

COUNTY OF EL DORADO DEVELOPMENT SERVICES
PLANNING COMMISSION
REVISED STAFF REPORT



Agenda of: May 13, 2010
Item No.: 10
Staff: Michael C. Baron

REZONE/TENTATIVE MAP

FILE NUMBER: Z05-0015/TM05-1401/Malcolm Dixon Road Estates

APPLICANT: Omni Financial LLC, Martin Boone

ENGINEER: North Coast Resource Management, Kaycie Edwards

REQUEST:

1. Zone change from Exclusive Agriculture (AE) to Estate Residential Five-Acre (RE-5), and
2. Tentative Map (Exhibit E) to create 8 residential lots ranging in size from 5.0 acres to 5.6 acres.

LOCATION: On the north side of Malcolm Dixon Road, approximately one-half mile east of the intersection with Salmon Falls Road, in the El Dorado Hills area, Supervisorial District IV (Exhibit A).

APN: 126-100-23 (Exhibit B)

ACREAGE: 40.6 acres

GENERAL PLAN: Low Density Residential (LDR) (Exhibit C)

ZONING: Exclusive Agriculture (AE) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration (MND)

RECOMMENDATION

Staff recommends the Planning Commission forward the following recommendations to the Board of Supervisors:

1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
2. Adopt the Mitigation Monitoring Program in accordance with CEQA Guidelines Section 15074(d) incorporated as Conditions of Approval in Attachment 1;
3. Approve Rezone Z05-0015 based on the Findings listed in Attachment 2; and
4. Approve Tentative Map TM05-1401 based on the Findings listed in Attachment 2, and subject to the Conditions of Approval listed in Attachment 1.

BACKGROUND: An application for a Zone Change and Tentative Subdivision Map was submitted on December 2, 2005. A Technical Advisory Committee (TAC) meeting was held on April 17, 2006. As a result of agency comments and General Plan issues discussed at the TAC meeting, additional map revisions were required and received by staff at various points through 2006. Early on in processing of the project, an issue of legal access was brought to the property owners' attention and subsequently resulted in a superior court settlement agreement with an adjacent property owner. A completed Tentative Map and associated exhibits were provided in October 2009 and January 2010.

STAFF ANALYSIS

Project Description: The project request includes a Zone Change from Exclusive Agriculture (AE) to Estate Residential Five-Acre (RE-5) and a Tentative Map to create 8 lots ranging in size from 5.0 acres to 5.6 acres. Each parcel would be served with public water and private septic systems. Access to the proposed subdivision would be from a proposed roadway connection to the south at the existing Malcolm Dixon Road extending further off-site to the south providing an additional connection to Green Valley Road. Additional access could eventually come from two proposed roadway connections one at the adjacent Diamante Subdivision to the south onto Malcolm Dixon Road as well as a connection to the northwest onto Salmon Falls Road through the La Canada Subdivision. No Design Waivers from the Design and Improvement Standards Manual have been requested.

Site Description: The site is comprised of approximately 90 percent grassland with dispersed areas of heavy oak canopy comprising approximately eight percent of the site on moderately sloping terrain and is situated at an elevation range of approximately 800 to 900 feet. The site generally slopes from the northeast to the southwest. There is an existing residence in the northwest corner of the site. Two abandoned buildings are situated on the adjacent property to the southwest and a residence is located adjacent to Malcolm Dixon Road in the southeast corner adjacent to the project site. Surrounding land uses include residences, pastureland, and oak woodland.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	AE	LDR	Existing Residence and Undeveloped
North	RE-5 PD	LDR	Vacant
South	RE-5	LDR	Vacant
East	RE-5	LDR	Existing Residential
West	RE-5	LDR	Vacant

General Plan: The following General Plan policies apply to this project:

The General Plan designates the subject site as Low-Density Residential (LDR), where **Policy 2.2.1.2** permits a maximum density of one dwelling unit per 5.0 acres, with parcel sizes ranging from 5.0 to 10.0 acres. The proposed project consists of 8 residential lots on 40.6 acres zoned for Residential Five-Acre (RE-5), resulting in a net density of one unit per 5.08 acres. Therefore the proposed parcels conform to the General Plan land use designation.

General Plan **Policy 2.2.5.3** requires the County to evaluate future rezoning: (1) To be based on the General Plan's general direction as to minimum parcel size or maximum allowable density; and (2) To assess whether changes in conditions that would support a higher density or intensity zoning district. The specific criteria to be considered include; but are not limited to, the following:

1. *Availability of an adequate public water source or an approved Capital Improvement Project to increase service for existing land use demands;*

Discussion: The proposed project would be served by public water. The applicant has provided a Facilities Improvement Letter (FIL) issued by El Dorado Irrigation District (EID) assuring that the proposed parcels could be provided with an adequate water supply.

2. *Availability and capacity of public treated water system;*

Discussion: As discussed above, proposed parcels would be served by public water provided by EID.

3. *Availability and capacity of public waste water treatment system;*

Discussion: Each home would be served by individual septic systems located on each parcel. A percolation rate study was conducted by Ron Duncan, REHS #3336 in 4 separate locations on the project site and evaluated by the El Dorado County Department of Environmental Management to ensure that each parcel could provide adequate septic systems.

4. *Distance to and capacity of the serving elementary and high school;*

Discussion: The project site is located within Rescue Union School District and the El Dorado Union High School District. The distance to the closest elementary school, Lake Forest Elementary, is 1.4 miles, in El Dorado Hills. The distance to the closest high school, Oak Ridge High School, is 2.5 miles, in El Dorado Hills. The affected school districts were contacted as part of the initial consultation process, and no specific comments or mitigation measures were received.

5. *Response time from the nearest fire station handling structure fires;*

Discussion: The El Dorado Hills Fire Department would be responsible for providing fire protection to the subject site upon annexation into the District. The closest fire station is Station 84, located just 2.1 miles from the project site. The project site is located within the Departments Response Zone 84b. The response time from station 84b is around 4.5 minutes. The District was contacted as part of the initial consultation process. As such, the District has reviewed the proposal and indicated that adherence to the applicable building and fire codes, as well as conditions of approval regarding the installation of hydrants, development standards, fire safe plan, and construction of road improvements shown on the Tentative Subdivision Map, would satisfactorily address all fire related safety issues.

6. *Distance to nearest Community Region or Rural Center;*

Discussion: The project site is located 0.5 miles north of the El Dorado Hills Community Region. As proposed, the project is residential project adjacent to compatible existing residential land uses.

7. *Erosion hazard;*

Discussion: The site is composed of sloping terrain ranging in elevation from approximately 800 to 925 feet above mean sea level. Grading is proposed to complete the development, resulting in potential for soil erosion at the site. Construction of roads and potential building sites for homes would occur on grades of up to 30 percent. All grading activities are required to comply with the El Dorado County Grading, Erosion, and Sediment Control Ordinance. The project is conditioned, to require review and submittal of an erosion control plan to limit impacts resulting from grading activities and perform revegetation of disturbed soils. The California Regional Water Quality Control Board would require the use of Best Management Practices during construction, including the use of swales and filters to reduce soil runoff and preserve topsoil on the site.

8. *Septic and leach field capability;*

Discussion: The Environmental Management Department has reviewed the project and has no concerns relating to the capability of each parcel to adequately provide residential septic

systems. A study was provided by Ron Duncan REHS #3336 indicating acceptable septic viability for each of the proposed lots.

9. *Groundwater capability to support wells;*

Discussion: Each of the proposed parcels would be served by public water. A Facilities Improvement letter (FIL) dated November 2, 2009 was submitted noting that adequate public water supplies exist upon annexation into the District. There would be no impact associated with Groundwater capability to support wells.

10. *Critical flora and fauna habitat areas:*

Discussion: The County's General Plan designates areas within the County that have the potential to affect rare plants. The County's General Plan and General Plan EIR define Rare Plant Mitigation Areas within the County, which designate lands potentially affecting rare plants that are subject to mitigation. The project site is not within a Rare Plant Mitigation Area. This may indicate that the likelihood of special status flora species to occur within the project site is considered low. However, the parcel immediately to the west of the proposed project site was found to contain suitable habitat for special status species. The proximity of the project site to adjacent property, and the suitable habitat found there is reasonable evidence to assume the project site itself contains suitable habitat for the special status species. The project site is expected to support a wide diversity of wildlife due to the likely availability of nesting sites, escape, thermal cover and abundant food. Likely special status species include Cooper's hawk, red-shouldered hawk, red-tailed hawk, and great horned owl. Although the site is not within an area designated by the County's General Plan as a Rare Plant Mitigation Area, a site survey indicated that the site contains habitats which may support special status plants including Big-scale balsam root, Brandegees clarkia, and Tuolumne button-celery. Mitigation Measures contained within the MND, included as Attachment 1 in the Conditions of Approval, would reduce potential impacts to critical flora and fauna habitat areas to a less than significant level.

11. *Important timber production areas:*

Discussion: The project is not located in or near an important timber production area.

12. *Important agricultural areas;*

Discussion: The Low Density General Plan Land Use Designation allows for single-family residential development of the project area. The site is presently zoned Exclusive Agriculture (AE). However, the site is not within an active agricultural area, and there are no current agricultural uses. Thus, the site is not considered an important agricultural area.

13. *Important mineral resource areas;*

Discussion: The project is not within a Mineral Resource Zone and would not impact any important mineral resources.

