Casino". The "Verona-Sacramento River Band of Homeless Indians", aka "Redhawk Casino" are a non-historic, non-aboriginal group of people pretending to be "Shingle Springs Miwoks" and are perpetrating a fraud on the El Dorado County Community, the Indigenous of California, CalTrans, the People of the State of California, and the Federal Government by falsely claiming jurisdiction our Wopumnes Nisenan-Mewuk Indigenous Artifacts and Sacred Sites in El Dorado County.

Through this letter we respectfully request to be notified by the Lead Agency Native American Coordinator of projects in and around El Dorado County that we may need to exercise jurisdiction and supervision over El Dorado County Indigenous sites and artifacts to take the proper steps to insure the preservation of such. If you have any questions please call:

THE EL DORADO COUNTY WOPUMNES NISENAN-MEWUK NATION
PO BOX 1712
SHINGLE SPRINGS, CA 95682
TIN# 82-4797923
PHONE NUMBER: 530-350-5070
EMAIL ADDRESS: TribalCouncil@ElDoradoNisenanMeWuk.com
WEBSITE: www.ElDoradoNisenanMeWuk.com www.realmiwoktribe.com

Please update your records to reflect this notice and our Tribe's contact information.

Thank you,
/Erin Young/
Erin Young, Chairman

WOPUMNES NISENAN-MEWUK NATION
OF EL DORADO COUNTY, SHINGLE SPRINGS
PO BOX 1712
SHINGLE SPRINGS CA 95682

12/13/2017 v2

530-350-5075
TribalCouncil@ElDoradoNisenanMeWuk.com
www.realmiwoktribe.com

18-1133 Public Comment Rcvd 8/14/18

Diamond Springs Village Apartments, August 14, 2018
Project Comments Negative Declaration Attachment

- 1) Will the project require buying property from current owners or eminent domain be necessary to make new roads or extend the project site?
- 2) Will the project require new stop lights?
- 3) What is the Traffic score for the roads feeding this development?
- 4) How many new units will this project add to the current "Diamond Springs Village"?
- 5) How many units are in the current Diamond Springs Village?
- 6) What was the conclusion to the Appeal of 17-0651 - Appellant's Comments 8-29-17 BOS 8-29-17
- 7) Where are the written findings published addressing the issues brought up in Appeal 17-0651 - Appellant's Comments 8-29-17 BOS 8-29-17?
- 8) Which El Dorado County Native American Tribes signed-off on this project?
- 9) If the Tribe who signed-off on this project is the Verona-Sacramento Band dba "Shingle Springs Band of Miwok Indians" is the county aware that this "Tribe" is not indigenous to El Dorado County?
- 10) Is the County aware that the Verona-Sacramento Band dba "Shingle Springs Band of Miwok Indians" originates from Sutter County and Hawaii?
- 11) Is the County aware that the Verona-Sacramento Band dba "Shingle Springs Band of Miwok Indians" has no lineal descendant attachment to any sacred sites in El Dorado County?
- 12) Is the County aware that the Verona-Sacramento Band dba "Shingle Springs Band of Miwok Indians" is the "Tribe" discussed in their 2003 El Dorado County Supervisor's Statement from the EDC government website pictured below?

permitted by a federally recognized "Indian tribe" and only on "Indian lands," that is, land held in trust for an Indian tribe. Records from the Bureau of Indian Affairs disclose that the two unrelated groups of Indians from Sutter and Sacramento Counties, jointly referred to at that time as the "Sacramento-Verona Band of Homeless Indians" for administrative convenience, never functioned historically as a tribe, never had any historic relationship with El Dorado County, and were never formally or properly "recognized" by the federal government as an "Indian tribe." The land purchased for them in 1920, which was never the homeland of any Indians and which was never even occupied by the descendants of the Sacramento-Verona group until 1980, was not taken into trust and therefore does not qualify as "Indian lands." The County has also sued

- 13) Is the County aware that the Verona-Sacramento Band of Homeless Indians dba "Shingle Springs Band of Miwok Indians" is in a Trademark Lawsuit, Federal Case No: 2:08-CV-03133-KJM-AC regarding their right to call themselves "Shingle Springs Band of Miwok Indians" and should they lose this lawsuit their contracts will be void?
- 14) Is the County aware that the proposed site is surrounded by El Dorado County Nisenan-Mewuk Sacred artifacts?
- 15) Is the County aware that the proposed site is the location of local native sacred land features?
- 16) What is the definition of Measure E?
- 17) Explain how this project compliant with Measure E?

Diamond Springs Village Apartments, August 14, 2018
Project Comments Negative Declaration Attachment

- 18) What meeting was Measure E compliance discussed in, who was present and where are the transcripts published?
- 19) Where are the individual comments from the Diamond Springs Committee attendees published? Not the consolidated report...the actual individual comments?
- 20) How did Diamond Springs get its name?
- 21) Where are the underground water springs located with regards to the project?
- 22) Are there any hazardous waste clean-up sites located within 3 miles of this project site?
- 23) How will the fire department fire trucks turn around in the streets in this project if the streets require a circle at the end of dead-end streets? Have the new drawings been updates? Where are they published? Have studies been done by the fire department for timing to location and serviceability?
- 24) Will the Probation Department be referring or assigning residents to this project?
- 25) Will there be an on-site Probation Officer?
- 26) How will the the residents be receiving social services from the Probation Department?
- 27) Who are the investors for this project? Where can this information be found?
- 28) What recreation and parks services districts are there serving Diamond Springs?
- 29) What parks are made for this project?
- 30) Will there be a homeowners association?
- 31) Will units be for sale?
- 32) Will units be for rent?
- 33) What are the fire and security measures that will be in place?
- 34) If the streets are narrow will there only be parking on one side of the street? Will signage be placed along side the no-parking side of the street?
- 35) How many individuals will be allowed to occupy a unit?
- 36) Will there be enough parking for these people?
- 37) Will there be any basketball courts? Family Parks?
- 38) Are there any wetlands on the property?
- 39) Are there any nature sanctuaries on this property?
- 40) Black-rice Lime Kiln intersection have right turn out issues... Heavy traffic come from the east. How will this be handled?
- 41) Was their physical posting for the project along the neighborhood routes?

The El Dorado County Wopumnes Nisenan-Mewuk Tribe is the local indigenous Tribe who is attached to El Dorado County as ancestral territory. The Wopumnes Nisenan-Mewuk Tribe is asking for AB-52, 106 and Monitoring status on this project.

El Dorado County Wopumnes Nisenan-Mewuk Tribe
PO Box 1712
Shingle Springs, CA 95682
530-350-5075



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DATE 8/14/18 #38

EDC COB <edc.cob@edcgov.us>

2018.8.14 Comment Diamond Village Apartments.pdf -- August 14, 2018 Board of Supervisors Meeting

Marsha Burch <mburchlaw@gmail.com>

Tue, Aug 14, 2018 at 11:12 AM

To: Edc Cob <edc.cob@edcgov.us>

Cc: john.hidahl@edcgov.us, michael.ranalli@edcgov.us, sue.novasel@edcgov.us, brian.veerkamp@edcgov.us, shiva.frentzen@edcgov.us

Good morning. Please see attached comment letter regarding the appeal of the Planning Commission approval of the Diamond Village Apartment Project.

Marsha A. Burch
131 South Auburn Street
Grass Valley, California 95945
530/272.8411
mburchlaw@gmail.com

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 **2018.8.14 Comment Diamond Village Apartments.pdf**
119K

MARSHA A. BURCH
ATTORNEY AT LAW

131 South Auburn Street
GRASS VALLEY, CA 95945

Telephone:
(530) 272-8411

mburchlaw@gmail.com

August 14, 2018

Via hand delivery and email

El Dorado County Board of Supervisors
2850 Fairlane Court
Placerville, California 95667
edc.cob@edcgov.us

Re: Mitigated Negative Declaration for Diamond Springs Village Apartments

Dear Supervisors:

We appreciate the opportunity to provide the following comments on behalf of Courtside Manor Homeowners Association ("Association"). The Association is deeply concerned about the proposed apartment project ("Project") and the cursory level of environmental review. These comments are intended to supplement comments submitted previously by the Association and others during the review process.

The need for additional review and comments on this Project came to my attention during a time when I was engaged with other matters that could not be avoided, and I apologize for the late submission of these comments. We request that the Board continue this item to the next meeting so that we may have an opportunity to review the issues more fully, and the Board may also have a greater opportunity to consider our concerns.

As an initial matter, the Project is inconsistent with General Plan policy TC-Xa. Further, there is no evidence that the mitigation proposed in the Initial Study and Mitigated Negative Declaration (referred to herein as "MND") would mitigate the impacts to intersections with an existing LOS of F. There is a bare conclusion in the traffic study, but no discussion nor any suggestion that the impacts would truly be lessened.

Also explained below, the MND for the Project also does not comply with the California Environmental Quality Act ("CEQA") (Public Resources Code § 21000 *et seq.*) in certain essential respects.

While the County may understandably wish to avoid the costs associated with extensive environmental review, the MND does not fulfill the County's obligations under CEQA. It is our view that an Environmental Impact Report ("EIR") is required for the Project.

A. The Project is inconsistent with the General Plan

The most recent staff report appears to be from September of last year. In that document, staff briefly discusses concerns about consistency with Measure E, and dismisses the concern by simply concluding that through mitigation, the Project will be consistent with Measure E. The trouble with this conclusion is that the “alternative mitigation measure” discussed in the Fehr & Peers Traffic Impact Study (“Traffic Study”) has no substantial evidence to support it. The Traffic Study simply states that a signal at the two intersections that will be worsened by the Project would reduce the impact to less than significant, and then offers “alternatives” to the signals, with no analysis or discussion.

Mitigation 1 proposed in the Traffic Study for the intersection of Pleasant Valley Road/Racquet Way indicates that the LOS would be B with the installation of a signal, and then proposes the alternative of providing a public road connection to Diamond Road, by way of Black Rice Road (which is a *private* road) would reduce impacts. It does not say to what LOS. This analysis is inadequate. (Traffic Study, p. 39.)

The same is true for Mitigation 2 for the intersection of Missouri Flat Road/China Garden Road. (Traffic Study, p. 39.)

The Project is also inconsistent with TC-Xd in that there is no demonstration that there is adequate emergency access, and additionally there are not sufficient set backs as required for fire safety. This issue is ignored in the MND.

Finally, as other commenters have noted, the Project is not consistent with General Plan and State law requirements for the provision of parks in the community.

This analysis is insufficient and there is no substantial evidence to support the conclusion that the impacts will be mitigated, nor enough to conclude that the Project is consistent with the General Plan.

B. The MND fails to adequately address the Projects’ impacts

As noted above, the mitigation measures for traffic impacts are “alternatives” to mitigation measures that were actually analyzed in the Traffic Study. There is no substantial evidence to support the conclusion that TR-1 and TR-2 will mitigate the impacts in the same way that the signals analyzed in the Traffic Study would. There is simply an unsupported conclusion in the Traffic Study, and repeated in the MND, stating that the mitigation measures will reduce the impacts to a level of insignificance. More is required to make such a conclusion and a full EIR is required.

C. Standard for use of a Negative Declaration

Where, as here, there is substantial evidence in the record to support a fair argument that the proposed project may have a significant effect on the environment, preparation of an EIR is required. (PRC §§ 21100, 21151; CEQA Guidelines § 15064; *Communities for a Better Environment v. South Coast Air Quality Mgmt. Dist.* (2010) 48

Cal.4th 310, 319.)

The standard in reviewing an agency's decision not to prepare an EIR for a project is subject to the "fair argument test" and is *not* reviewed under the substantial evidence test that governs review of agency determinations under Public Resources Code sections 21168 and 21168.5. The "substantial evidence test" that generally applies to review of an agency's compliance with CEQA provides that if any substantial evidence in the record supports the agency's determination, then the determination will remain undisturbed.

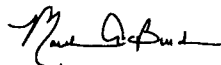
In stark contrast, an agency's decision to omit the preparation of an EIR will not stand if *any* substantial evidence in the record would support a fair argument that the Project *may* have a significant effect on the environment. (*No Oil, Inc. v. city of Los Angeles* (1974) 13 Cal.3d 68, 75; *Friends of "B" Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 1000-1003; Pub. Resources Code § 21151.)

Because of the flaws in MND and the deferral of analysis and development of mitigation measures, the MND fails disclose and to adequately analyze all areas of impact. Also, there is substantial evidence to support a fair argument that the Project impacts discussed above *may* be significant. A full EIR should be prepared.

D. Conclusion

For the reasons set forth above, the County should reject the Project because it is inconsistent with the General Plan. We also believe that if the County wishes to move forward with the Project, the MND fails to meet the requirements of the California Environmental Quality Act. For these reasons, we believe the document should be withdrawn and a revised environmental document, a full EIR, should be prepared.