14. *Capacity of the transportation system serving the area;*

Discussion: The El Dorado County Department of Transportation reviewed the submitted traffic study and concluded that the recommended conditions of approval, including improvements to existing roadways, would sufficiently address project traffic issues and ensure that the transportation system is adequate to serve the area. El Dorado Transit has reviewed the project and has no specific conditions of approval regarding the project.

15. *Existing land use patterns;*

Discussion: The project area is surrounded by existing residential land uses. The project is also surrounded by Estate Residential 5-acre zoned lands along the western boundaries. Rezone applications to Estate Residential 5-Acre (RE-5) and RE-5 PD have been approved for the parcels immediately to the north as well as to the south of the project site. It has been determined that the proposed project is consistent with existing land use patterns within the immediate project area.

16. *Proximity to perennial water course;*

Discussion: According to the wetland delineation report submitted on January 19, 2006, prepared by Ecorp Consulting Inc., the total acreage of potential jurisdictional wetlands and other waters of the U.S. at the subject site are 0.45 acres. These water features include 0.21 acres of intermittent drainage and 0.24 acres of seasonal wetland swale. General Plan Policy 7.3.3.4 requires a minimum setback of 50 feet from the wetlands delineated on the Tentative Subdivision Map. All wetlands on the site are protected through the incorporation of 50 foot setbacks, as shown on the Tentative Map.

17. *Important historical/archeological sites;*

Discussion: A records search and pedestrian survey of the site revealed three cultural resource sites that were previously recorded within ¼ mile of the project site. No cultural resources were recorded within the project site. Due to the proximity of cultural resources, a mitigation measure has been added to the Mitigated Negative Declaration (MND) to ensure that additional discovered artifacts are appropriately documented and preserved, as appropriate.

18. *Seismic hazards and present active faults; and*

Discussion: As shown in the Division of Mines and Geology's publication Fault Rupture Hazard Zones in California, there are no Alquist-Priolo Special Studies Zones mapped in El Dorado County. The impacts from fault ruptures, seismically induced ground shaking, or seismic ground failure, or liquefaction are considered to be less than significant. Any potential impact caused by locating buildings in the project area would be offset by the compliance with the Uniform Building Code earthquake standards.

19. *Consistency with existing Conditions, Covenants, and Restrictions.*

Discussion: No Conditions, Covenants, and Restrictions are effective within the project area. Master CC & R's would be reviewed and recorded prior to Final Map approval.

General Plan **Policy 2.2.5.21** requires that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by policies in effect at the time the development project is proposed. The project site is surrounded by both existing and proposed residential land uses, which are compatible with the proposed development. The proposed subdivision would fit within the context of these existing and proposed residential uses.

Policy 5.2.1.2: An adequate quantity and quality of water for all uses, including fire protection, shall be provided for with discretionary development.

Discussion: The applicant has provided a Facilities Improvement Letter (FIL) issued by El Dorado Irrigation District (EID) that provides information indicating that adequate water resources would exist prior to the recordation of a final map.

As required by General Plan **Policy 5.7.1.1**, the applicant would be required to demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection either are or would be provided concurrent with development. The El Dorado Hills Fire Department would provide fire service to the site upon annexation. A Fire Safe Plan, minimum roadway widths, and fire hydrant placement have been required by the Fire Department to ensure adequate fire protection infrastructure.

Pursuant to the General Plan **Policy 7.3.3.4**, a 50-foot setback is required from the 1.44 acres of wetlands located at the site and shall be shown on the Final Map prior to approval. These water features are shown on the Tentative Subdivision Map (Exhibit E). After applying the 50-foot wetland setbacks, 30-foot building setbacks, and applying the required tree canopy retention standards, buildable areas for each lot have been verified and are shown on Exhibit E.

The proposed project is consistent with General Plan **Policy 7.4.4.4** where adequate development area exists on each of the proposed parcels where a single family dwelling and related improvements could be built without the removal of oak trees.

General Plan **Policy 8.1.3.1** requires buffers between Agriculturally Zoned lands including Williamson Act Contract properties. Adjacent properties to the north, east, and south, were previously Zoned Exclusive Agricultural (AE) and are surrounded by residential uses. The subject parcel and surrounding parcels are currently not within agricultural production, not in an Agricultural District, nor active Williamson Act Contracts, and contains no Prime/Choice Soils. **Policy 8.1.3.1** applies to parcels adjacent to agriculturally zoned lands, requiring adjacent parcels to be a minimum of 10 acres. The proposed parcel sizes for this project range from 5.0 acres to 5.6 acres, below the minimum. However, each of the surrounding parcels zoned AE currently have approved Tentative Subdivision Maps and have been rezoned to RE-5.

Zoning: The applicant is requesting that the project site be rezoned from Exclusive Agriculture (AE) to Estate Residential 5-Acre (RE-5). This would facilitate the creation of 8 lots zoned Estate Residential 5-Acre (RE-5). The Zone Change is consistent with the existing Low Density Residential General Plan Land Use Designation (LDR). The proposed lot sizes are consistent with the proposed Estate Residential 5-Acre (RE-5) Zone District.

Tentative Map: The Tentative Subdivision Map would create 8 individual parcels. Seven parcels would be a minimum of 5.0 acres and one would be 5.6 acres. The total of acreage of the proposed lots is 40.6 acres.

Design Waivers Discussion: As proposed, no design waivers from the Design and Improvements Standards manual have been requested for the Tentative Subdivision Map.

Other Issues:

Access/Circulation: The project could gain future access via an additional encroachment onto Malcolm Dixon Road through the adjacent Diamante Estates Subdivision and one to Salmon Falls Road through an adjacent subdivision to the northwest (La Canada).

Air Quality: The El Dorado County Air Quality Management District reviewed the submitted air quality analysis and has included standard conditions to reduce the impacts on the air quality. The standard conditions have been included in Attachment 1, as a part of the Conditions of Approval. Mitigation Measures are consistent with the recommendations of the Air Quality Analysis.

Cultural Resources: A Record Search was conducted by North Central information Center, dated May 17, 2005 and concluded that there is a low to moderate potential of identifying prehistoric and historic archeological resources in the project area. Mitigation measures have been incorporated into the project to avoid potential impacts to cultural resources.

EID Annexation: The Local Agency Formation Commission (LAFCO) reviewed the proposed subdivision and identified the need for the subject site to annex into the EID service area to receive public water and the El Dorado Hills County Water District to receive fire protection services. LAFCO requests that annexation into EID be added to the Conditions of Approval for the Tentative Map. LAFCO recommended the applicant contact LAFCO "near the end of the Tentative

Subdivision Map process to inquire about annexation into" EID. LAFCO also identified potential issues to be addressed within the Initial Study. Most of the requested changes were made to the Initial Study, as well as a requested change to Section XVI. Utilities and Service Systems (d) which deals with the availability of sufficient water supply from existing entitlements and resources and whether or not new or expanded entitlements would be needed.

Fire: Upon annexation to El Dorado Hills County Water District, the El Dorado Hills Fire Department (EDHFD) would provide fire protection services to the site.

Noise: The project, during construction and earthwork, may generate temporary and intermittent noise. There are residential units on parcels adjacent to the project site. Under the County's noise ordinance, construction activities and earthwork would be limited to 8AM to 6PM Monday through Friday and no work on the weekends to minimize affects on nearby residences.

Public Transit: The El Dorado County Transit Authority reviewed the proposed subdivision and had no concerns or specific conditions of approval requested.

Surveyor's Office: The Surveyor's Office reviewed the proposed project and noted that survey monuments must be set, roads named through the Surveyor's Office prior to Final Map filing, and provide a Parcel Map Guarantee showing proof of access to a State or County Maintained Road.

Utilities: The project was initially distributed to Pacific Gas and Electric Company, AT&T, and Comcast. None of the utility companies had any comments on the project.

Wastewater: Each of the proposed parcels would be served by individual septic systems.

Wetlands: The applicant has designed the project so that individual residential developments would avoid impacts to ponds, wetlands and intermittent streams. Construction activities must provide a minimum 100-foot setback from lakes and rivers and a 50-foot setback from the riparian features. These non building setbacks would be shown on the final map

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Environmental Checklist with Discussion), attached as Exhibit K, to determine if the project has a significant effect on the environment. Based on the Initial Study, conditions have been added to the project to avoid or mitigate to a point of insignificance the potentially significant effects of the project. Staff has determined that there is no substantial evidence that the proposed project, as conditioned, would have a significant effect on the environment, and a Mitigated Negative Declaration has been prepared.

This project is located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.), and was referred to the California Department of Fish and Game. In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of

\$2,060.25 after approval, but prior to the County filing the Notice of Determination on the project. This fee, includes a \$50.00 recording fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$2,010.25 is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the States fish and wildlife resources.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Location Map
Exhibit B	Assessor's Parcel Map
Exhibit C	General Plan Land Use Map
Exhibit D	Zoning Map
Exhibit E	Tentative Subdivision Map
Exhibit F	Preliminary Grading and Drainage Plan
Exhibit G	Slope Map
Exhibit H	Oak Canopy Map
Exhibit I	Salmon Falls/Green Valley Road Circulation Plan (Exhibit X)
Exhibit J	Agricultural Commission Recommendation
Exhibit K	Environmental Checklist and Discussion of Impacts

EXHIBIT A: Location Map



Prepared By: Michael C. Baron
El Dorado County Planning Services

POR. SECS. 14 & 24., T.10N., R.8E., M.D.M.