Very truly yours,



Marsha A. Burch
Attorney

cc: Courtside Manor Homeowners Association
Supervisors (via email)



LATE DISTRIBUTION

EDC COB <edc.cob@edcgov.us>

DATE 8/14/18 #38

Re: BOS 8-14-18, Item #38 File #18-1133, Appealing the Planning Commission's June 28, 2018 approval of Planned Development PD17-0002/Diamond Springs Village Apartments

1 message

Sue Taylor <sue-taylor@comcast.net> Tue, Aug 14, 2018 at 12:19 PM
Reply-To: Sue Taylor <sue-taylor@comcast.net>
To: Edc Cob <edc.cob@edcgov.us>
Cc: john.hidahl@edcgov.us, shiva.frentzen@edcgov.us, sue.novasel@edcgov.us, michael.ranalli@edcgov.us, brian.veerkamp@edcgov.us

Please attach the comment letter to Item #38 on the 8-14-18 agenda.

Thank you,

Sue Taylor

 **8-14-18 BOS Diamond Springs Village Apartments.pdf**
847K

8-14-18

Dear Board of Supervisors,

Re: BOS 8-14-18, Item #38 File #18-1133, Appealing the Planning Commission's June 28, 2018 approval of Planned Development PD17-0002/Diamond Springs Village Apartments and File #17-0651 from the BOS 8-19-17, Item #46 Agenda Appealing the June 22, 2017 Planning Commission's approval of PD17-0002 Diamond Springs Village Apartments.

This is included from the 8-29-17 Board of Supervisors meeting since I could not find it in its complete form:

The goal of the national housing policy, as set out in the Housing Act of 1949 and reaffirmed in the Housing and Urban Development Act of 1968, and amended December 31, 1998, was to provide decent, **safe, sanitary, and affordable** living environments for all Americans;

The goal of most housing programs and organizations, is not just to provide affordable housing but to provide "decent, safe, sanitary, and affordable housing." What is safe and decent has been left up to individual jurisdictions and building owners.

Measure E was proposed due to the frustration of watching the Board of Supervisors continue to approve or contemplate future projects, which would add cumulative traffic into areas that have already reached maximum allowed levels of service without providing achievable improvements to the deficient circulation. These actions of the Board were continuing in spite of two prior measures being overwhelmingly passed by the public, and the public assumed that those measures would prevent our Board from allowing poor traffic circulation conditions on our roadways. These continued traffic impacts being allowed due to overdevelopment is particularly true in regards to the Missouri Flat area, and specifically in the area of the proposed Diamond Springs Village Apartments.

The goal of passing Measure E was to get the Board to realistically look at the most critical areas that exist within the County in regards to deficiencies in traffic circulation. Then, before continuing to worsen capacity in those already impacted communities, require needed improvements to circulation to be made by either the County or the developers who desire to continue to build out these areas. If it was found that increasing capacity is not possible, then that must also be realized and actions taken to limit discretionary projects that continue to worsen that already failed condition.

Measure E was more about the timing of infrastructure than who pays and how much. A County has broad police powers to promote health, safety, and welfare. Our General Plan provides for orderly development of the county. The General Plan must address circulation, and must include standards. The El Dorado County General Plan includes a Circulation Element. For legitimate safety and welfare

concerns, among the standards in that element is that, with certain exceptions, roads should not exceed the upper limits of LOS E. Continuing to add cars to a road that has exceeded capacity makes as much sense as continuing to fill a bucket that is full. It is completely constitutional for the County to deny all further development proposals until the roads are expanded to avoid the externalities of increased traffic congestions and traffic accidents associated with the new development. (See California Building Industry Association v. San Jose (2015)). This is called orderly development, which is what is expected by the communities in which this Board represents.

Measure E and its predecessor measures were about how the County resolves those full road situations. In 2008, Measure Y was changed to allow developers to secure project approval by contributing to a fund and by getting the road improvements into a 10 or 20 year improvement plan. The unfortunate result was, developments projects got built, but the road improvement needed to absorb the traffic did not get built. This is a far cry from orderly development.

So whether it be to assist commercial development or affordable housing, this Board needed to realistically deliberate to determine priorities.

In reference to housing, determining what is safe and decent is documented throughout our General Plan. This Board cannot take small parts of creating high density dwelling units without looking the whole of that Plan which require amenities be provided for the quality of life for those new residents while also considering the health and welfare of existing residents and business owners in the surrounding community.

In general, Save Our County does not oppose a development project on the proposed property. But we are pleading with this Board to do it better than what has been done in the past.

Many promises were made in the 2004 General Plan in regards to the future residential and commercial development of the El Dorado/Diamond Springs Community Region and the area surrounding Missouri Flat. Those promises include General Plan policies listed at the bottom of this document along with mitigation measures that were to be implemented after the 2004 General Plan that was adopted.

Besides the land use policies, the General Plan also addresses traffic and transportation including capacity, levels of service requirements, bicycle routes and walking trails.

County Planning has continued to move forward with projects in the Diamond Springs El Dorado Community Region without: implementing required General Plan policies; setting aside areas for parks, rectifying traffic capacity; and following community design standards; therefore, creating poorly-designed developments.

The Diamond Springs Village Apartments as designed violates Measure E, the California Environmental Quality Act, and applicable general plan and zoning laws. The required public notification of posting signs in the vicinity was not provided for the community. There is very little green space and two very small "park" areas which look to be around 15'x30'. The existing high density development in this area is missing sidewalks and adequate areas for parking. Cars are lined up on many of the substandard Streets only allowing flow of one lane of traffic. Sidewalks are only provided on one side of the street. Residents have been seen using the one sidewalk as a location for barbequing. The setbacks for this project are less than the 30 feet required per the fire department. One proposed complex has been situated in the area which should be used as circulation for traffic flow. That unit should be eliminated.

The County has already committed a \$150,000.00, 1% loan to the developer of this project for predevelopment costs, and also a \$1,463,200.00 traffic impact mitigation (TIM) set aside fee.

Given the subsidies and the facilitation by the County, the County has become a partner to this project. Therefore the project should be required to provide amenities that would create a much more livable space within this high-density area. This location and general area is lacking a real park, safe travel areas for walking, bicycling, existing local shopping areas, and defined employment opportunities, yet the project was approved based on the offer of these lacking amenities.

Just to show the pitiful scale of the offer: If all the acreage of this development were devoted to a park, it would be large enough to balance the needed park, open space currently lacking in this neighborhood area.

Reading through the documents it is not clear that the \$1,463,200.00 TIM offset fee from the County will be used to mitigate the traffic impact deficiencies due to this project. Can the Board of Supervisors make that a requirement? Will future Community Development Block Grant (CDBG) funds be allocated to this project? Will the project be dependent on CDBG funds?

As a way of planning for healthy communities, CDBG funds are far more flexible than those of the earlier law in that they could be used for a wide range of public works, community services, and housing projects, with no local contribution being required. Instead of concentrating spending in a few places or on a single grand project as was done in the 1950s and 1960s, local governments can spread CDBG funds among several neighborhoods. With the planned concentration of development in this area, this is definitely a community in need of public amenities, such as a park.

Save Our County pleads with this Board to return this project to the Planning Commission in order to reconfigure it in a way that is compatible with the community and adheres to expected promises of the General plan, Measure E, and

Zoning laws. We really don't want to see this project have to face a formal EIR process. Again, the area of Diamond Springs and El Dorado has been chosen by the County for high-density, residential and commercial development. I feel it's important that as the County moves forward implementing this level of density, they consider the impact to the surrounding and adjacent communities. We only have one shot at this. It's time for the County to stop approving developments without first resolving overall impacts.

Thank you for your consideration,

Sue Taylor
For Save Our County

OBJECTIVE 2.2.3: PLANNED DEVELOPMENTS

Provide for innovative planning and development techniques and further fulfill the Plan Strategy by encouraging balanced growth to better reflect the character and scale of the community in which it occurs while minimizing impacts on the surrounding areas, to provide more efficient utilization of land, and to allow for flexibility of development while providing for general public benefits.

GOAL 2.4: EXISTING COMMUNITY IDENTITY

Maintain and enhance the character of existing rural and urban communities, emphasizing both the natural setting and built design elements which contribute to the quality of life, economic health, and community pride of County residents.

OBJECTIVE 2.4.1: COMMUNITY IDENTITY

Identification, maintenance, and enhancement of the unique identity of each existing community.

Policy 2.4.1.1 *Design control combining zone districts shall be expanded for commercial and multiple family zoning districts to include identified Communities, Rural Centers, historic districts, and scenic corridors.*

Policy 2.4.1.2 *The County shall develop community design guidelines in concert with members of each community which will detail specific qualities and features unique to the community as Planning staff and funds are available. Each plan shall contain design guidelines to be used in project site review of all discretionary project permits. Such plans may be developed for Rural Centers to the extent possible. The guidelines shall include, but not be limited to, the following criteria:*

- A. Historic preservation*
- B. Streetscape elements and improvements*

- C. Signage
- D. Maintenance of existing scenic road and riparian corridors
- E. Compatible architectural design
- F. Designs for landmark land uses
- G. Outdoor art

Policy 2.4.1.3 All properties located within the historic townsite known as Clarksville, El Dorado and Diamond Springs shall be designated on the zoning maps as Design Historic (-DH) combining zone district. Other historical townsites may apply for a historical overlay per guidelines in the Zoning Ordinance. (Updated December 2015)

GOAL 2.5: COMMUNITY IDENTITY

Carefully planned communities incorporating visual elements which enhance and maintain the rural character and promote a sense of community.

OBJECTIVE 2.5.1: PHYSICAL AND VISUAL SEPARATION

Provision for the visual and physical separation of communities from new development.

Policy 2.5.1.1 Low intensity land uses shall be incorporated into new development projects to provide for the physical and visual separation of communities. Low intensity land uses may include any one or a combination of the following: parks and natural open space areas, special setbacks, parkways, landscaped roadway buffers, natural landscape features, and transitional development densities.

Policy 2.5.1.2 Greenbelts or other means of community separation shall be included within a specific plan and may include any of the following: preserved open space, parks, agricultural districts, wildlife habitat, rare plant preserves, riparian corridors, and designated Natural Resource areas.

OBJECTIVE 2.5.2: COMMERCIAL FACILITIES

Designate lands to provide greater opportunities for El Dorado County residents to shop within the County.

Policy 2.5.2.1 Neighborhood commercial centers shall be oriented to serve the needs of the surrounding area, grouped as a clustered, contiguous center where possible, and should incorporate but not be limited to the following design concepts as further defined in the Zoning Ordinance:

- A. Maximum first floor building size should be sized to be suitable for the site;
- B. Residential use on second story;
- C. No outdoor sales or automotive repair facilities;
- D. Reduced setback with landscaping and walkways;
- E. Interior parking, or the use of parking structure;

- F. Bicycle access with safe and convenient bicycle storage area;*
- G. On-street parking to reduce the amount of on-site parking;*
- H. Community bulletin boards/computer kiosks;*
- I. Outdoor artwork, statues, etc., in prominent places; and*
- J. Pedestrian circulation to adjacent commercial centers.*

Added 8-14-18

Issues that have not been addressed from the above General Plan Policies:

The proximity of this project to Highway 49 which is included in the list to be considered for a scenic or historic highway. Highway 49, also mentioned as Diamond Road, is also classified as part of the Golden Chain within the State of California which means it's recognized regionally as a historic asset.

Also very little has been done for the Missouri Flat in the way of Circulation, assess to businesses, development of parks and implementation of community identity. The area is close to what has been designated as a Historic Town Site, but standards have yet to be developed in which to consider impact this project will have to that designation. Studies have been funded without any conclusions for circulation and design standards as to how plans will be implemented. Basically they have been ignored.

Since the County has not done an adequate job to mitigate the impact of this project, there needs to be a full EIR.

Thank you for your consideration,

Sue Taylor
for Save Our County

The following is also added to these comments since page 2 was missing from the legistar:

BOS 8-29-17 Agenda Item #46, File #17-0651, Diamond Springs Village Apartments

I support affordable housing, but I also support properly following processes, especially when it is a process that I diligently worked on to update.

On August 15, 2015, the Board of Supervisors approved Ordinance 5026, which amended and extended the public notification for most types of land use projects.

The Diamond Springs Village Apartments is a Planned Development. Ordinance 5026 specifically states that there should be physical posting for Planned Development projects. There was not a physical posting to give public notice for this project, so I am requesting that you send it back to the Planning Commission and properly notice it with a physical posting.

Section 2. El Dorado County Ordinance Code Part B-Land Development Code, Title 130 ZONING, Subpart 1.-Planned Developments, Chapters 130.04-Procedure, and Subpart II-General Land Use Zoning, Chapter 130.10-Amendments, and Chapter 130.22-Land Use Permit Procedures Article III.-Permit Approval or Disapproval are hereby amended to read as follows:

Section 130.04.015. - Notice requirements and procedure.

- A. Action by the Planning Commission pursuant to Section 130.04.005.B.1 shall be made after a public hearing for which notice has been given as follows:
 1. Mailed or delivered at least ten (10) days prior to the hearing to the applicant and all owners of real property as shown on the latest equalized assessment roll within one thousand feet (1,000') of the property which is the subject of the hearing or:
 - a. 2,640 feet (half a mile) notice for residential applications creating between 300 through 999 lots;
 - b. 5,280 feet (one mile) notice for residential applications creating 1,000 lots or more;
 2. Physical posting of notice on the property proposed for development so as to be visible to the public;
 3. For land development with 300 dwelling units and larger, the project application may require a public outreach plan as determined by the Development Services Division Director, to be conducted by the applicant, to further provide early public notice and input on the development application, subject to review and approval by the Development Services Division Director; and
 4. Published once in at least one newspaper of general circulation at least ten (10) days prior to the hearing.

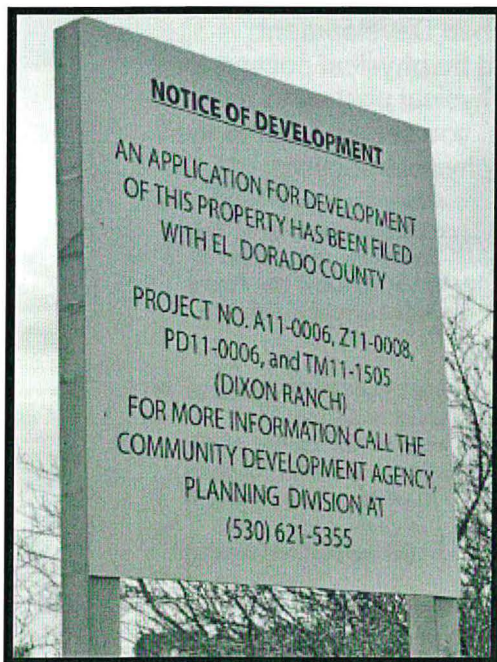
Without the physical posting, the general public, who drive these roads every day and will be impacted by the additional traffic on these roadways,

were not made aware of the project and given opportunity to have their concerns heard.

1-12-16 Board of Supervisors, Consent Calendar Item #21, File #14-1210

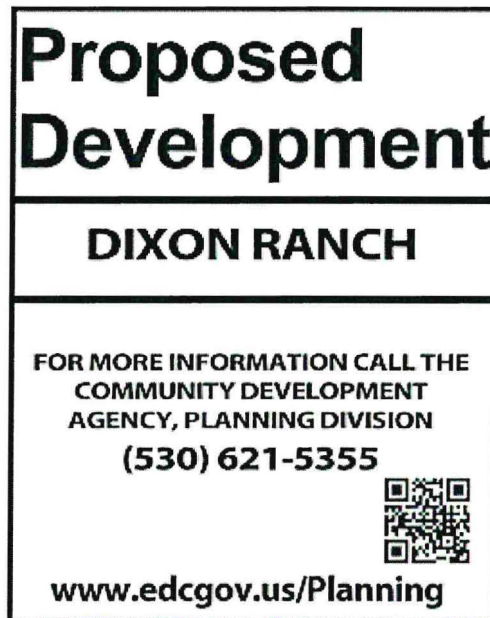
Dear Supervisors

It is great to see that our new Public Notification Ordinance has already been put to use in notifying the public about a proposed development, specifically the upcoming Dixon Ranch project. As a result, there is already feedback on the Ordinance for improvements on future notifications.



These signs are intended to be viewed as people drive by in their cars. So, to make it more effective, it should have less words, and bolder text.

Here is an example:





LATE DISTRIBUTION

DATE 8/14/18 #38

EDC COB <edc.cob@edcgov.us>

Re: BOS 8-14-18, Item #38 File #18-1133, Appealing approval of PD17-0002/Diamond Springs Village Apartments

1 message

Sue Taylor <sue-taylor@comcast.net>

Tue, Aug 14, 2018 at 1:27 PM

Reply-To: Sue Taylor <sue-taylor@comcast.net>

To: Edc Cob <edc.cob@edcgov.us>

Cc: john.hidahl@edcgov.us, shiva.frentzen@edcgov.us, sue.novasel@edcgov.us, michael.ranalli@edcgov.us, brian.veerkamp@edcgov.us

Email #2:

Please attach the comment letter to Item #38 on the 8-14-18 agenda.

Thank you,

Sue Taylor

4 attachments

1_Final Measure E after Judgement.pdf
455K

1-Piedmont Oaks 3-9-17 comments at Planning Commission.pdf
1246K

2- Dan Morneau comments regarding Public Facility Project -referred to on page 4 of 6.pdf
1419K

8-14-18 BOS Diamond Springs Village Apartments_Sue.pdf
269K

March 9, 2017

Mel Pabalinas, Associate Planner
County of El Dorado Development Services Division
2850 Fairlane Court
Placerville, CA 95667
via email: Mel.Pabalinas@edcgov.us

Subject: Comments on Piedmont Oaks

Dear Mel,

Below are several of the many issues concerning this project.

Measure E:

The staff report for Piedmont Oaks states that Measure E does not apply to the project. We disagree. The Subdivision Map Act Section 66474.2 refers specifically to applications for a tentative map, however this project is also applying for a rezone, general plan amendment, and planned development. As such, Measure E does apply to this project.

TGPA/ZOU lawsuit:

There are nexus points between Piedmont Oaks and pending lawsuits - This project relies on [allegedly] flawed aspects of the General Plan as it was amended in 2015 under the Targeted General Plan Amendment and Zoning Ordinance Update (TGPA/ZOU). Should the County approve Piedmont Oaks before the resolution of the pending TGPA/ZOU suit, they are committing county resources to yet another potential lawsuit as well as jeopardizing the project's approval.

Note too, that the General Plan update under the TGPA/ZOU began in 2010. It was publicly noticed. Many project applicants actively participated in the project and were well aware of proposed changes, including the applicant for Piedmont Oaks. Many applicants delayed their projects in order to take advantage of the new Travel Demand Model, which this project does.

Nexus points-

- a. The Travel Demand Model used in the Piedmont Oaks traffic analysis is alleged under the TGPA/ZOU lawsuit to exacerbate inconsistencies between development potential of the Land Use Element and level of service requirements of the General Plan's Circulation Element (See RCU v. El Dorado, PC 20160024, filed Jan. 13, 2016, El Dorado County Superior Court, Dept. 9, p. 26-27, para.63.)

- b. The TGPA/ZOU relocated the tables for noise standards as well as revising those standards, including removing their applicability to construction noise. Conflicts regarding these changes are apparent in the Findings of Consistency for the Piedmont Oaks project, which includes those mitigations as though they still exist. Construction noise is listed as a significant and unavoidable impact, unmitigated, that will continue through the build out of the project, immediately adjacent to existing homes in a quiet rural setting.
- c. The separation of the impact analysis of the Biological Resources update from the General Plan update was challenged in the pending RCU lawsuit, and the Piedmont Oaks project environmental review references the updated policies that have not yet been approved, potentially entangling all three projects (Biological Policy Update, TGPA/ZOU, and Piedmont Oaks)

Traffic:

In Staff Report Exhibit L Attachments 17-18, it states: The Pleasant Valley Road / SR 49 (west) intersection and the Pleasant Valley Road / Forni Road intersection will both operate at unacceptable levels of service in 2025; however, the Piedmont Oaks project will generate less than 10 peak hours trips through these intersections. Based on General Plan Policy TC-Xe this is not considered significant. Therefore, no fair share contribution would be required.

How was it determined that 10 peak hour trips would not be generated?

According to the Staff Exhibit L Proposed Mitigated Negative Declaration: The project is expected to generate approximately 1,346 new daily trips with 115 new trips occurring during the a.m. peak hour and 201 new trip generated during p.m. peak hour.

Additionally: The project is anticipated to contribute to the existing level of service F condition at southbound approach into the intersection of Pleasant Valley Road / Racquet Way and Missouri Flat / China Garden.

If the County is not going to apply Measure E to this project, then it must apply the 2008 Measure Y. Since it's not clear as to whether or not this project will be required to fully build the necessary infrastructure that prevents level of service F, and if the intersections at Missouri Flat / China Garden or Pleasant Valley / Racquet are allowed to remain at LOS F due to only paying a fee, then these segments must be added to Table TC-2 El Dorado County Roads Allowed to Operate at Level of Service F by a 4/5ths vote of the Supervisors.

TABLE TC-2 EL DORADO COUNTY ROADS ALLOWED TO OPERATE AT LEVEL OF SERVICE F ¹ (Through December 31, 2018)		
Road Segment(s)		Max. V/C ²
Cambridge Road	Country Club Drive to Oxford Road	1.07
Cameron Park Drive	Robin Lane to Coach Lane	1.11
Missouri Flat Road	U.S. Highway 50 to Mother Lode Drive	1.12
	Mother Lode Drive to China Garden Road	1.20
Pleasant Valley Road	El Dorado Road to State Route 49	1.28
U.S. Highway 50	Canal Street to junction of State Route 49 (Spring Street)	1.25
	Junction of State Route 49 (Spring Street) to Coloma Street	1.59
	Coloma Street to Bedford Avenue	1.61
	Bedford Avenue to beginning of freeway	1.73
	Beginning of freeway to Washington overhead	1.16
State Route 49	Ice House Road to Echo Lake	1.16
	Pacific/Sacramento Street to new four-lane section	1.31
	U.S. Highway 50 to State Route 193	1.32
	State Route 193 to county line	1.51
Notes:		
¹ Roads improved to their maximum width given right-of-way and physical limitations.		
² Volume to Capacity ratio.		

Commercial Capacity of Missouri Flat Interchange:

In a March 29, 2012 Memorandum regarding the Rezone Z10-0009/Planned Development PD10-0005/Tentative Parcel Map P10-0012/Creekside Plaza (Project) Traffic Impact Analysis from Steve Kooyman, P. E., Acting Deputy Director Engineering, and TP&LD, states:

"The commercial capacity identified within the Phase 1 MC&FP was approximately 750,000 square feet that can be accommodated by the Phase 1 Interchange Improvements. To date approximately 500,000 SF of commercial space has been approved within the MC&FP planning area."

Thus, in 2012, there was approximately 250,000 square feet remaining to develop in the MC&FP. In 2014, The Crossings Phase 1 development was approved for 120,000 square feet of the MC&FP and the pending Sundance Plaza is proposed to allow 350,000 square feet. The new Public Safety Facility will be 106,331 square feet. There is not enough capacity within the MC&FP to accommodate the Piedmont Oaks project.

Approved square footage as of 2012	500,000
The Crossings approved in 2014	120,000
Total known developed commercial within MC&FP Phase 1	<u>620,000</u>
Diamond Dorado approved September 11, 2012, but not yet built..	280,515
New Public Safety Facility approved 2015, but not yet built.....	106,331
Total approved commercial within MC&FP Phase 1	<u>1,006,846</u>
Pending Sundance Plaza	350,000
Total pending and proposed square footage within the MC&FP ..	<u>1,356,846</u>
Total square footage capacity of MC&FP Phase 1.....	750,000

Note: This does not include existing or proposed residential development

The U.S. 50 Missouri Flat Interchange expansion is needed to accommodate this project due to the cumulative capacity being maxed out as shown above. Since this improvement is not included in the 2016 CIP Book of projects it will need to be conditioned as other projects to provide that improvement prior to moving forward with their project.

Documented by Caltrans regarding concerns with the capacity of the U.S. 50 Missouri Flat Interchange below;

CalTrans:

Per Jeffrey Morneau, Acting Branch Chief, CalTrans in his January 27, 2015 remarks regarding the Public Facility project:

"Traffic studies..., such as Piedmont Oak Estates, state that the Missouri Flat Interchange will operate at LOS E and F in the 2035 Plus Project Scenario without improvements to the interchange - a conclusion we agree with. The 2035 Plus Project Scenario LOS for the Missouri Flat Interchange without improvements to the interchange is reported as B and C..., a conclusion we do not agree with. "

See attached document.

Biological

Oak Woodlands: Option B is not allowed per lawsuit. No new ordinance has been adopted.

Per County Website:

“On May 6, 2008 the Board of Supervisors adopted the Oak Woodland Management Plan (OWMP) and its implementing ordinance, to be codified as Chapter 17.73 of the County Code (Ord. 4771. May 6, 2008.). The primary purpose of this plan is to implement the Option B provisions of Policy 7.4.4.4 and Measure CO-P. These provisions establish an Oak Conservation In-Lieu Fee for the purchase of conservation easements for oak woodland in areas identified as Priority Conservation Areas. A lawsuit was filed in El Dorado Superior Court on June 6, 2008 against the Oak Woodland Management Plan. On February 2, 2010, the Court ruled to uphold the Board's action to adopt the Plan. However, on appeal, the Appellate Court over-ruled that decision, remanding the case back to Superior Court, with the direction to require the County to prepare an Environmental Impact Report for the OWMP. The OWMP was rescinded on September 4, 2012 (Resolution 123-2012) and its implementing ordinance was rescinded on September 11, 2012 (Ord. No. 4892). For the time being, only Option A of Policy 7.4.4.4 is available to mitigate impacts to oak woodlands.”