Tax Area Code

67:05

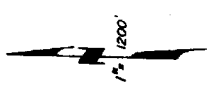
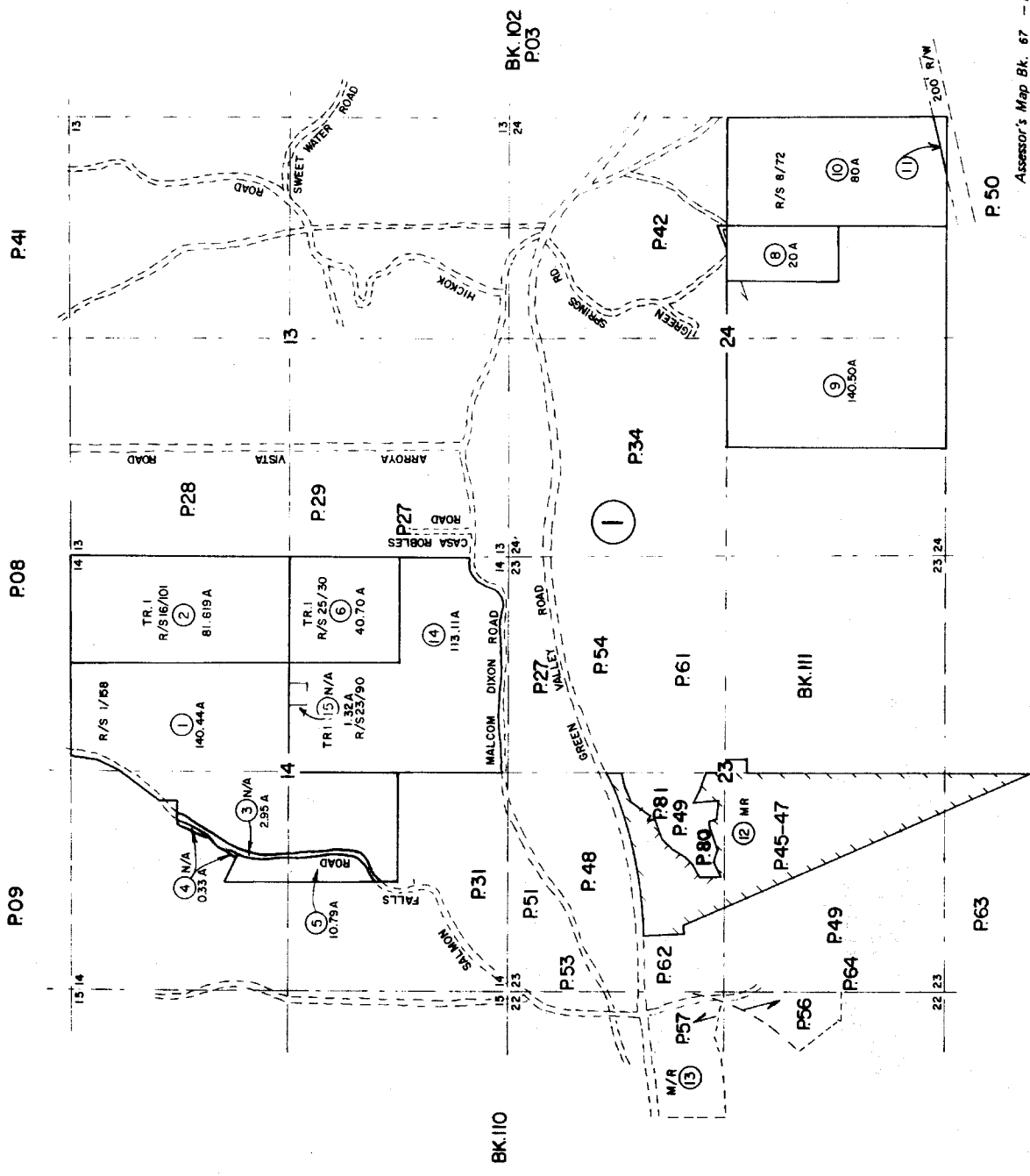


EXHIBIT B: Assessor's Map

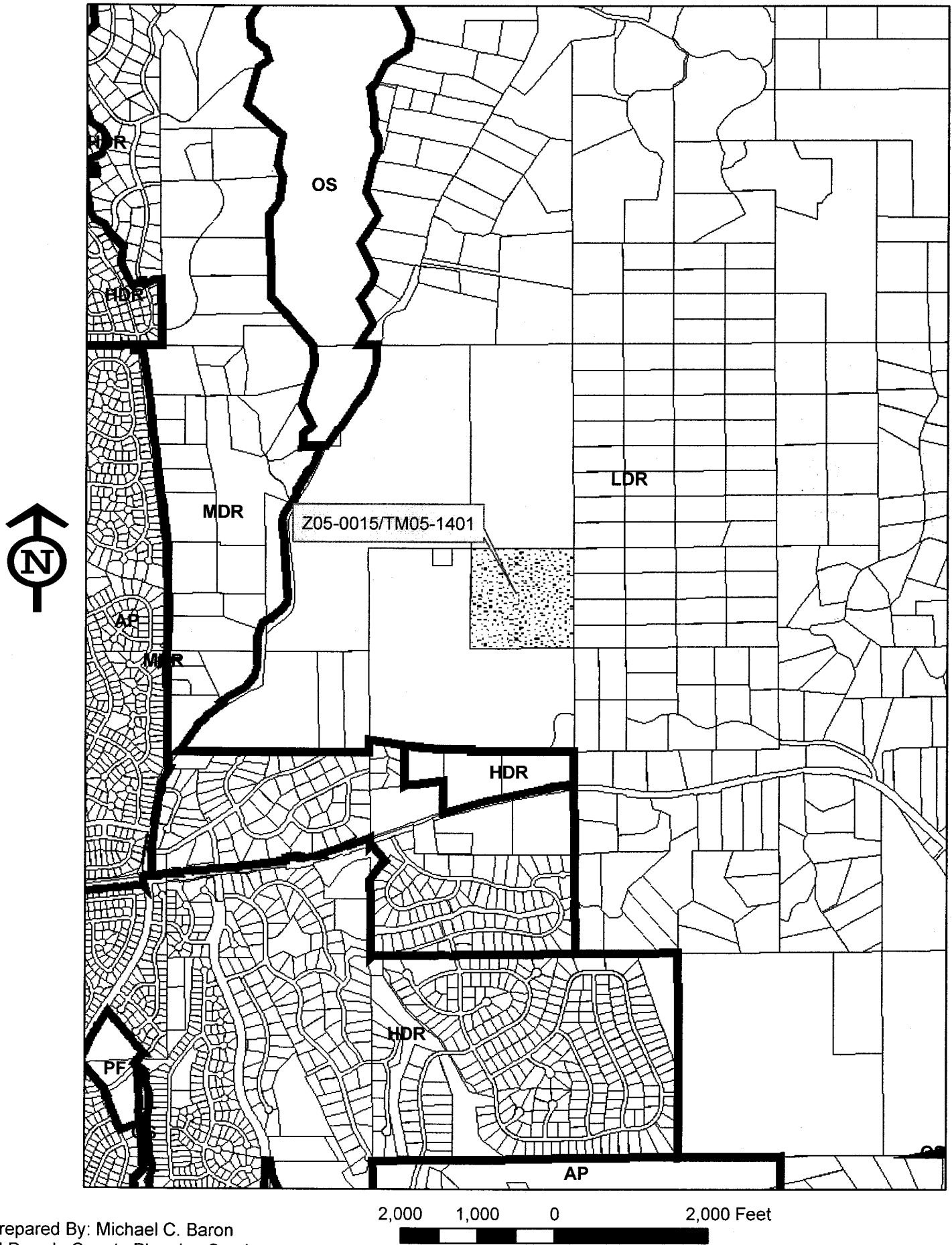


NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

Assessor's Map Bk. 67 - Pg. 05
County of El Dorado, California

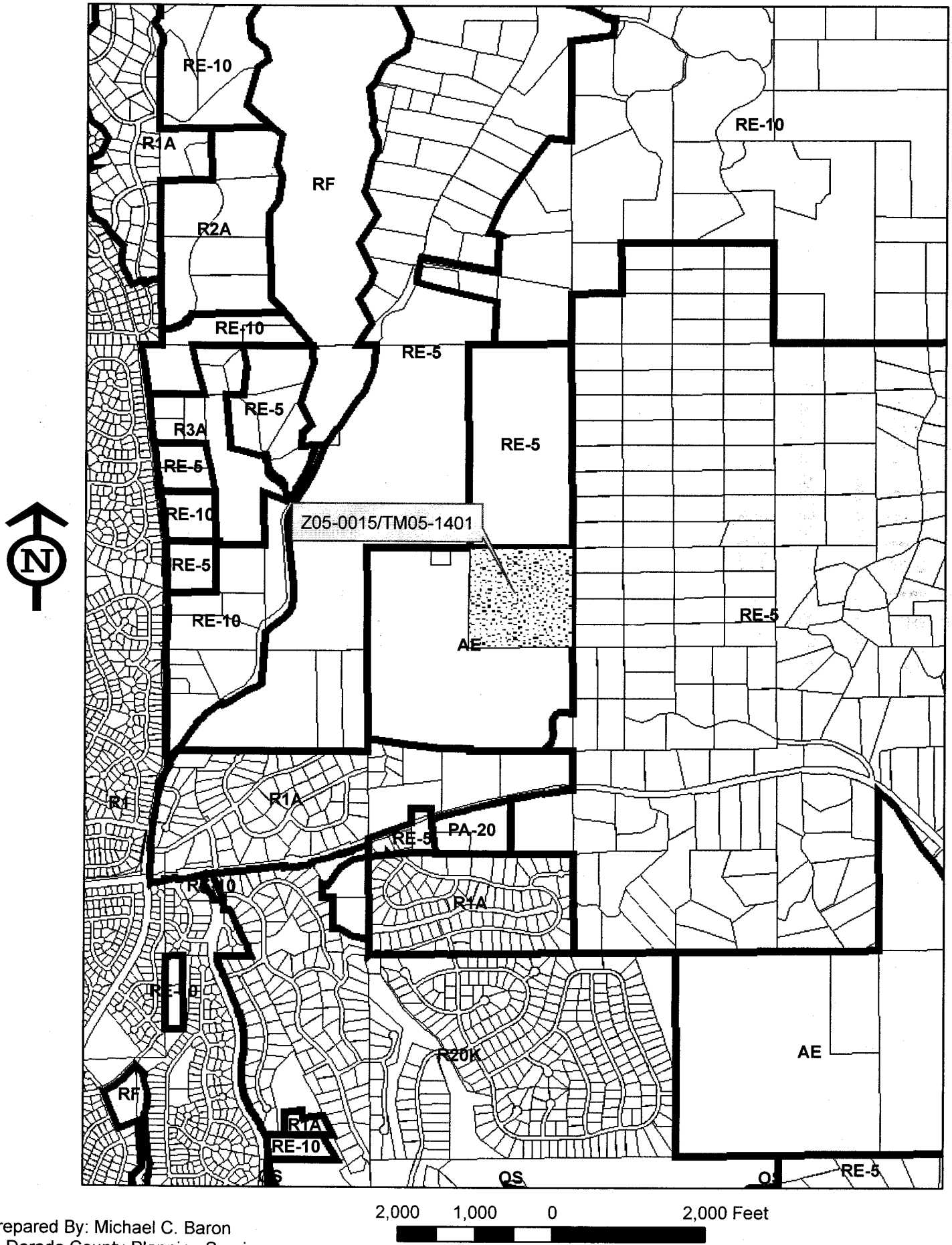
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EXHIBIT C: General Plan Land Use Map



Prepared By: Michael C. Baron
El Dorado County Planning Services

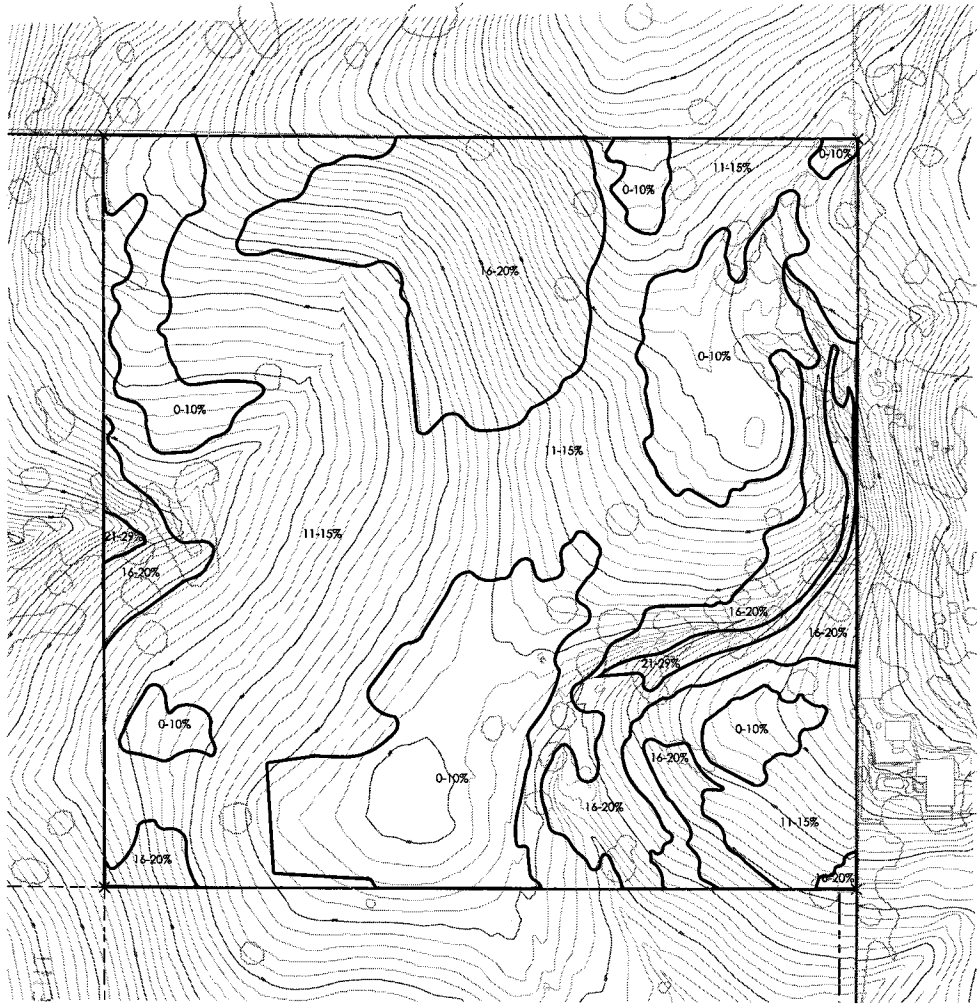
EXHIBIT D: Zoning Map



Prepared By: Michael C. Baron
El Dorado County Planning Services

Exhibit G: SLOPE ANALYSIS MALCOLM DIXON ROAD PROPERTY

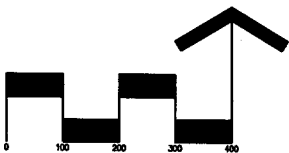
EL DORADO COUNTY, CALIFORNIA



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SLOPE SUMMARY

CATEGORY	% OF TOTAL AREA
0-10%	24%
11-15%	54%
16-20%	21%
21-29%	1%



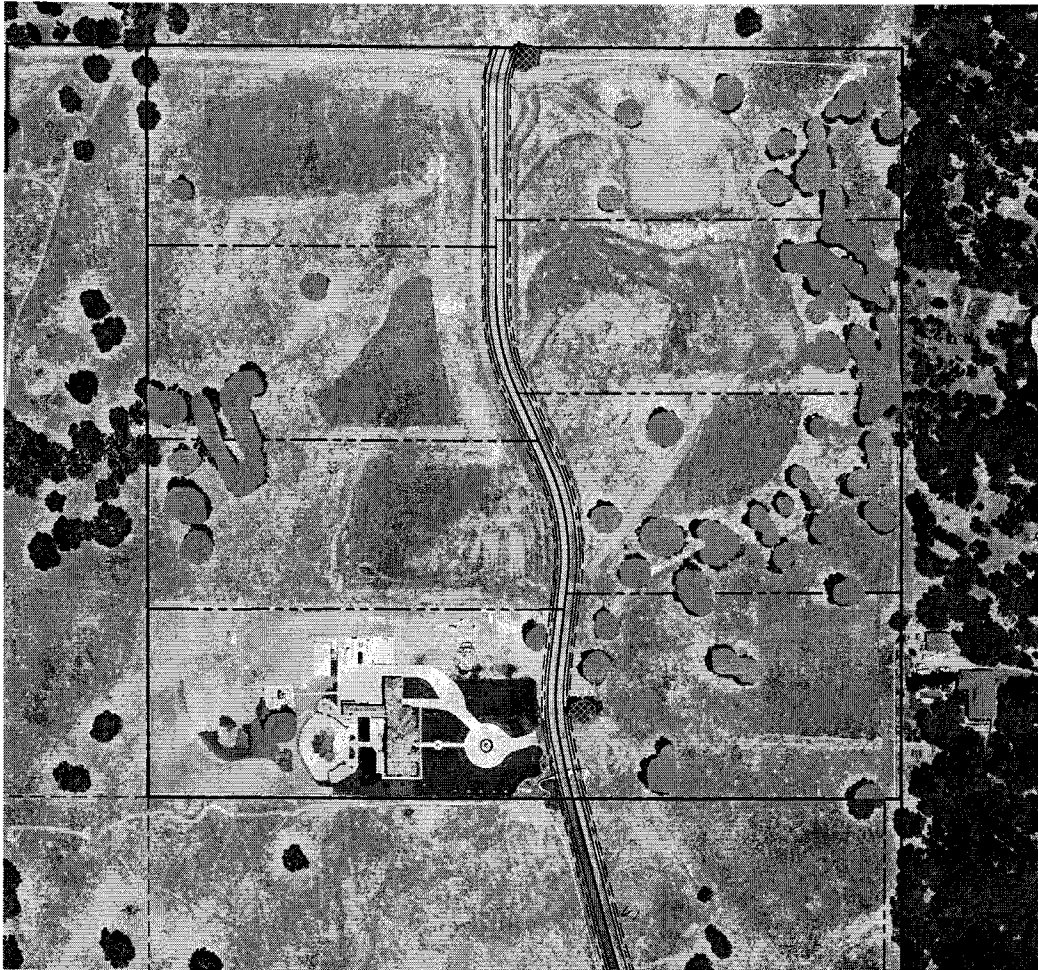
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 JULY 16, 2007
 JUNE 8, 2006
 JANUARY 6, 2006
 JULY 15, 2005



NORTH COAST RESOURCE MANAGEMENT
 CENTRAL VALLEY DIVISION
 14147 MARKET STREET
 WALNUT GROVE, CA 95690
 P 916.776.4900 F 916.776.4911



Exhibit H: TREE LOCATION / PRESERVATION EXHIBIT
MALCOLM DIXON ROAD PROPERTY

COUNTY OF EL DORADO, CALIFORNIA



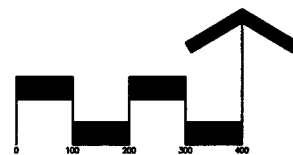
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LEGEND

-  EXISTING TREE CANOPY
-  EXISTING TREE CANOPY TO BE REMOVED

TOTAL SITE CANOPY	33 AC (8% OF PROJECT SITE)
CANOPY TO BE REMOVED	0.1 AC (0.2% OF PROJECT SITE)
RETAINED TREE CANOPY	32 AC (99.8% OF PROJECT SITE)

NOTE: 0.2% CANOPY REMOVAL BY ROAD GRADING SHALL BE SUBJECT TO MITIGATION OPTION A AS DESCRIBED IN THE EL DORADO COUNTY OAK WOODLANDS MANAGEMENT PLAN.