In the EIR, the project has been broken into 2 phases in order to get around the County's Oak Woodland Management Plan, which the project violates as it stands as a whole.

The project is being divided into two phases that relate to resolution of issues associated with the County's Oak Woodland Management Plan.

As part of the CEQA process, CEQA allows a lead agency, such as the County in this case, to make a determination that even though a Project will engender adverse environmental consequences, the lead agency can still determine that consequences are “less than significant” if the lead agency imposes conditions on the project that will reduce those impacts to a nonexistent or miniscule status. Such conditions are referred to as “mitigations”.

However, a lead agency may not determine that a particular environmental impact—for example, the Project's impact on water quality—has been reduced to a level of insignificance -- by imposing a condition that itself has yet to be developed, is not a simple cut and dried formula that everyone can look at and determine that the mitigation will work, and where the mitigation itself involves discretionary judgments as to how it will be developed or constructed. These types of “mitigations” are “future mitigations” and are not permitted under CEQA. Sundstrom v. County of Mendocino (1988), 202 Cal. App. 3d 296.

They are not permitted for two reasons. First, the environmental review process is hidden from the public and CEQA is a public participation process first and foremost. Secondly, a future mitigation to be imposed later in the Project's processing, unless it refers to an exact standard---such as for example a pipe size for a domestic leach field contained in a publicly available manual covering such matters—represents a development of a discretionarily approved mitigation which may or may not be adequate. Since it is developed in private neither the public nor the scientific or technical consultants who might review the mitigation on behalf of the public, ever get to see the proposed mitigation or challenge its adequacy. Therefore, severing the impact of this project into 2 phases in order to avoid the County's Oak Woodland Policies is a violation of CEQA and therefore this project should not be allowed.

With all the impacts that this project proposes to the surrounding community, the impact to traffic and the Oak Woodlands the County should require a full EIR in order to properly mitigate the impacts of this project.

Thank you,

Sue Taylor
Save Our County

DEPARTMENT OF TRANSPORTATION
DISTRICT 3—SACRAMENTO AREA OFFICE
2379 GATEWAY OAKS DRIVE, SUITE 150
PHONE (916) 274-0635
FAX (916) 274-0602
TTY 711
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February 6, 2012

CALTRANS.2
Page 1 of 7

SCH# 2008012004
03-ELD-VAR
Diamond Dorado Retail Center Project
Draft EIR

Rommel Pabalinas
County of El Dorado
2850 Fairlane Court
Placerville, CA 95667

Dear Mr. Pabalinas:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report (DEIR) for the Diamond Dorado Retail Center Project. The Project consists of a General Plan Amendment to allow for the construction of approximately 280,515 square feet of general commercial retail center, the realignment of the Material Recovery Facility (MRF) access route and associated off site roadway improvements. The project will include up to nine commercial/retail buildings and 1,279 parking spaces, landscaping, and associated supporting infrastructure and utilities on 27.61 acres of the 30.63 acres of the project site. The remaining 3.02 acres will be utilized for the realigned MRF access route. Our comments are the following:

Scoping Meeting

- As this project may affect the State Highway System, the California Department of Transportation (The Department) requests a scoping meeting to discuss the project per Public Resources Code section 21083.9.

1

Cumulative Impacts

- The Department notes the potential for significant cumulative traffic impacts on Highway 50 mainline, near Missouri Flat Road, which could be linked to several developments in this area, including The Crossing at El Dorado. El Dorado County did not accurately analyze this possibility, with queuing and level of service changes given the short intersection spacing, and the potential impacts to adjacent local roadways.

2

"Caltrans improves mobility across California"

Mr. Pabalinas
February 6, 2012
Page 2

Traffic Operations

- Page 4.11-22 of the DEIR states, "Under the Cumulative (2025) Conditions ...Phase 1B of the US50 - Missouri Flat Interchange is assumed to remain in place." Page 4.11-42 "also assumes that Phase 1B of the US 50/Missouri Flat Road Interchange remains in place, as the single-point urban interchange improvements are not currently funded or included in the County's CIP or TIM Fee Program and, therefore, do not have a mechanism for implementation." These assumptions overlook the fact that the County can amend the TIM Fee Program to include the single-point urban interchange improvements. These assumptions are also inconsistent with the traffic analysis used for other projects in the Missouri Flat Area (i.e. Creekside Plaza) that include the single-point urban interchange as a condition of analysis. 3

- Page 2-55, 4.11-55 MM TRANS-3a proposes that "the dual eastbound right-turn lanes from the eastbound US-50 ramps to Missouri Flat Road should be converted into a single free right-turn lane." This mitigation measure was first identified in the Final Traffic Impact Analysis dated July 21, 2010 (Appendix L) and again in the Supplemental Traffic Analysis for the Missouri Flat Road Interchange dated December 10, 2010. This is an inadequate mitigation. Normally a free right would have a large capacity, but in this case, it is restricted downstream by the traffic signal at Mother Lode Drive which is about 150 feet away. Good coordination of signals with such a short spacing is extremely difficult if not impossible to achieve under high volume (peak hour) conditions. These improvements would not reduce the impact because of limitations that were not considered in the traffic analyses. 4

- The results of the KHA synchro analysis are invalid due to the proximity of the Missouri Flat Road and US 50 intersection to the Missouri Flat Road and Mother Lode Drive intersection and the limitations of the Highway Capacity Methodology (HCM) when dealing with close spaced intersections. The HCM is unable to account for potential impact of downstream congestion, and/or detect and adjust for the impacts of turn-lane overflows on through traffic for closely spaced intersections. A simulation analysis demonstrates that not only are levels of service unacceptable (LOS F) at all four intersections, but queues at the off ramps are overflowing onto the US50 mainline, especially at the westbound off ramp. This major safety concern is not addressed in the DEIR. 5

- Page 2-54, 4.11-37 MM TRANS-1a requires that the "addition of an eastbound left-turn lane and traffic signal control at the intersection of Pleasant Valley Road (SR49) and Forni Road...shall be completed to the satisfaction of the El Dorado County Department of Transportation." Since an encroachment permit from the Department will be required for any work at this intersection the text should read: "shall be completed to the 6

Mr. Pabalinas
February 6, 2012
Page 3

satisfaction of the El Dorado County Department of Transportation *and Caltrans.*"
(Italics indicate additional language.)

6
CONT

- Page 2-56 & 58 4.11-56 & 57 MM TRANS-3c references "...Diamond Road (SR29)..." but should read "... (SR49)..."

7

- Page 2-57, 4.11-56 MM TRANS-3f requires the "conversion of the westbound right-turn lane to a free-right turn lane at the intersection of Ponderosa Road...US50 Eastbound Ramps..." A simulation analysis has not been done for this conversion to ensure that the conversion is compatible with the safe and efficient operation of the State Highway System, but is required for the Department's review and approval prior to the encroachment permit process.

8

- Page 2-61, 4.11-37 MM TRANS-5e suggests that the conversion of the northbound right-turn lane to a shared through-right lane at the intersection of Diamond Road (SR49) and Pleasant Valley Road is "at the discretion of El Dorado County..." However, the Department operates this signal and this change requires the Department's review and approval.

9

- Traffic Management Plan. The Department requests a Traffic Management Plan (TMP) be prepared to minimize traffic impacts to the State Highway System during project construction. The TMP should discuss the expected dates and duration of construction, as well as traffic mitigation measures. The Department will review the TMP. For TMP assistance, contact John Holzhauser at (916) 859-7978.

10

Hydrology

- A review of the Post Development Shed map indicates that runoff will be captured on site and conveyed through a proposed storm drain across SR-49. Please provide detailed design with back-up calculations for the proposed storm drain across SR-49. The culvert should be designed to ensure that the highway will not be overtopped during a design 25-year event and no adverse downstream impacts would be expected.

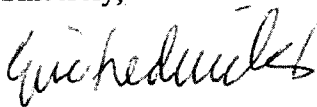
11

The Department requests additional consultation about potential opportunities to lessen the SHS impacts of this project. To set up a scoping meeting and/or if you have any questions regarding these comments, please contact Jorge Rivas, El Dorado County Intergovernmental Review Coordinator, at (916) 274-0679 or via email at jorge_rivas@dot.ca.gov.

12

Mr. Pabalinas
February 6, 2012
Page 4

Sincerely,



Eric Fredericks, Chief
Office of Transportation Planning—South

Attachments:

- 1) Initial Consolation Comment Letter Dated June 20, 2008
- 2) Email dated 1/20/2011 Diamond Dorado RC Supplemental Analysis

Cc: State Clearinghouse
Eileen Crawford, Supervising Civil Engineer, El Dorado County Department of
Transportation
Sharon Scherzinger, Executive Director, El Dorado County Transportation Commission

TO: Claudia Wade, El Dorado County DOT
Matt Weir, Kimley-Horn and Associates
FROM: Teresa Limon, CT Rural Highway Operations
DATE: January 20, 2011
RE: 0310-ELD0048 Diamond Dorado RC Supplemental Analysis

We have reviewed the DDRC- US50 Supplemental Analysis, the Synchro and SimTraffic files.

The Missouri Flat Rd Interchange (MFRD) is a system of very close-spaced intersections. As such, in order to realistically evaluate its overall operation, we need to look at the level of service in conjunction with the queuing; not one or the other. This requires a simulation analysis. The SimTraffic files provided to us showed spacing inconsistencies when compared with actual design plans. After modifying the files to reflect the Phase1 design geometrics the Sim Traffic files were re-run. The results are shown below:

Cumulative no SPUI plus DDRC	Conditions	LOS* Mitigated	Option1 for Queuing
Intersection #1 (Plaza):		98.4 sec delay (F)	117.9 sec (F)
Intersection #2 (WB Ramp):		219. sec delay (F)	181.8 sec (F)
Intersection #3 (EB Ramp):		221.1 sec delay (F)	148.8 sec (F)
Intersection #4 (Mother Lode):		182.5 sec delay (F)	571.5 sec (F)

*Delay greater than 80 seconds is considered LOS F.
Caltrans threshold is LOS D with LOS E only acceptable for the peak 15 minutes.

Our staff re-ran the files with different signal timings in search of improving the level of service. Results were mixed with LOS in the F range for all but one intersection.

All the results demonstrate that the Phase1 geometrics will not be able to accommodate the projected 2025 volumes. If no other physical improvements are being programmed for this interchange then a parallel facility to Missouri Flat Rd (overcrossing) and/or a parallel facility to US50 will be needed to serve the traffic demand originating from the east.

17

California Department of Transportation (CALTRANS.2)

Response to CALTRANS.2-1

The commenter requested a scoping meeting, pursuant to Public Resources Code Section 21083.9.

Representatives of El Dorado County met with the California Department of Transportation on March 5, 2012 and April 13, 2012 to discuss the Project's impacts and concerns.

Response to CALTRANS.2-2

The commenter noted the potential for significant cumulative traffic impacts on Highway 50, near Missouri Flat Road, which could be linked to several developments in the project area, including The Crossings at El Dorado. The commenter stated that the Draft EIR did not accurately analyze the possibility for such cumulative impacts, with queuing and level of service changes given the short intersection spacing, and the potential impacts to adjacent local roadways.

When the DDRC traffic study was prepared in 2010, the size of the Crossings at El Dorado project was based on the information available for the project at the time. Page 21 of the Traffic Impact Analysis (July 21, 2010) describes the adjustments that were made to background traffic at the US-50 interchange with Missouri Flat Road and other intersections to account for the Crossings at El Dorado project. These adjustments were reflected in the Draft EIR's analysis under the Cumulative (2025) conditions. Therefore, the Crossings at El Dorado project was considered in the cumulative effects analysis for the Project using the best information available at the time.

More recently, the applicants for Crossings at El Dorado project submitted a revised development application to the County from which a new traffic impact analysis was required. The cumulative effects of the DDRC Project and the Crossings at El Dorado project are also documented in the Crossings at El Dorado traffic study, since the traffic study for the Crossings at El Dorado project was chronologically initiated approximately 2 years after the DDRC study. Furthermore, the recently prepared Headington Road Extension traffic study provided additional documentation of the cumulative effects of planned projects in the area. The traffic volumes used in this study (Headington Road Extension) were reviewed and approved by Caltrans. At the time of this writing, the County was soliciting comments from Caltrans on the draft analysis. In summary, all three studies (DDRC, The Crossings at El Dorado, and Headington Road Extension) consider their cumulative effects albeit at different points in time over the past 2 years. In each case, the best information available at the time of each study was utilized.

Response to CALTRANS.2-3

The commenter disagreed with the Draft EIR's assumption that Phase 1B of the US 50/Missouri Flat Road Interchange would remain in place under Cumulative (2025) conditions. As indicated in the Draft EIR on page 4.11-42, Phase 1B of the US 50/Missouri Flat Road Interchange remains in place, as the single-point urban interchange improvements are not currently funded or included in the County's CIP or TIM Fee Program and therefore do not have a mechanism for implementation. The

commenter stated that the Draft EIR overlooks the fact that the County can amend the TIM Fee Program to include the single-point urban interchange improvements. The commenter also stated that the assumptions regarding the US-50/Missouri Flat Road interchange are inconsistent with the traffic analysis used for other projects in the Missouri Flat Area (such as Creekside Plaza) that include the single-point urban interchange as a condition of analysis.

The Final Creekside Plaza Traffic Analysis and DDRC traffic analysis have been updated accordingly, which provide the 2025 forecast traffic analysis without the Single Point Urban Interchange. This change is reflected in the Draft EIR as stated on page 4.11-22.

Caltrans's comment with respect to the ability for the County to update the TIM Fee Program on an annual basis as well as the CIP is correct. The DOT will be completing a TIM Fee Program update and CIP update next fiscal year for El Dorado County Board of Supervisor's approval in coordination with the following:

1. The DOT is currently updating the County's Travel Demand Model (TDM) 2010 Baseline Conditions and 2025/2035 Projected Traffic Conditions, which will most likely differ from the existing traffic analysis assumptions being used in the Missouri Flat Corridor area.
2. The DOT will be completing additional traffic field assessment base conditions during the fall at the US-50/Missouri Flat Road interchange upon completion of the US-50/Missouri Flat Road Interchange Phase IB Project to further calibrate the base traffic parameters within the County's updated TDM.
3. The County is currently in the process of updating the General Plan as part of a Targeted General Plan Amendment with an update to the Zoning Ordinance.

Each previously mentioned item will be coordinated with Caltrans during each prospective delivery schedule outside the DDRC Project approval process.

Additionally, the County is initiating the planning and scoping of the Phase II of the Missouri Flat Master Circulation and Funding Plan (MC&FP) as directed by the Board of Supervisors at the May 17, 2012 regular meeting (Agenda Item 12-0643). This is a high-priority project for the County, which will be coordinated with Caltrans and other stakeholders within the MC&FP area outside the DDRC Project approval process. One of the objectives of the Phase II MC&FP will involve the consideration of additional potential improvements at the US-50/Missouri Flat Road interchange, commensurate with the County-approved additional commercial capacity within the MC&FP area.

Furthermore, the DOT and Development Services Department (DSD) are in the process of developing the Project Conditions of Approval (COA). One category of the proposed Draft COA will relate to the traffic capacity limitations at the US-50/Missouri Flat Road interchange. The generality of this

traffic capacity limitation condition is summarized herein, and will be further codified as part of the DDRC Project approval process:

- The Phase I MC&FP road improvements are designed to provide traffic capacity that will address existing traffic demand and will serve a limited amount of development in the Missouri Flat Area. The capacity will be sufficient for previously approved projects and other currently pending development projects to meet the County's level of service standards as established in the County's General Plan and to mitigate the traffic impacts of those projects.
- Traffic capacity limitations at the Phase I US-50/Missouri Flat Road interchange are a constraint on the ability to develop new retail commercial space within the Missouri Flat Area. These traffic capacity limitations at the US-50/Missouri Flat Road interchange are acknowledged in the Draft EIR.
- In the event there is insufficient traffic capacity at the US-50/Missouri Flat Road interchange at the time that the Developer/Applicant desires to construct the DDRC Project, the Developer/Applicant shall not be entitled to construct the DDRC Project until such time as additional capacity is made available by the construction of additional road improvements at the US-50/Missouri Flat Road interchange. Timing of said improvements shall be at the sole discretion of the County.

These summarized Draft COA items are subject to approval by the El Dorado County Board of Supervisors. Furthermore, Mitigation Measure TRANS-3a has been updated in Section 4, Errata to reflect these conditions.

Response to CALTRANS.2-4

The commenter stated that Mitigation Measure TRANS-3a on pages 2-55 and 4.11-55 of the Draft EIR, which would require the dual eastbound right-turn lanes from the eastbound US-50 ramps to Missouri Flat Road to be converted into a single free right-turn lane, is inadequate. The commenter indicated that normally a free right-turn lane would have a large capacity, but in this case is restricted downstream by the traffic signal at Mother Lode Drive, which is approximately 150 feet away. The commenter further stated that good coordination of signals with such a short spacing is extremely difficult if not impossible to achieve under high-volume (peak-hour) conditions. The commenter indicated that these limitations were not considered in the traffic analysis; therefore, Mitigation Measure TRANS-3a would not reduce the Proposed Project's impacts to a less than significant level.

Refer to Response to CALTRANS.2-3, with relation to the additional efforts being pursued by the County to ensure appropriate capacity at the US-50/Missouri Flat Road interchange is maintained.

As requested by Caltrans in comment CALTRANS.2-5, impacts at the US-50/Missouri Flat Road interchange under the Cumulative (2025) Plus Project condition were re-analyzed by Kimley-Horn

and Associates and added to Appendix L of the Draft EIR. The Draft EIR has been updated to reflect the reanalysis in Section 4, Errata. The following discloses the re-analysis.

Because of the close spacing of the study intersections, interchange operations were determined using SimTraffic® analysis software for the following intersections:

- Intersection 1 - Missouri Flat Road/Plaza Drive
- Intersection 2 - Missouri Flat Road/US-50 Westbound Ramps
- Intersection 3 - Missouri Flat Road/US-50 Eastbound Ramps
- Intersection 4 - Missouri Flat Road/Mother Lode Drive

SimTraffic® Measures of Effectiveness (MOEs) were compared against Highway Capacity Manual (HCM) intersection delay thresholds to equate SimTraffic® results to HCM Level of Service (LOS). For this evaluation, a 5-minute “seed time” was used and 60-minute simulation runs were recorded, in which a 15-minute peak period is followed by a 45-minute off-peak period. Five simulations were performed for each time period (AM and PM peaks), and the results of the simulations are presented in Appendix L of the Draft EIR as amended in Section 4, Errata of this Final EIR.

The previously developed US-50/Missouri Flat Road Single Point Urban Interchange (SPUI) configuration is no longer identified as a funded improvement through the County’s Capital Improvement Program (CIP). As such, this analysis explores alternative interchange geometrics aimed at maximizing operations without the previously assumed SPUI configuration. Alternative geometrics have been explored using the underlying assumption that the Missouri Flat Road bridge structure cannot be widened, due to the associated construction costs. Alternatives with such widening would likely have costs rivaling those of the SPUI and, therefore, would not be considered feasible, alternate improvements.

Please note that the Traffic Impact Analysis for the DDRC, dated July 21, 2010 serves as the starting point for this analysis. This evaluation includes the following specific items:

1. Cumulative (2025)*
2. Cumulative (2025)* + DDRC

The asterisk (*) denotes US-50/Missouri Flat Interchange Phase 1B, in accordance with Missouri Flat Road Phase 1A & 1B Improvements, El Dorado County Department of Transportation, November 29, 2005.

Peak-hour LOS was determined for the four study intersections. As required by El Dorado County Department of Transportation’s Traffic Impact Study Protocols and Procedures, impacts at study intersections were determined from the change of LOS when Project trips were added to the Cumulative (2025) Conditions. The following is a discussion of these scenarios.

Cumulative (2025)

For this scenario, baseline Cumulative (2025) Conditions were established at the US-50 interchange with Missouri Flat Road using Phase 1B of the interchange improvements. Table 3-1 presents the intersection operations for this scenario as generated using SimTraffic® traffic analysis software.

Table 3-1: Intersection Levels of Service with Phase 1B of the Missouri Flat Interchange – Cumulative (2025)

Intersection	AM Peak-Hour		PM Peak-Hour	
	Delay (seconds)	LOS	Delay (seconds)	LOS
1 - Missouri Flat Road/Plaza Drive	50.3	D	152.3	F
2 - Missouri Flat Road/US-50 Westbound Ramps	82.4	F	214.1	F
3 - Missouri Flat Road/US-50 Eastbound Ramps	286.0	F	461.3	F
4 - Missouri Flat Road/Mother Lode Drive	184.4	F	210.3	F

Note:
Bold denotes substandard LOS according to County and/or Caltrans.
 Source: KHA, 2012.

As shown in Table 3-1, all intersections operate at an unacceptable level of service without the Project. Analysis worksheets for this scenario are presented in Appendix L of the Draft EIR as amended in Section 4, Errata of this Final EIR.

Cumulative (2025) plus DDRC

For this scenario, traffic associated with the DDRC Project was added to the baseline Cumulative (2025) Conditions and LOS were determined at the study intersections. Table 3-2 presents the intersection operations for this scenario.

Table 3-2: Intersection Levels of Service with Phase 1B of the Missouri Flat Interchange – Cumulative (2025) Plus DDRC Conditions

Intersection	Analysis Scenario	AM Peak-Hour		PM Peak-Hour	
		Delay (seconds)	LOS	Delay (seconds)	LOS
1 - Missouri Flat Road/Plaza Drive	Cum	50.3	D	152.3	F
	Cum + PP	51.9	D	171.7	F
2 - Missouri Flat Road/US-50 Westbound Ramps	Cum	82.4	F	214.1	F
	Cum + PP	61.9	E	304.5	F

Table 3-2 (cont.): Intersection Levels of Service with Phase 1B of the Missouri Flat Interchange – Cumulative (2025) Plus DDRC Conditions

Intersection	Analysis Scenario	AM Peak-Hour		PM Peak-Hour	
		Delay (seconds)	LOS	Delay (seconds)	LOS
3 - Missouri Flat Road/US-50 Eastbound Ramps	Cum	286.0	F	461.3	F
	Cum + PP	269.5	F	495.7	F
4 - Missouri Flat Road/Mother Lode Drive	Cum	184.4	F	210.6	F
	Cum + PP	203.5	F	227.7	F

Notes:
Bold denotes substandard LOS according to County and/or Caltrans.
 Cum = Cumulative (2025)
 Cum + PP = Cumulative (2025) Plus Proposed Project
 Source: KHA, 2012.

As shown in Table 3-2, while modest increases in delay are demonstrated, the addition of the DDRC Project does not result in a change in the intersection LOS at any of the study intersections. Analysis worksheets for this scenario are presented in Appendix L of the Draft EIR as amended in Section 4, Errata of this Final EIR.

Impacts

As reflected in Table 3-2, the addition of the Proposed Project results in four significant impacts as defined by the County and/or Caltrans and discussed below. Only the impact at Intersection 4 – Missouri Flat Road/Mother Lode Drive was identified and mitigated in the Draft EIR. These changes are reflected in Section 4, Errata of this Final EIR.

Intersection 1 – Missouri Flat Road/Plaza Drive

As shown in Table 3-2, this intersection operates at LOS F during the PM peak-hour without the Proposed Project, and the Project contributes more than 10 peak-hour trips to the intersection during a peak hour. This is a significant impact.

Intersection 2 – Missouri Flat Road/US-50 Westbound Ramps

As shown in Table 3-2, this intersection operates at LOS F during the PM peak hour without the Proposed Project, and the Project contributes more than 10 peak-hour trips to the intersection during a peak hour. This is a significant impact.

Intersection 3 – Missouri Flat Road/US-50 Eastbound Ramps

As shown in Table 3-2, this intersection operates at LOS F during the AM and PM peak hours without the Proposed Project, and the Project contributes more than 10 peak-hour trips to the intersection during a peak hour. This is a significant impact.

Intersection 4 – Missouri Flat Road/Mother Lode Drive

As shown in Table 3-2, this intersection operates at LOS F during the AM and PM peak hour without the Proposed Project, and the Project contributes more than 10 peak-hour trips to the intersection during a peak hour. This is a significant impact.

Mitigation

Mitigating the interchange intersections’ levels of service with the existing Phase 1B interchange configuration is problematic considering the previously stated inability to widen the Missouri Flat Road bridge structure over US-50. The interchange currently has physical capacity constraints that hinder a feasible, cost effective mitigation measure from being identified.

As stated previously, the Project will result in a modest increase in delay at the interchange under Cumulative (2025) conditions; however, the addition of the DDRC Project does not result in a change in the intersection level of service at any of the study intersections. As documented, the Project contributes to an operationally deficient condition.

As discussed under Response to CALTRANS.2-3, the Project’s Conditions of Approval will ensure that the Project is constructed only if capacity is available at the US-50/Missouri Flat Road interchange. If capacity is not available, the Project will not be issued building permits until additional capacity is made available through the implementation of the separate MC&FP Phase II project or other separately proposed improvements. This condition is also required as a revision to Mitigation Measure TRANS-3a as provided in Section 4, Errata.