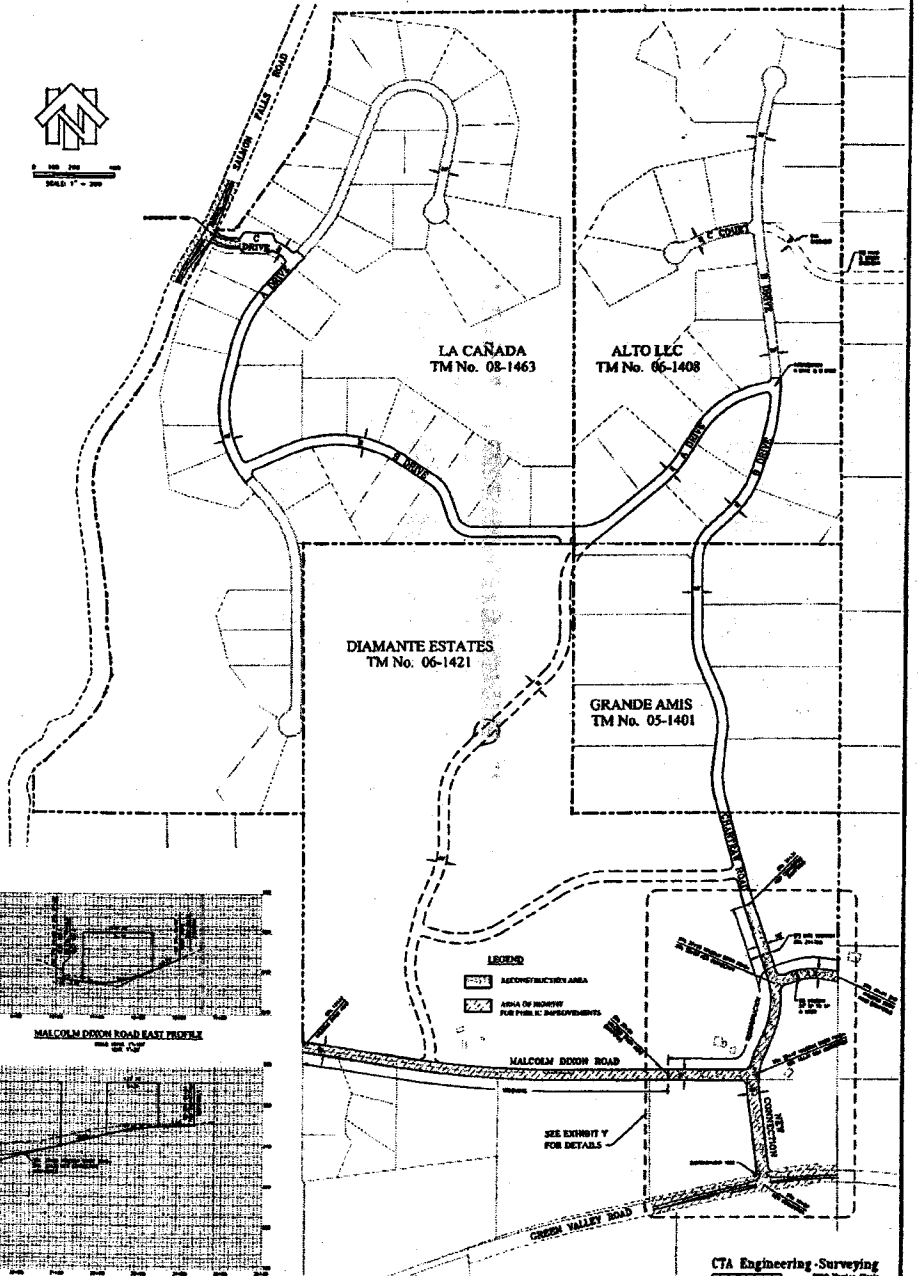
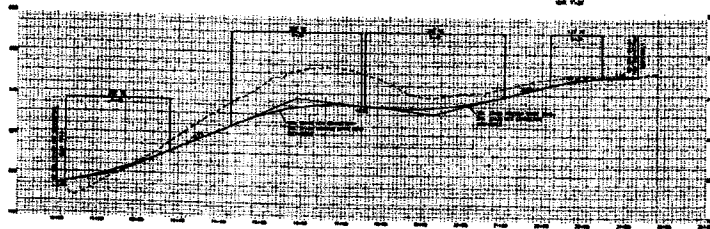
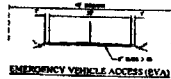
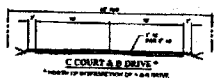
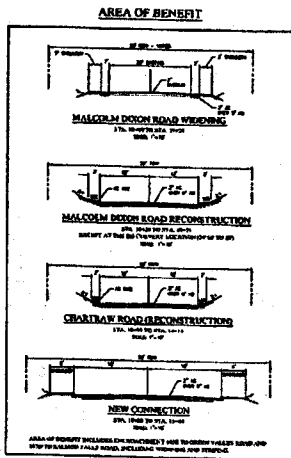
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 JULY 15, 2005



NORTH COAST RESOURCE MANAGEMENT
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EXHIBIT I: SALMON FALLS/GREEN VALLEY CIRCULATION PLAN (EXHIBIT X)

SALMON FALLS / GREEN VALLEY CIRCULATION PLAN
 EXHIBIT X
 EL DORADO COUNTY, CALIFORNIA
 OCTOBER, 1999



CTA Engineering - Surveying
 2000 Lincoln Street
 Colton, CA 95310
 (925) 438-0000
 Fax: (925) 438-0000

EXHIBIT J: Ag. Commission Recommendation

COUNTY OF EL DORADO



AGRICULTURAL COMMISSION

311 Fair Lane
Placerville, CA 95667
(530) 621-5520
(530) 626-4756 FAX
eldcag@co.el-dorado.ca.us

Howard Neilsen, Chair - Livestock Industry
Greg Boeger, Vice-chair - Agricultural Processing Industry
Edio Delfino - Fruit and Nut Farming Industry
David Pratt - Fruit and Nut Farming Industry
Lloyd Walker - Other Agricultural Interests
Gary Ward - Livestock Industry
John Winner - Forestry/Related Industries

MEMORANDUM

DATE: April 21, 2006

TO: Daniel Hamilton
Planning Services

FROM: Howard Neilsen
Chair

SUBJECT: Z 05-15 & TM 05-1401/Daniel Chartraw requesting to sub-divide a 40.07 acre Exclusive Agriculture (AE) zoned parcel to create eight (8) parcels and to rezone to Estate Residential Five-Acre (RE-5); Parcel is adjacent to agricultural lands in current operation

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During the Agricultural Commission's regularly scheduled meeting held on April 12, 2006, the following discussion and motion occurred regarding Daniel Chartraw's request to sub-divide and rezone a parcel.

Steve Burton informed the Commission that on April 5, 2006, he conducted a site visit on the subject parcel. The parcel is 40 acres, zoned AE, and is located in the El Dorado Hills area. The subject parcel, as well as the surrounding AE parcels, are not currently in agricultural production**, not in an Agricultural District, no longer in an active Williamson Act Contract, and contain no Prime/Choice Soils. The parcels to the East are all zoned RE-5 and the remaining AE parcels have been surrounded by residential uses. Any prior agricultural use of this land and the other AE parcels in this area would historically have been for grazing.

***Clerk's Note: "Parcel is adjacent to agricultural lands in current operation" as stated in the Agenda Item heading, was submitted by the Project Planner/Planning Services*

Robert Holderness, attorney representing the applicant, stated that the proposed project (1) Is consistent with the Rural Residential (RR) land use designation as identified in the General Plan and (2) Is consistent with General Plan Policy 8.1.4.1, as it will not produce conflicts between residential and agricultural uses as there are no agricultural operations in the vicinity. In addition, there are two (2) adjacent parcels, with different owners, that are also being planned for development.

Roger Trout notified the Commission that Mr. Holderness had misspoke regarding the land use designation. The parcel is actually Low Density Residential (LDR). Also, Mr. Trout stated that the General Plan Policy that needs to be addressed is actually 8.1.3.1, which states that agriculturally zoned lands, including Williamson Act properties, shall be buffered from

increase in density on adjacent lands by requiring a minimum of 10 acres for any parcel created adjacent to such lands. The issue, according to Mr. Trout, is that the old Dixon Ranch was a larger AE-zoned parcel that now has three (3) owners, which are developers, with only one (1) of the owners currently requesting a rezone and sub-divide. Under General Plan Policy 8.1.3.1, the adjacent AE-zoned parcels would require that the minimum parcel size created on the subject parcel would be 10 acres and not the requested 5 acre lots. Mr. Trout stated that he had recommended that all three (3) developers come together at the same time with a rezone and their tentative parcel maps so that Planning Services could coordinate the rezone at the same time and make the consistency findings if it was determined that the parcel(s) were no longer suitable for agriculture and grazing lands.