Intersection Queuing Evaluation

Vehicle queuing for the study intersections was considered for the same movements as evaluated in the Traffic Impact Analysis for the DDRC, dated July 21, 2010. The calculated vehicle queues were generated in SimTraffic® and were compared to actual or anticipated vehicle storage/segment lengths. Results of the queuing evaluation are presented in Table 3-3.

Table 3-3: Intersection Queuing Evaluation Results for Selected Locations

Intersection/Analysis Scenario	Movement	AM Peak-Hour		PM Peak-Hour	
		Available Storage (feet)	95th% Queue (feet)	Available Storage (feet)	95th% Queue (feet)
#2, Missouri Flat Rd at WB US-50 Ramps					
Cumulative (2025)	WBLT	600*	2611	600*	3521
Cumulative (2025) plus DDRC			1962		3536
Cumulative (2025)	NBLT	125+	264	125+	253
Cumulative (2025) plus DDRC			263		254

Table 3-3 (cont.): Intersection Queuing Evaluation Results for Selected Locations

Intersection/Analysis Scenario	Movement	AM Peak-Hour		PM Peak-Hour	
		Available Storage (feet)	95th% Queue (feet)	Available Storage (feet)	95th% Queue (feet)
#3, Missouri Flat Rd at EB US-50 Ramps					
Cumulative (2025)	EBRT	545	646	545	593
Cumulative (2025) plus DDRC			668		661
Cumulative (2025)	SBLT	100+	232	100+	267
Cumulative (2025) plus DDRC			244		266
Notes: + Dual left-turn lanes * Intersection approach with available storage length equal to segment length Sources: Highway Capacity Manual (HCM) 2000 methodology from Synchro® v7; KHA, 2012.					

As presented in Table 3-3, the addition of the DDRC Project produces modest increases in vehicle queues. The available storage pocket for the movements presented in Table 3-3 are not projected to provide sufficient length to store vehicle queues either without or with the addition of the Project under the Cumulative (2025) conditions. However, implementation of Mitigation Measure TRANS-3a as revised in Section 4, Errata would ensure these impacts are reduced to a less than significant level.

Response to CALTRANS.2-5

The commenter stated that the Synchro analysis prepared by Kimley-Horn and Associates as a part of the Traffic Impact Analysis prepared for the Draft EIR is invalid, due to the proximity of the Missouri Flat Road and US-50 intersection to the Missouri Flat Road and Mother Lode Drive intersection and the limitations of the Highway Capacity Methodology (HCM) when dealing with closely spaced intersections. The commenter stated that the HCM is unable to account for potential impact of downstream congestion, and/or detect and adjust for the impacts of turn-lane overflows on through traffic for closely spaced intersections. The commenter further stated that a simulation analysis demonstrates that not only are levels of service unacceptable (LOS F) at all four intersections, but queues at the off ramps are overflowing onto the US-50 mainline, especially at the westbound off ramp. The commenter stated this is a major safety concern that was not addressed in the Draft EIR.

Refer to Response to CALTRANS.2-3 and CALTRANS.2-4.

Furthermore, the County understands the projected 2025 concern at the US-50/Missouri Flat Road interchange, which are based on various assumptions, and will be validating the forecast assumptions within the currently Traffic Impact Analysis reports on file during the County’s TDM update. This validation process will also include the update to the current base conditions within the MC&FP and surrounding area that could have a traffic impact relation to the US-50/Missouri Flat Road

interchange. The process will provide the necessary data and traffic model runs to determine the approximate timing of the LOS deficiencies, which will assist with the development of the Project delivery schedule for the appropriate CIP Project at the US-50/Missouri Flat Road interchange. Said results will be coordinated with Caltrans during subsequent meetings outside the DRC Project approval process.

Response to CALTRANS.2-6

The commenter requested that Mitigation Measure TRANS-1a on page 2-53 and page 4.11-37 of the Draft EIR be updated to reflect the requirement of a Caltrans encroachment permit for work completed at the intersection of Pleasant Valley Road (SR-49) and Forni Road. Mitigation Measure TRANS-1a has been revised in Section 4, Errata.

Response to CALTRANS.2-7

The commenter indicated that Diamond Road (SR-49) was erroneously referred to as Diamond Road (SR-29) on pages 2-56, 2-58, 4.11-56, and 4.11-57. The text has been corrected in Section 4, Errata.

Response to CALTRANS.2-8

The commenter states that a simulation analysis has not been completed for the conversion of the westbound right-turn lane to a free-right turn lane at the intersection of Ponderosa Road and the US-50 Eastbound Ramps as required by Mitigation Measure TRANS-3f on page 2-57 and page 4.11-56 of the Draft EIR.

Mitigation Measure TRANS-3f on page 2-57 and page 4.11-56 of the Draft EIR indicate that improvements shall be completed to the satisfaction of both the El Dorado County Department of Transportation and Caltrans. As such, Caltrans will be included in the approval process for the encroachment.

Response to CALTRANS.2-9

The commenter states that Mitigation Measure TRANS-5e on pages 2-61 and 4.11-67 of the Draft EIR incorrectly indicates that the conversion of the northbound right-turn lane to a shared through-right turn lane at the intersection of Diamond Road (SR-49) and Pleasant Valley Road should be completed at the discretion of El Dorado County. The commenter indicates that Caltrans operates the signal at the intersection and, therefore, changes to its configuration require Caltrans's review and approval. Mitigation Measure TRANS-5e has been updated to reflect Caltrans responsibility in this Final EIR's Section 4, Errata.

Response to CALTRANS.2-10

The commenter requests that a Traffic Management Plan (TMP) be prepared to minimize traffic impacts to the State Highway System during Project construction.

As noted in Section 4.11, Transportation of the Draft EIR, a TMP will be prepared for the Project. TMPs are required under Caltrans Deputy Directive 60 (DD-60) for all construction, maintenance,

encroachment permit, planned emergency restoration, locally or specially funded, or other activities on the State Highway System. Several mitigation measures for the Project require offsite improvements that involve Caltrans facilities and requisite Caltrans encroachment permits. In addition, the requirement for a TMP will be added to the Conditions of Approval for this Project.

Response to CALTRANS.2-11

The commenter requests detailed design with back-up calculations for the proposed storm drain that crosses SR-49. The commenter states that the culvert should be designed to ensure that the highway will not be overtopped during a design 25-year event and no adverse downstream impacts would be expected.

The developer is required to submit a Drainage Study with the improvement plans. The Conditions of Approval will be modified to include approval by Caltrans for the analysis and design within the SR-49 corridor.

Response to CALTRANS.2-12

The commenter provided closing remarks to the comment letter reiterating the request for a scoping meeting. Refer to Response to CALTRANS.2-1.

Response to CALTRANS.2-13

The commenter provided a previously prepared letter, dated June 20, 2008 regarding the Project. The comments included in the previously prepared letter are considered here within.

As a part of the previously prepared letter, the commenter stated that a Traffic Impact Study (TIS) should be completed for the Project and include an analysis of impacts to the US-50/ Missouri Flat Road interchange and SR-49. The commenter stated that the TIS should analyze both short-term impacts and full buildout impacts. The commenter also indicated that the TIS should use a Select Zone Analysis to identify trip distribution of the Project on the State Highway System.

As a part of the preparation of the Draft EIR, a Traffic Impact Analysis was completed in July 2010 by Kimley-Horn and Associates. The Analysis included both short-term and cumulative (2025) impacts. In addition, two supplemental traffic analyses were prepared in December 2010 and June 2010 to reflect changes to the original analyses. These changes included the removal of the previously assumed US-50/Missouri Flat Road single-point interchange configuration in the Cumulative (2025) scenario and the implementation of signalization at the Diamond Road (SR-49) and Lime Kiln Road/Black Rice Road intersection. These analyses are included in Appendix L of the Draft EIR.

Response to CALTRANS.2-14

The commenter stated that a grading plan and utility plan were received as part of the application package; however, they were difficult to read due to the small print and detail. Larger and/or clearer plans were requested.

Updated grading plans and utility plans were provided to Caltrans.

Response to CALTRANS.2-15

The commenter indicated that no drainage plans, drawing, calculations, or hydrologic/hydraulic reports were received with the Project's application. The commenter indicated that any stormwater created by the Project's impervious surface must be quantified and mitigated to avoid potential adverse hydrologic and/or hydraulic impacts downstream of the project site. The commenter requested detailed drainage plans with pre- and post-construction hydraulic calculations.

Refer to Response to CALTRANS.2-11.

Response to CALTRANS.2-16

The commenter stated that an encroachment permit is required for work conducted in the State's right of way.

The Project applicant would submit an encroachment permit application to Caltrans for any work proposed in the State's right of way.

Response to CALTRANS.2-17

The commenter provided a previously prepared email, dated January 20, 2011 regarding the Project. The comments included in the previously prepared email are considered here within.

The commenter indicated that Project's US-50 Supplemental Analysis, and Synchro and SimTraffic files were reviewed. The SimTraffic files provided showed spacing inconsistencies when compared with actual design plans. The commenter indicated that the SimTraffic files were modified to correctly reflect the Phase 1 US-50/Missouri Flat Road Interchange design geometrics and the SimTraffic files were re-run to evaluate facility operations. The commenter provided Mitigated LOS and Queuing results for US-50/Missouri Flat Road Interchange under the Cumulative No SPUI Plus DDRC Conditions. All LOS were indicated as F, which is beyond the Caltrans threshold of LOS D with LOS E only acceptable for the peak 15 minutes. As a result, the commenter indicated that the Phase 1 US-50/Missouri Flat Road Interchange geometrics will not be able accommodate the projected 2025 traffic volumes. The commenter stated that if no other physical improvements are being programmed for this interchange, then a parallel facility to Missouri Flat Road (overcrossing) and/or a parallel facility to US-50 would be needed to serve the traffic demand originating from the East.

Refer to Response to CALTRANS.2-3.

GOAL TC-X: To coordinate planning and implementation of roadway improvements with new development to maintain adequate levels of service on County roads.

Policy TC-Xa Except as otherwise provided, the following TC-Xa policies shall remain in effect indefinitely, unless amended by voters:

1. Traffic from residential development projects of five or more units or parcels of land shall not result in, or worsen, Level of Service F (gridlock, stop-and-go) traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county.
2. The County shall not add any additional segments of U.S. Highway 50, or any other highways and roads, to the County's list of roads from the original Table TC-2 of the 2004 General Plan that are allowed to operate at Level of Service F without first getting the voters' approval.
3. Developer paid traffic impact fees combined with any other available funds shall fully pay for building all necessary road capacity improvements to fully offset and mitigate all direct and cumulative traffic impacts from new development during peak hours upon any highways, arterial roads and their intersections during weekday, peak-hour periods in unincorporated areas of the county. This policy shall remain in effect until December 31, 2018.
4. *intentionally blank* (Resolution XXXX, October 24, 2017)
5. The County shall not create an Infrastructure Financing District unless allowed by a 2/3rds majority vote of the people within that district.
6. *intentionally blank* (Resolution XXXX, October 24, 2017)
7. Before giving approval of any kind to a residential development project of five or more units or parcels of land, the County shall make a finding that the project complies with the policies above. If this finding cannot be made, then the County shall not approve the project in order to protect the public's health and safety as provided by state law to assure that safe and adequate roads and highways are in place as such development occurs.

TABLE TC-2 EL DORADO COUNTY ROADS ALLOWED TO OPERATE AT LEVEL OF SERVICE F ¹		
Road Segment(s)		Max. V/C ²
Cambridge Road	Country Club Drive to Oxford Road	1.07
Cameron Park Drive	Robin Lane to Coach Lane	1.11
Missouri Flat Road	U.S. Highway 50 to Mother Lode Drive	1.12
	Mother Lode Drive to China Garden Road	1.20
Pleasant Valley Road	El Dorado Road to State Route 49	1.28
U.S. Highway 50	Canal Street to junction of State Route 49 (Spring Street)	1.25
	Junction of State Route 49 (Spring Street) to Coloma Street	1.59
	Coloma Street to Bedford Avenue	1.61
	Bedford Avenue to beginning of freeway	1.73
	Beginning of freeway to Washington overhead	1.16
	Ice House Road to Echo Lake	1.16
State Route 49	Pacific/Sacramento Street to new four-lane section	1.31
	U.S. Highway 50 to State Route 193	1.32
	State Route 193 to county line	1.51
Notes:		
¹ Roads improved to their maximum width given right-of-way and physical limitations.		
² Volume to Capacity ratio.		

Policy TC-Xb To ensure that potential development in the County does not exceed available roadway capacity, the County shall:

- A. Every year prepare an annual Capital Improvement Program (CIP) specifying expenditures for roadway improvements within the next 10 years. At least every five years prepare a CIP specifying expenditures for roadway improvements within the next 20 years. Each plan shall contain identification of funding sources sufficient to develop the improvements identified;
- B. At least every five years, prepare a Traffic Impact Mitigation (TIM) Fee Program specifying roadway improvements to be completed within the next 20 years to ensure compliance with all applicable level of service and other standards in this plan; and
- C. Annually monitor traffic volumes on the county’s major roadway system depicted in Figure TC-1.