Joel Korotkin, attorney representing Alto, LLC, which owns an adjacent AE-zoned 80 acre parcel, stated that he had submitted a letter to the Ag Commission requesting that this item be continued until a pending legal dispute is resolved regarding an easement. The hearing on this dispute will be heard tomorrow morning, April 13, 2006, in El Dorado County Superior Court. Mr. Korotkin also stated that their parcel is ready to be developed. They are planning to bring a development application forward in the near future and would be interested in following Mr. Trout's recommendation by working cooperatively with the other developers to submit the applications together at the same time.

Several audience members voiced discontent over the rezone and the proposed residential development of the property. They were informed that the Agricultural Commission can only review and make recommendations on the agricultural elements of a project. Mr. Trout explained that the types of concerns that they are voicing can be addressed by the Planning Commission.

Bill Stephans informed the Commission that General Plan Policy 8.1.3.1 does not talk about "use" but about "agriculturally-zoned lands", which includes AE, and has nothing to do with the current use. Therefore, he agrees with Mr. Trout that the minimum 10 acre parcel requirement is appropriate under this policy.

It was moved by Mr. Winner and seconded by Mr. Pratt that the Agricultural Commission recommend denial of Daniel Chartraw's request to rezone and sub-divide (Z 05-15 & TM 05-1401) APN# 067-051-06 as it does not meet the requirements under General Plan Policy 8.1.3.1. Motion passed.

AYES: Boeger, Delfino, Walker, Pratt, Winner, Neilsen
NOES: None

If you have any questions regarding the Agricultural Commission's actions, please contact the Agriculture Department at (530) 621-5520.

HN:cmt

cc: Daniel Chartraw

REVISED-#2

EXHIBIT K



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

ENVIRONMENTAL CHECKLIST FORM AND DISCUSSION OF IMPACTS

Project Title: Z05-0015/TM05-1401 Malcolm Dixon Road Estates Subdivision

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

Contact Person: Michael C. Baron, El Dorado County

Phone Number: (530) 621-5355

Property Owner's Name and Address: Martin Boone, Omni Financial, LLC, 1260 41st street, Suite O, Capitola, Ca 95010

Project Applicant/Agent Name and Address: Kaycie Edwards, North Coast Resource Management, PO Box 339 Walnut Grove, Ca 95690

Project Engineer's / Architect's Name and Address: North Coast Resource Management, PO Box 339 Walnut Grove, Ca 95690

Project Location: On the north side of Malcolm Dixon Road 0.5 miles east of the intersection with Salmon Falls Road in the El Dorado Hills area, Supervisorial District IV.

Assessor's Parcel No(s): 126-100-23 (40.6 acres)

Zoning: Exclusive Agriculture

Section: 14 **T:** 10N **R:** 8E

General Plan Designation: Low Density Residential

Description of Project: The project includes a request for a Zone Change (Z05-0015) from Exclusive Agriculture (AE) to Estate Residential 5-acre and a Tentative Subdivision Map (TM05-1401) to create 8 single-family lots 5.0 acres in size, totaling 40 acres. Access to the proposed subdivision would be from a two gated encroachments off Malcolm Dixon Road to the south from an adjacent subdivision. A connection to Salmon Falls Road to the northwest would serve the development in the future. The project proposes to use public water and individual septic systems. In order for the project to be eligible for public water and fire services the property would be required to be annexed by LAFCO into the local water and fire districts.

Surrounding Land Uses and Setting:

	<u>Zoning</u>	<u>General Plan</u>	<u>Land Use</u> (e.g., Single Family Residences, Grazing, Park, School)
Site:	AE	LDR	single-family residence
North:	RE-5/PD	LDR	undeveloped
(Approved Tentative Subdivision Map TM06-1408 [Alto LLC], 23 residential lots, 3 open space lots)			
Northwest:	RE-5	LDR	undeveloped
(Approved Tentative Subdivision Map TM08-1463 [La Canãda], 47 residential lots, 2 open space lots)			
East:	RE-5	LDR	Rural residential development
South:	RE-5	LDR	undeveloped
(Approved Tentative Subdivision Map TM06-1421 [Diamante Estates], 19 residential Lots, 1 open space Lot)			
West:	RE-5	LDR	undeveloped
(Approved Tentative Subdivision Map TM06-1421 [Diamante Estates], 19 residential Lots, 1 open space lot)			

Briefly Describe the environmental setting: The project site is located north of Malcolm Dixon Road between Salmon Falls Road and Arroyo Vista Way in an unincorporated area of El Dorado County, northeast of El Dorado Hills, north of highway 50. There are three approved tentative subdivision maps (Alto, La Canada, and Diamante) either in close proximity to the project area or directly adjacent. There are a total of 89 residential lots approved under the three approved tentative subdivision maps that could potentially be developed in the future. The site is composed of grassy areas interspersed with oak trees on moderately sloping terrain and is situated at an elevation range of approximately 800 to 900 feet. The site generally slopes from the northeast to the southwest. There is one rural residence in the southwest corner of the site. Two abandoned buildings are situated on the property to the southwest and an existing rural residence is located adjacent to Malcolm Dixon Road in the southeast of the project site. There are several aquatic features on the site. Surrounding land uses include rural residences, pastureland, a new residential development to the northeast and oak savannah.

Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):

El Dorado County Environmental Management Department: Septic Permits
California Department of Fish and Game: Streambed Alteration Permits
El Dorado Irrigation District: Public Water Improvements
El Dorado County Department of Transportation: Road improvement Permits
El Dorado County Surveyors Office: Road Name Petitions and Addressing
El Dorado Hills Fire Department: Wildland Fire Safety and Fire Hydrants
LAFCO: Annexation into El Dorado Irrigation District (EID) and El Dorado Hills County Water District (El Dorado Hills Fire)
Central Valley RWQCB: Drainage and Runoff

PROJECT DESCRIPTION

Introduction

This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts resulting from the proposed residential project. The project would allow the creation of eight residential parcels.

Project Location and Surrounding Land Uses

The project site is located within the El Dorado Hills Area. The project site is surrounded by both developed and undeveloped residential parcels.

Project Characteristics

The project would create 8 residential parcels. Interior roads would be constructed within the project area for internal circulation with access onto Malcolm Dixon Road as well as future access to Salmon Falls Road through an adjacent subdivision to the northwest (the approved La Canada Subdivision).

1. Transportation/Circulation/Parking

Access to the subdivision would be provided via an encroachment onto Malcolm Dixon Road, a County maintained road and a future connection to Salmon Falls Road to the northwest (through the approved La Canada Subdivision). Each lot would be required to provide two parking spaces per parcel. Parking for each parcel would be provided within private garages. No impacts to parking would occur as part of the project.

2. Utilities and Infrastructure

The project site is currently undeveloped. Extension of utilities services would be required as part of conditions of Approval. The project would be required to receive the discretionary approval of the El Dorado Local Agency Formation Commission (LAFCO) for annexation into the El Dorado Irrigation District (EID) and El Dorado Hills County Water District (EDH Fire in order to receive public utility and fire protection services.

3. Population

The project would add approximately 23 people to the population in the immediate vicinity, assuming 2.8 persons per household.¹ Although the project does not propose multiple units on each lot, the County allows for the construction of secondary units within all zone districts that permit single-family residences. Consequently, the proposed project could eventually generate more than 8 residential units. Although, it is unlikely that all of the lots would be constructed to the maximum intensity, the project site could have up to 16 units and generate a population of 45 people, assuming 2.8 persons per unit.

4. Construction Considerations

Construction of the project would consist of both on and off-site road improvements including grading for on-site roadways and driveways.

5. CEQA Section 15152. Tiering- El Dorado County 2004 General Plan EIR

This Mitigated Negative Declaration tiers off of the El Dorado County 2004 General Plan EIR (State Clearing House Number 2001082030) in accordance with Section 15152 of the CEQA Guidelines. The El Dorado County 2004 General Plan EIR is available for review at the County web site at <http://www.co.el-dorado.ca.us/Planning/GeneralPlanEIR.htm> or at the El Dorado County Development Services Department located at 2850 Fairlane Court, Placerville, CA 95667. All determinations and impacts identified that rely upon the General Plan EIR analysis and all General Plan Mitigation Measures are identified herein. The following impact areas are tiering off the General Plan EIR:

- Air Quality
- Biological Resources
- Land Use/Planning
- Noise
- Population/Housing

The project applicant would be required to obtain permits for grading from Development Services and obtain an approved Fugitive Dust Plan from the Air Quality Management District.

Project Schedule and Approvals

This Initial Study is being circulated for public and agency review for a 30-day period. Written comments on the Initial Study should be submitted to the project planner indicated in the Summary section, above. Following the close of the written comment period, the Initial Study would be considered by the Lead Agency in a public meeting and would be certified if it is determined to be in compliance with CEQA. The Lead Agency would also determine whether to approve the project.

¹ El Dorado County General Plan, July 2004, Chapter 2 Land Use, Table 2-2, Page 19.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

	Aesthetics		Agriculture Resources		Air Quality
X	Biological Resources		Cultural Resources		Geology / Soils
	Hazards & Hazardous Materials		Hydrology / Water Quality		Land Use / Planning
	Mineral Resources		Noise		Population / Housing
	Public Services		Recreation		Transportation/Traffic
	Utilities / Service Systems		Mandatory Findings of Significance		

DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and 2) has been addressed by mitigation measures based on the earlier analysis as described in attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects: a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION**, pursuant to applicable standards; and b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: Pierre Rivas Date: 5-18-10

Printed Name: Pierre Rivas For: El Dorado County

Signature:  Date: 5/17/10

Printed Name: Michael C. Baron For: El Dorado County

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is a fair argument that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. the significance criteria or threshold, if any, used to evaluate each question; and
 - b. the mitigation measure identified, if any, to reduce the impact to less than significant.

ENVIRONMENTAL IMPACTS

I. AESTHETICS. <i>Would the project:</i>				
a. Have a substantial adverse effect on a scenic vista?				X
b. Substantially damage scenic resources, including, but not limited to, trees, rock				X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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I. AESTHETICS. <i>Would the project:</i>			
outcroppings, and historic buildings within a state scenic highway?			
c. Substantially degrade the existing visual character quality of the site and its surroundings?		X	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X	

Discussion:

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

- a. A review of the Important Public Scenic Views identified in the El Dorado County General Plan revealed that the only scenic vista near the project site would be from southbound Salmon Falls Road between Highway 49 and the Folsom Reservoir toward the south and west. The project site is located east of Salmon Falls Road and would not affect views at this scenic vista. The project site would not be visible from any other identified public scenic vista; therefore, the proposed project would have no impact on scenic vistas.
- b. The nearest state scenic highway to the project site would be Highway 50 from Placerville to South Lake Tahoe. The project site would be located several miles west of this portion of Highway 50 and would not be visible from the highway. The proposed project would have no impact on scenic resources within a state scenic highway.
- c. The project would create 8 new low density residential lots 5.0 acres in size. Development of these homes and supporting infrastructure, including the removal of existing vegetation, would result in a change to the existing visual character of the site. Adjacent land uses include existing and future development consisting of single family homes on one to ten acre parcels. The project would be an extension of existing, similar development and would not result in substantial changes to the visual character of the site and its surroundings. This impact would be considered less than significant.
- d. The project would consist of single-family residential development on lots 5 acres in size. The large lot size would allow for buffers between homes and adjacent uses. Additionally, the project would comply with Section 17.14.170 of the El Dorado County Zoning Ordinance, which contains outdoor lighting requirements, intended to control artificial light and glare to the extent that unnecessary illumination of adjacent property would be prohibited. These requirements include the shielding and downward direction of all outdoor lighting. These requirements would also reduce project impacts on night skies. This impact would be considered less than significant.

Findings: It has been determined that there would be no significant impacts to aesthetic or visual resources. Identified thresholds of significance for the aesthetics category have not been exceeded and no significant adverse environmental effects would result from the project.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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II. AGRICULTURE RESOURCES. <i>Would the project:</i>			
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Locally Important Farmland (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?		X	
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?		X	

Discussion:

A substantial adverse effect to Agricultural Resources would occur if:

- There is a conversion of choice agricultural land to nonagricultural use, or impairment of the agricultural productivity of agricultural land;
 - The amount of agricultural land in the County is substantially reduced; or
 - Agricultural uses are subjected to impacts from adjacent incompatible land uses.
- a. The project site is zoned Exclusive Agriculture, and has been historically used for grazing. There are two soil types within the project area; Auburn silt loam and Auburn very rocky silt loam. Neither of these soil types is listed as a Prime Farmland Soil or Farmland of Statewide Importance by the California Department of Conservation. The proposed project would not convert Prime Farmland, Unique Farmland of Statewide Importance, or Locally Important Farmland (Farmland). There would be no impact.
 - b. The proposed project would include the rezoning the site from Exclusive Agriculture (AE) to Estate Residential 5-Acre (RE-5). The project was reviewed and approved by the El Dorado County Agriculture Commission. The rezone would be consistent with the El Dorado County General Plan and is discussed further in Section IX, Land Use and Planning. The project site is not under a Williamson Act Contract. This impact would be less than significant.
 - c. Conversion of the project site from undeveloped grazing land to single family residential use would result in utility and roadway extensions, which may aid in the future development of other historic agricultural sites nearby. However, all lands immediately surrounding the site have a Low Density Residential General Plan Land Use Designation (Policy 2.2.1.5) and may be rezoned and to subdivide in accordance with the land use designation. Therefore, development of these sites was anticipated in the General Plan EIR and would be consistent with the General Plan. This impact would be considered less than significant.

Findings: It has been determined that there would be no significant impacts to agriculture resources. Identified thresholds of significance for the agricultural category have not been exceeded and no significant adverse environmental effects would result from the project.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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III. AIR QUALITY. <i>Would the project:</i>			
a. Conflict with or obstruct implementation of the applicable air quality plan?			X
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X
d. Expose sensitive receptors to substantial pollutant concentrations?			X
e. Create objectionable odors affecting a substantial number of people?			X

Discussion:

A substantial adverse effect on Air Quality would occur if:

- Emissions of ROG and No_x, will result in construction or operation emissions greater than 82lbs/day (See Table 5.2, of the El Dorado County Air Pollution Control District – CEQA Guide);
- Emissions of PM₁₀, CO, SO₂ and No_x, as a result of construction or operation emissions, will result in ambient pollutant concentrations in excess of the applicable National or State Ambient Air Quality Standard (AAQS). Special standards for ozone, CO, and visibility apply in the Lake Tahoe Air Basin portion of the County; or
- Emissions of toxic air contaminants cause cancer risk greater than 1 in 1 million (10 in 1 million if best available control technology for toxics is used) or a non-cancer Hazard Index greater than 1. In addition, the project must demonstrate compliance with all applicable District, State and U.S. EPA regulations governing toxic and hazardous emissions.

- a. The project site would be regulated by the El Dorado County Air Pollution Control District and the applicable air quality plan is the 1994 Sacramento Regional Clean Air Plan (State Implementation Plan). The updated air quality plan would be based on the growth projections and land use designations contained in the General Plans of each jurisdiction within the Sacramento region. The project would be consistent with the El Dorado County General Plan and would therefore be included in the updated air quality plan. Because growth resulting from the proposed project was anticipated and included in the air quality plan, no conflict would occur. Mitigation in the form of General Plan polices have been developed to mitigate impacts to less than significant levels for impacts associated with air quality. Cumulative impacts were previously considered and analyzed. In this instance, adherence to General Plan Policy 6.7.7.1 shall mitigate impacts to air quality to less than significant levels.
- b. The El Dorado County Air Quality Management District (AQMD) reviewed the project and determined that with the implementation of six standard Conditions of Approval, as required by Ordinance, the project would have a less than significant impact on the air quality. As part of the conditions, a fugitive dust plan application must be prepared and submitted to the AQMD prior to earth disturbance. The project could

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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result in the generation of green house gasses, which could contribute to global climate change. However, the amount of greenhouse gases generated by the project would be negligible compared to global emissions or emissions in the county, so the project would not substantially contribute cumulatively to global climate change. These measures are included as conditions of project approval and would reduce any impacts in this category to a level of less than significant.

- c. The Mountain Counties Air Basin is designated by the California Air Resources Board as "ozone impacted." El Dorado County is currently in federal and state severe non-attainment for ozone levels and state non-attainment for PM₁₀. Additionally, the project site would be within the boundaries of the El Dorado County portion of the area designated by the U.S. Environmental Protection Agency (EPA) as the Sacramento Federal Ozone Non-attainment Area. As discussed above, the project would not exceed quantitative thresholds for ozone precursors. The project would not result in an individual or cumulatively considerable net increase of any criteria pollutant. The potential impact would be considered less than significant.
- d. Sensitive receptors are considered residences, schools, parks, hospitals, or other land uses where children or the elderly congregate, or where outdoor activity is the primary land use. Sensitive receptors within the vicinity of the project site may consist of residences on adjacent lands. As noted in Response (a) above, neither the construction nor operation of the proposed project would result in substantial increases in pollutant concentrations. Once developed, the project site would contain residences which are considered sensitive receptors. However, no sources of substantial pollutant concentrations are located in the vicinity of the project site. Thus potential impacts would be considered to be less than significant.
- e. Future Construction activities would involve the use of a variety of gasoline or diesel powered engines that emit exhaust fumes. Asphalt paving as well as the application of architectural coatings are also sources of construction-related odors. However, construction-related emissions would occur intermittently throughout the workday, and the exhaust odors would dissipate rapidly within the immediate vicinity of the equipment. Operation of the proposed project would involve the use of products for home maintenance such as paints or fertilizers and other landscaping materials. Odors created by home maintenance activities would be minimal, would quickly dissipate and would not differ substantially from those created by surrounding land uses. This impact would be considered less than significant.

Findings: It was determined that a less than significant impact would result from the project in that no sensitive receptors would be adversely impacted, no objectionable odors would be created and the project would not obstruct the implementation of the El Dorado County California Clean Air Act Plan. Based on the inclusion of standard conditions of approval and implementation of General Plan policies, no significant adverse environmental effects would result from the project.