Policy TC-Xc *intentionally blank*

Policy TC-Xd 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 except as specified in Table TC-2. The volume to capacity ratio of the roadway segments listed in Table TC-2 shall not exceed the ratio specified in that table. Level of Service will be as defined in the latest edition of the Highway Capacity Manual (Transportation Research Board, National Research Council) and calculated using the methodologies contained in that manual. Analysis periods shall be based on the professional judgment of the Department of Transportation which shall consider periods including, but not limited to, Weekday Average Daily Traffic (ADT), AM Peak Hour, and PM Peak hour traffic volumes.

Policy TC-Xe For the purposes of this Transportation and Circulation Element, “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 2 percent increase in traffic during the a.m. peak hour, p.m. peak hour, or daily, or
- B. The addition of 100 or more daily trips, or
- C. The addition of 10 or more trips during the a.m. peak hour or the p.m. peak hour.

Policy TC-Xf At the time of approval of a tentative map for a single family residential subdivision of five or more parcels that worsens (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the County road system, the County shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain Level of Service standards detailed in this Transportation and Circulation Element based on existing traffic plus traffic generated from the development plus forecasted traffic growth at 10-years from project submittal; or (2) ensure the commencement of construction of the necessary road improvements are included in the County’s 10-year CIP.

For all other discretionary projects that worsen (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the County road system, the County shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain Level of Service standards detailed in this Transportation and Circulation Element; or (2) ensure the construction of the necessary road improvements are included in the County’s 20-year CIP.

- Policy TC-Xg Each development project shall dedicate right-of-way, design and construct or fund any improvements necessary to mitigate the effects of traffic from the project. The County shall require an analysis of impacts of traffic from the development project, including impacts from truck traffic, and require dedication of needed right-of-way and construction of road facilities as a condition of the development. This policy shall remain in effect indefinitely unless amended by voters.
- Policy TC-Xh All subdivisions shall be conditioned to pay the traffic impact fees in effect at the time a building permit is issued for any parcel created by the subdivision.
- Policy TC-Xi The planning for the widening of U.S. Highway 50, consistent with the policies of this General Plan, shall be a priority of the County. The County shall coordinate with other affected agencies, such as the City of Folsom, the County of Sacramento, and Sacramento Area Council of Governments (SACOG) to ensure that U.S. Highway 50 capacity enhancing projects are coordinated with these agencies with the goal of delivering these projects on a schedule agreed to by related regional agencies.

2016 Measure E Implementation Statements

1. This measure is not applicable within the jurisdictions of the Tahoe Regional Planning Agency and the City of Placerville.
2. *intentionally blank* (Resolution XXXX, October 24, 2017)
3. All 2004 General Plan Traffic Impact Mitigation Fees for all projects shall be paid at the building permit stage.
4. No Traffic mitigation fee shall be required for remodeling of existing residential units including adding a second kitchen, shower or bath in the house or garage that were built pursuant to a valid building permit from the County of El Dorado.
5. Tenant Improvements of existing buildings shall receive T.I.M. fee credit for prior use, unless the new use is less impacting, then there shall be no fee required.
6. Mobile homes on permanent foundation shall be subject to the single-family residential fee.
7. Second dwellings as defined under County Code Chapter 130.40.300 shall be subject to the multi-family fee.
8. *intentionally blank* (Resolution XXXX, October 24, 2017)

4.10 TRANSPORTATION AND CIRCULATION

For clarification purposes, page 4.10-49 of Chapter 4.10, Transportation and Circulation, is hereby revised as follows:

Mitigation Measure(s)

Payment of the countywide TIM fees for the project would constitute the project’s fair share contribution toward these improvements. Mitigation Measures 4.10-7(a) through (c) are consistent with item (2) of County Policy TC-Xf, which states that for non-residential projects which trigger the County’s thresholds for intersections already operating unacceptably, the County shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain Level of Service standards detailed in this Transportation and Circulation Element; or (2) ensure the construction of the necessary road improvements are included in the County’s 20-year CIP. Thus, payment of the TIM fees would be considered sufficient mitigation for these impacts; and the resultant finding for this impact is *less than cumulatively considerable*. Implementation of the following mitigation measures would improve the LOS for the signalized intersections as shown in Tables 4.10-9A and 4.10-9B.

<u>Location</u>	<u>Control</u>	<u>Year 2025 + Project</u>		<u>Year 2035 + Project</u>	
		<u>AM Peak Hour</u>		<u>AM Peak Hour</u>	
		<u>LOS</u>	<u>Average Delay</u>	<u>LOS</u>	<u>Average Delay</u>
<u>1. Missouri Flat Rd. / WB US 50 ramps</u>	<u>Signal</u>	<u>N/A</u>	<u>N/A</u>	<u>B</u>	<u>18.9</u>
<u>2. Missouri Flat Rd. / EB US 50 ramps</u>	<u>Signal</u>	<u>N/A</u>	<u>N/A</u>	<u>B</u>	<u>17.5</u>
<u>3. Missouri Flat Rd. / Mother Lode Dr.</u>	<u>Signal</u>	<u>N/A</u>	<u>N/A</u>	<u>B</u>	<u>13.9</u>
<u>4. Missouri Flat Rd. / Forni Rd.</u>	<u>Signal</u>	<u>N/A</u>	<u>N/A</u>	<u>C</u>	<u>30.2</u>
<u>5. Missouri Flat Rd. / Golden Center Dr.</u>	<u>Signal</u>	<u>N/A</u>	<u>N/A</u>	<u>C</u>	<u>22.8</u>
<u>6. Missouri Flat Rd. / Diamond Springs Pkwy.</u>	<u>Signal</u>	<u>N/A</u>	<u>N/A</u>	<u>B</u>	<u>14.1</u>
<u>7. Missouri Flat Rd. / China Garden Rd.</u>	<u>Signal</u> <u>(SSSC)</u>	<u>B</u> <u>(C)</u>	<u>14.9</u> <u>(16.5)</u>	<u>B</u> <u>(C)</u>	<u>12.9</u> <u>(18.6)</u>
<u>8. Missouri Flat Rd. / Industrial Dr.</u>	<u>Signal</u>	<u>B</u>	<u>17.5</u>	<u>C</u>	<u>23.2</u>
<u>9. Missouri Flat Rd. / Enterprise Dr.</u>	<u>Signal</u>	<u>B</u>	<u>10.9</u>	<u>A</u>	<u>9.5</u>
<u>10. Missouri Flat Rd. / Pleasant Valley Rd.</u>	<u>Signal</u>	<u>N/A</u>	<u>N/A</u>	<u>D</u>	<u>45.1</u>
<u>12. Pleasant Valley Rd. / SR 49</u>	<u>Signal</u>	<u>C</u>	<u>20.2</u>	<u>C</u>	<u>25.2</u>

Note: SSSC = side street stop control (worst movement shown in either AM or PM peak hour)

Source: KD Anderson & Associates, Inc., 2015.

Table 4.10-9B					
Mitigated PM Peak Hour Level of Service at Intersections					
Year 2025 and Year 2035 Plus Project Conditions					
Location	Control	Year 2025 + Project		Year 2035 + Project	
		PM Peak Hour		PM Peak Hour	
		LOS	Average Delay	LOS	Average Delay
<u>1. Missouri Flat Rd. / WB US 50 ramps</u>	<u>Signal</u>	<u>B</u>	<u>16.4</u>	<u>B</u>	<u>18.3</u>
<u>2. Missouri Flat Rd. / EB US 50 ramps</u>	<u>Signal</u>	<u>C</u>	<u>25.1</u>	<u>C</u>	<u>26.9</u>
<u>3. Missouri Flat Rd. / Mother Lode Dr.</u>	<u>Signal</u>	<u>B</u>	<u>12.7</u>	<u>B</u>	<u>12.4</u>
<u>4. Missouri Flat Rd. / Forni Rd.</u>	<u>Signal</u>	<u>D</u>	<u>35.8</u>	<u>E</u>	<u>63.3</u>
<u>5. Missouri Flat Rd. / Golden Center Dr.</u>	<u>Signal</u>	<u>C</u>	<u>29.1</u>	<u>D</u>	<u>33.4</u>
<u>6. Missouri Flat Rd. / Diamond Springs Pkwy.</u>	<u>Signal</u>	<u>B</u>	<u>12.7</u>	<u>B</u>	<u>15.7</u>
<u>7. Missouri Flat Rd. / China Garden Rd.</u>	<u>Signal</u> <u>(SSSC)</u>	<u>B</u> <u>(C)</u>	<u>11.6</u> <u>(20.2)</u>	<u>B</u> <u>(C)</u>	<u>12.7</u> <u>(23.5)</u>
<u>8. Missouri Flat Rd. / Industrial Dr.</u>	<u>Signal</u>	<u>B</u>	<u>13.4</u>	<u>B</u>	<u>12.9</u>
<u>9. Missouri Flat Rd. / Enterprise Dr.</u>	<u>Signal</u>	<u>B</u>	<u>14.4</u>	<u>B</u>	<u>14.6</u>
<u>10. Missouri Flat Rd. / Pleasant Valley Rd.</u>	<u>Signal</u>	<u>D</u>	<u>37.2</u>	<u>C</u>	<u>21.0</u>
<u>12. Pleasant Valley Rd. / SR 49</u>	<u>Signal</u>	<u>N/A</u>	<u>N/A</u>	<u>E</u>	<u>46.4</u>
<u>Note: SSSC = side street stop control (worst movement shown in either AM or PM peak hour)</u>					
<u>Source: KD Anderson & Associates, Inc., 2015.</u>					

The above changes are for clarification purposes only and do not change the technical analysis prepared for the project. Accordingly, the revisions do not alter the conclusions of the Draft EIR.

Letter 1

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 3 – SACRAMENTO AREA OFFICE
2379 GATEWAY OAKS DRIVE, STE 150 - MS 19
SACRAMENTO, CA 95833
PHONE (916) 274-0638
FAX (916) 263-1796
TTY 711



*Serious drought.
Help save water!*

January 27, 2016

032015-ELD-0054
03-ELD-49/11.236
SCH# 2015062046

Mr. Bob Christensen
County of El Dorado
Facilities Division
3000 Fairlane Court, Suite One
Placerville, CA 95667

Public Safety Facility Project – Draft Environmental Impact Report (DEIR)

Dear Mr. Christensen:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review for the project referenced above. Caltrans' new mission, vision, and goals signal a modernization of our approach to California's transportation system. We review this parcel map application for impacts to the State Highway System in keeping with our mission, vision and goals for sustainability/livability/economy, and safety/health. We provide these comments consistent with the state's smart mobility goals that support a vibrant economy, and build communities, not sprawl.

1-1

The proposed project includes the development of a multi-building Public Safety Facility on approximately 11-acres of the 30.34-acre site for the El Dorado County Sheriff's Office, with a maximum development potential totaling approximately 106,331 square feet. The project would centralize and consolidate the Sheriff's Office functions currently operating out of seven different facilities. The other major project component consists of an approximately 7-acre solar farm facility, which would be located immediately west of the Public Safety Facility buildings. The 6.16-acre portion of the site located north of Industrial Drive is not proposed for development as part of this project. The project site is located 0.6 miles from State Route (SR) 49/Missouri Flat Road at Industrial Drive/Merchandise Way in the Diamond Springs area. The following comments are based on the Draft Environmental Impact Report (DEIR).

1-2

Traffic Operations

- *Mitigation Measure 4.10-3(c), Pleasant Valley Road at SR 49 (page 2-34, Table 2-1):*
"Installation of a traffic signal will maintain acceptable levels of service at the intersection

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

**Letter 1
cont'd**

Mr. Bob Christensen /El Dorado County
January 27, 2015
Page 2

1-2
cont'd

during the AM peak hour (LOS C – 20.2 seconds)." Due to the close proximity to Forni Road, a signal may not be the best solution at this intersection. A detailed simulated analysis of the intersection and its interaction with Forni Road is necessary before a signal is considered. Per Traffic Operations Policy Directive 13-02, all projects on state facilities need to identify effective intersection traffic control strategies and alternative treatments. A potential alternative at this intersection is a roundabout.

1-3

- *Mitigation Measure 4.10-3(d), Pleasant Valley Road/Forni Road:* "Installation of a two-way-left turn lane identified in the County's CIP will allow for the intersection to operate at LOS D (26.5 seconds) in the AM peak hour." We understand this project is no longer part of the County's Capital Improvement Program (CIP). Thus, alternative mitigation should be provided.

1-4

- *Study Area Intersections – Pleasant Valley Road (SR 49)/Forni Road (Appendix K, page 5):* The description of this intersection indicates that the spacing between Pleasant Valley Road/SR 49 south and SR 49/Forni Road is about 500 feet – the spacing between these two intersections is approximately 300 feet. The skew and the spacing between these intersections need to be addressed before a signal and a two-way left turn lane can provide operational efficiencies at this location.

1-5

- *2035 Plus Project Conditions – Mitigations, Pleasant Valley Road/ SR 49 (Appendix K, page 48):* "Signalization of the intersection will result in an LOS C condition in the AM peak hour (25.2 seconds)." A table with this information appears to be missing from the DEIR.

Travel Forecasting and Modeling

1-6

We agree that the project will have traffic impacts at several locations within the study area, as concluded in the DEIR Traffic Impact Analysis (TIA). However, the Missouri Flat Interchange was not listed in the TIA (Appendix K) as an impacted location that would require mitigation. Traffic studies for other projects within this study area, such as Piedmont Oak Estates, state that the Missouri Flat Interchange will operate at LOS E and F in the 2035 Plus Project Scenario without improvements to the interchange – a conclusion we agree with. The 2035 Plus Project Scenario LOS for the Missouri Flat Interchange without improvements to the interchange is reported as B and C in this TIS (Table 4.10-8), a conclusion we do not agree with. The 2035 LOS for the Missouri Flat Interchange should be recalculated to be consistent with the LOS of other recent traffic studies and the proposed project should mitigate its impact on the Missouri Flat Interchange by paying its fair share contribution to the future interchange reconstruction project.

Please provide our office with copies of any further actions regarding this project.

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability."*

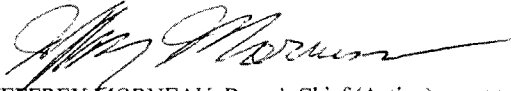
**Letter 1
cont'd**

Mr. Bob Christensen /El Dorado County
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Page 3

1-7

If you have any questions regarding these comments or require additional information, please contact Eileen Cunningham, Intergovernmental Review Coordinator, at (916) 274-0639 or eileen.cunningham@dot.ca.gov.

Sincerely,



JEFFREY MORNEAU, Branch Chief (Acting)
Transportation Planning – South

c: Scott Morgan, State Clearinghouse

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

LETTER 1: JEFFREY MORNEAU, CALIFORNIA DEPARTMENT OF TRANSPORTATION

Response to Comment 1-1

Thank you for submitting comments on the Public Safety Facility Draft EIR. The comment is an introductory statement that does not address the adequacy of the Draft EIR.

Response to Comment 1-2

El Dorado County recognizes that additional analysis will need to be conducted prior to any improvements at the State Route (SR) 49 / Pleasant Valley Road intersection. The County monitors intersections through their Intersection Needs Prioritization process. The process will be used by the County to prepare an analysis following the California Department of Transportation (Caltrans) Traffic Operation Policy Directive 13-02 prior to design and implementation of improvements.

Response to Comment 1-3

The existing County Capital Improvement Program (CIP) identifies a two-way-left-turn lane (TWLTL) along Pleasant Valley Road, east of Forni Road. Page 46 of the Traffic Impact Analysis (TIA) for the El Dorado County Public Safety Facility (Appendix K of the Draft EIR) identifies the aforementioned improvement as part of Project GP 176; thus, Mitigation Measure 4.10-3(d) is valid.

Response to Comment 1-4

The County recognizes that the spacing between the SR 49 / Pleasant Valley Road intersection and the Pleasant Valley Road / Forni Road intersection is approximately 400 feet as measured from centerline to centerline. Improvements to the SR 49 / Pleasant Valley Road intersection will need to account for the close proximity of the Pleasant Valley Road / Forni Road intersection. The County's Intersection Needs Prioritization process will be used by the County to analyze both intersections following the California Department of Transportation (Caltrans) Traffic Operation Policy Directive 13-02 prior to design and implementation of improvements.

Response to Comment 1-5

As a result of the comment, page 4.10-49 of Chapter 4.10, Transportation and Circulation, is hereby revised as follows:

Mitigation Measure(s)

Payment of the countywide TIM fees for the project would constitute the project's fair share contribution toward these improvements. Mitigation Measures 4.10-7(a) through (c) are consistent with item (2) of County Policy TC-Xf, which states that for non-residential projects which trigger the County's thresholds for intersections already operating unacceptably, the County shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain Level of Service standards detailed in this Transportation and Circulation Element; or (2) ensure

the construction of the necessary road improvements are included in the County's 20-year CIP. Thus, payment of the TIM fees would be considered sufficient mitigation for these impacts; and the resultant finding for this impact is *less than cumulatively considerable*. Implementation of the following mitigation measures would improve the LOS for the signalized intersections as shown in Tables 4.10-9A and 4.10-9B.

Table 4.10-9A
Mitigated AM Peak Hour Level of Service at Intersections
Year 2025 and Year 2035 Plus Project Conditions

Location	Control	Year 2025 + Project		Year 2035 + Project	
		AM Peak Hour		AM Peak Hour	
		LOS	Average Delay	LOS	Average Delay
1. Missouri Flat Rd. / WB US 50 ramps	Signal	N/A	N/A	B	18.9
2. Missouri Flat Rd. / EB US 50 ramps	Signal	N/A	N/A	B	17.5
3. Missouri Flat Rd. / Mother Lode Dr.	Signal	N/A	N/A	B	13.9
4. Missouri Flat Rd. / Forni Rd.	Signal	N/A	N/A	C	30.2
5. Missouri Flat Rd. / Golden Center Dr.	Signal	N/A	N/A	C	22.8
6. Missouri Flat Rd. / Diamond Springs Pkwy.	Signal	N/A	N/A	B	14.1
7. Missouri Flat Rd. / China Garden Rd.	Signal (SSSC)	B (C)	14.9 (16.5)	B (C)	12.9 (18.6)
8. Missouri Flat Rd. / Industrial Dr.	Signal	B	17.5	C	23.2
9. Missouri Flat Rd. / Enterprise Dr.	Signal	B	10.9	A	9.5
10. Missouri Flat Rd. / Pleasant Valley Rd.	Signal	N/A	N/A	D	45.1
12. Pleasant Valley Rd. / SR 49	Signal	C	20.2	C	25.2

Note: SSSC = side street stop control (worst movement shown in either AM or PM peak hour)

Source: KD Anderson & Associates, Inc., 2015.

Table 4.10-9B
Mitigated PM Peak Hour Level of Service at Intersections
Year 2025 and Year 2035 Plus Project Conditions

Location	Control	Year 2025 + Project		Year 2035 + Project	
		PM Peak Hour		PM Peak Hour	
		LOS	Average Delay	LOS	Average Delay
1. Missouri Flat Rd. / WB US 50 ramps	Signal	B	16.4	B	18.3
2. Missouri Flat Rd. / EB US 50 ramps	Signal	C	25.1	C	26.9
3. Missouri Flat Rd. / Mother Lode Dr.	Signal	B	12.7	B	12.4
4. Missouri Flat Rd. / Forni Rd.	Signal	D	35.8	E	63.3
5. Missouri Flat Rd. / Golden Center Dr.	Signal	C	29.1	D	33.4
6. Missouri Flat Rd. / Diamond Springs Pkwy.	Signal	B	12.7	B	15.7
7. Missouri Flat Rd. / China Garden Rd.	Signal (SSSC)	B (C)	11.6 (20.2)	B (C)	12.7 (23.5)
8. Missouri Flat Rd. / Industrial Dr.	Signal	B	13.4	B	12.9
9. Missouri Flat Rd. / Enterprise Dr.	Signal	B	14.4	B	14.6
10. Missouri Flat Rd. / Pleasant Valley Rd.	Signal	D	37.2	C	21.0
12. Pleasant Valley Rd. / SR 49	Signal	N/A	N/A	E	46.4

Note: SSSC = side street stop control (worst movement shown in either AM or PM peak hour)

Source: KD Anderson & Associates, Inc., 2015.

Tables 4.10-9A and 4.10-9B above present the “Mitigated Plus Project” AM peak hour information and PM peak hour information, respectively, for the Year 2025 Plus Project and Year 2035 Plus Project conditions.

Response to Comment 1-6

The County recognizes that differences in the projected volumes for the Missouri Flat Road interchange exist between the traffic study completed for the El Dorado County Public Safety Facility and previous studies, such as the Piedmont Oak Estates Project. Since the Piedmont Oak Estates traffic study has been completed, the land use input files have been updated as some land uses in the study area had been double counted. The El Dorado County Public Safety Facility TIA uses the latest update to the land use input file, prior to commencement of the study, for the travel demand model that corrected the double count. Therefore, the analysis in the Draft EIR is correct, as noted in the TIA. The proposed project will be required to pay the Traffic Impact Mitigation (TIM) fees.

In addition, the County has begun the analysis for the Missouri Flat Area Master Circulation and Financing Plan Phase II. The study will analyze the future scenarios for the study area with potential land uses that could exceed the current levels in the County's General Plan and will identify the infrastructure needed to accommodate the increase in growth. The future land use scenario includes the proposed project.

Response to Comment 1-7

Thank you.

8-14-18

Dear Board of Supervisors,

Re: BOS 8-14-18, Item #38 File #18-1133, Appealing the Planning Commission's June 28, 2018 approval of Planned Development PD17-0002/Diamond Springs Village Apartments and File #17-0651 from the BOS 8-19-17, Item #46 Agenda Appealing the June 22, 2017 Planning Commission's approval of PD17-0002 Diamond Springs Village Apartments.

During the Board of Supervisor's meeting of 8-19-17 regarding the appeal of the Diamond Springs Village Apartments, DOT staff was questioned by the Board regarding Measure E and LOS F already existing at Racquet Way and Pleasant Valley Road and China Garden and Missouri Flat (from Fehr & Peers **2015** traffic report). The staff discussion continued in regards to staff looking at the cumulative impact, growth rate and something being included in the last TIM fee update. The conversation continued about how the trips did not change the study for the Capital Improvement Plan and that the project was too small to change anything.

So basically nothing was discussed regarding existing LOS F at the existing Racquet Way and Pleasant Valley Road intersections which road or intersection is not listed in Table TC-2 allowed to reach LOS F, which is a violation of the General Plan.

Also the traffic study does not clearly show how moving all the existing and new traffic out to Black Rice Road (which is a private road) will mitigate this existing condition.

Also not included in the report or analysis was the impact to the Missouri Flat Interchange on Highway 50.

I've attached the polices for Transportation and Circulation Element Goal TC-X, which includes Policy TC-Xa(2) stating:

"The County shall not add any additional segments of U. S Highway 50, or any other highways and roads, to the County's list of roads from the original Table TC-2 of the 2004 General Plan that are allowed to operate at Level of Service F without first getting the voters' approval. "

I've also included Table TC-2 for easy reference:

TABLE TC-2 EL DORADO COUNTY ROADS ALLOWED TO OPERATE AT LEVEL OF SERVICE F ¹		
Road Segment(s)		Max. V/C ²
Cambridge Road	Country Club Drive to Oxford Road	1.07
Cameron Park Drive	Robin Lane to Coach Lane	1.11
Missouri Flat Road	U.S. Highway 50 to Mother Lode Drive	1.12
	Mother Lode Drive to China Garden Road	1.20
Pleasant Valley Road	El Dorado Road to State Route 49	1.28
U.S. Highway 50	Canal Street to junction of State Route 49 (Spring Street)	1.25
	Junction of State Route 49 (Spring Street) to Coloma Street	1.59
	Coloma Street to Bedford Avenue	1.61
	Bedford Avenue to beginning of freeway	1.73
	Beginning of freeway to Washington overhead	1.16
	Ice House Road to Echo Lake	1.16
State Route 49	Pacific/Sacramento Street to new four-lane section	1.31
	U.S. Highway 50 to State Route 193	1.32
	State Route 193 to county line	1.51
Notes: ¹ Roads improved to their maximum width given right-of-way and physical limitations. ² Volume to Capacity ratio.		

Caltrans has also objected to the County's analysis in many previous projects, in regards to LOS, and the impact to Highway 50 at the Missouri Flat Interchange. I am attaching documents that were submitted for the Piedmont Project showing lack of overall capacity in the area and problems at Missouri Flat Interchange along with comments from Caltrans showing disagreement with the County regarding the County's findings. A study should be required on all the cumulative impacts to traffic in this area, given the numerous projects being approved and proposed and with the proven LOS F at several locations surrounding the Missouri Flat and Pleasant Valley Roads, before more projects that worsen this condition are allowed. For much of the mitigation to traffic impacts, the County is relying on future mitigation, which is not yet determined such as the Missouri Flat Area Master Circulation and Financing Plan Phase II, which is not allowed by CEQA.

I would ask that this Mitigated Negative Declaration be rejected and the project be rejected until a properly written environmental impact document and can be composed that will comply with CEQA, the El Dorado County General Plan and Measure E.

Respectfully,

Sue Taylor