IV. BIOLOGICAL RESOURCES. <i>Would the project:</i>			
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X	
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife			X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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IV. BIOLOGICAL RESOURCES. <i>Would the project:</i>			
Service?			
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X

Discussion:

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

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

a. The parcel immediately to the west of the proposed project site was found to contain suitable habitat for special status species. The primary biological community found on adjacent site is mixed oak woodland. Oak woodland is characterized by an overstory dominated by interior live oak and scatterings of foothill pine, blue oak and California black oak. Understory vegetation may include chaparral honeysuckle, poison-oak, toyon and monkeyflower, but is generally dominated by species found in adjacent and interspersed grassland areas. Scattered areas of annual grassland occur within large openings in the oak canopy and in the southernmost areas of the site. The project site has a less dense woodland canopy and is comprised of larger grassland areas than the adjacent site; however the proximity of the project site to adjacent property, and the suitable habitat found there is reasonable evidence to assume the project site itself contains suitable habitat for the special status species discussed below. The project site is expected to support a wide diversity of wildlife due to the likely availability of nesting sites, escape, thermal cover and abundant food. The following special status species are expected to occur within the site. These species and their habitat were not directly observed within the project site, but their presence is highly likely, due to the presence of suitable nesting and foraging habitat on the adjacent property.

Cooper's hawk and other raptors: Based on the presence of suitable nesting and foraging habitat on the adjacent property, Cooper's hawk is expected to have a reasonable potential for occurring on the project site. Project implementation could therefore result in a disturbance of breeding and nesting of this species if

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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construction occurs at any time during the typical breeding season (approximately March 1 through August 31). Nesting of other raptors known from the region, including red-shouldered hawk, red-tailed hawk, and great horned owl, could also be adversely affected if construction takes place during the identified breeding/nesting season. Take of any active raptor nest is prohibited under Fish and Game Code Section 3503.5.

MITIGATION MEASURE BIO-1

To avoid take of active raptor nests, pre-construction surveys shall be conducted by a qualified biologist no more than 30 days prior to initiation of proposed development activities. Survey results shall then be submitted to CDFG. If active raptor nests are found on or immediately adjacent to the site, consultation shall occur with CDFG to determine appropriate avoidance measures. If no nesting is found to occur, necessary tree removal could then proceed.

Special Status Plants: The site contains habitats which may support special status plants including Big-scale balsam root, Brandegees clarkia, and Tuolumne button-celery. Site surveys conducted in the fall on adjacent properties did encounter these species, but surveys conducted in the spring would provide more conclusive results.

MITIGATION MEASURE BIO-2

Special status plant surveys to determine presence or absence of these species should take place in May or June. Vegetation surveys would follow protocol guidelines issued by the California Department of Fish and Game. These guidelines state that surveys for special status plants be done at the appropriate times of the year, and that all individuals observed be identified to the extent necessary to determine whether it is a special status species.

Incorporation of the above mitigation measures would reduce impacts to candidate, sensitive and special status species to less than significant.

- b. There may be riparian habitat associated within drainage areas within the project site. Implementation of the proposed project may result in impacts and/or the alteration of these areas due to the construction of roads, homes and other project elements. Interim policy 7.3.3.4 of the 2004 El Dorado County General Plan, Conservation and Open Space Element, addresses buffers and setbacks for the protection of riparian areas and wetlands. Policies adopted in this element serve to guide the design of new development and shall be incorporated into the proposed project. Additional policies pertaining to dredge and fill and stream bed alteration are discussed in impact c. below. Adherence to the above policies would ensure impacts to riparian areas are less than significant.
- c. The on-site drainages are tributaries to New York Creek, which is to the west of the project site and is a tributary to the American River. Any dredging, filling, removal or other alterations to wetlands or waters of the United States found within the project site would require permitting pursuant to sections 401 and 404 of the Federal Clean Water Act. Additionally, Under CA Department of Fish and Game (DFG) Code Section 1602, a discretionary Stream-bed Alteration Agreement permit may be required for any construction activities that would substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake designated by the DFG. The state and Federal regulations governing the protection of wetlands are sufficient to ensure these impacts would be considered less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- d. There are Migratory Deer Herd Habitats within some areas of El Dorado County. The project site does not include, nor is it adjacent to any migratory deer herd habitats as shown in exhibit 5.12-7 of the El Dorado County General Plan EIR. This impact would be considered less than significant.
- e. Oak Woodlands and Heritage Trees are protected within El Dorado County. 149 trees are present on the site, including 135 blue oak, 9 interior live oaks, 2 foothill pines and 3 California buckeyes. The aggregate DBH for these trees are 2,750, 185, 65 and 95 inches respectively. Sierra Nevada Arborists has recommended removal of nine trees from the project site (some or all of these trees are structurally defective). Additional oak trees may be removed during the construction of driveways and homes within the project site. All oak tree removal would be subject to El Dorado County General Plan Policies relating to oak woodlands, including policies 7.4.4.4, 7.4.4.5, 7.4.5.1 and 7.4.5.2. Incorporation of these guidelines into the project plan would reduce impacts to oak woodlands to less than significant.
- f. Protected and sensitive and natural resources/areas within El Dorado County include: Recovery Plan Area for California Red-legged Frog, Pine Hill Preserve, Migratory Deer Herd Habitats and Sensitive Terrestrial Communities as listed in the California Natural Diversity Database and shown in exhibit 5.12-7 of the El Dorado County General Plan EIR. However, the project site does not include, nor is it adjacent to any of these Protected and Sensitive Natural Habitat areas. This impact is less than significant.

Findings: Potential impacts could result to biological resources due to the proposed project. The project could impact threatened, sensitive or rare animal species. Implementation of mitigation measures identified above would reduce these potential impacts to biological resources to less than significant. Impacts to riparian habitat, wetlands, and migratory wildlife habitats, as well as conflicts with community conservation plans and habitat conservation plans have been determined to be less than significant. It has been determined that the proposed project would result in less than significant impacts to biological resources with the incorporation of the above mentioned mitigation measures.

V. CULTURAL RESOURCES. <i>Would the project:</i>				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?			X	
b. Cause a substantial adverse change in the significance of archaeological resource pursuant to Section 15064.5?			X	
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d. Disturb any human remains, including those interred outside of formal cemeteries?			X	

Discussion:

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

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- Disrupt, alter, or adversely affect a prehistoric or historic archaeological site or a property or historic or cultural significant to a community or ethnic or social group; or a paleontological site except as a part of a scientific study;
- Affect a landmark of cultural/historical importance;
- Conflict with established recreational, educational, religious or scientific uses of the area; or
- Conflict with adopted environmental plans and goals of the community where it is located.

a, b & d

The applicant submitted a "Record Search" prepared by North Central Information Center, dated May 17, 2005 that reported there was a low-to-moderate possibility of identifying prehistoric and historic-period cultural resources sites, artifacts, historic buildings, structures or objects found. Because of the possibility in the future that ground disturbances could discover significant cultural resources, the project would require standard conditions that would reduce the impacts to less than significant.

- c No paleontological resources or unique geological features were identified on the project site. The County 2004 General Plan states that paleontological resources are unlikely to be encountered in El Dorado County. Paleontological remains are found in sedimentary rock formations, which are virtually nonexistent in the County. The impacts would be less than significant.

Finding: The project site would be located outside of a designated cemetery and the potential to find historic, archaeological, prehistoric, and/or human remains would not be likely. By implementing typical discovery procedures as conditions in the project permit, any chance of an accidental discovery would be accounted for during grading and/or improvement activities and impacts to the 'Cultural Resources' category would be less than significant.

VI. GEOLOGY AND SOILS. <i>Would the project:</i>				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b. Result in substantial soil erosion or the loss of topsoil?			X	
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) creating substantial risks to life or property?			X	

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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VI. GEOLOGY AND SOILS. <i>Would the project:</i>			
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X

Discussion:

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

- Allow substantial development of structures or features in areas susceptible to seismically induced hazards such as groundshaking, liquefaction, seiche, and/or slope failure where the risk to people and property resulting from earthquakes could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards;
 - Allow substantial development in areas subject to landslides, slope failure, erosion, subsidence, settlement, and/or expansive soils where the risk to people and property resulting from such geologic hazards could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards; or
 - Allow substantial grading and construction activities in areas of known soil instability, steep slopes, or shallow depth to bedrock where such activities could result in accelerated erosion and sedimentation or exposure of people, property, and/or wildlife to hazardous conditions (e.g., blasting) that could not be mitigated through engineering and construction measures in accordance with regulations, codes, and professional standards.
- a. El Dorado County does not appear on the Alquist-Priolo lists for affected counties; however, due to the large number of seismic areas in California, the project site would experience some minimal activity during seismic events. The impacts from fault ruptures, seismically induced ground shaking, or seismic ground failure or liquefaction are considered to be less than significant. Any potential impact caused by locating structures in the project area would be offset by compliance with the Uniform Building Code earthquake standards. There are no slopes on the site exceeding 29%, so there would be no building or grading on slopes with grades of 30% or greater, reducing the potential for mudslides or landslides to less than significant. This impact is less than significant.
 - b. Road building and potential building sites for homes would occur on grades of up to 30%. These activities could alter drainage patterns in the project area, causing erosion or loss of topsoil. All grading activities must comply with the El Dorado County Grading, Erosion, and Sediment Control Ordinance. Adherence to these regulations would reduce any potential impact to less than significant.
 - c. The project is located on a moderately-sloping site in El Dorado County. The potential for earthquake or ground shaking activity is low in the region due to the lack of faults or geologically active sites in the area. The potential for impacts related to the stability of the soils or lands is low because of this lack of geologic activity. Therefore, impacts resulting from potentially unstable soils would be considered less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- d. The proposed project site is located on areas of Auburn Silt Loam and Auburn Very Rocky Silt Loam. These soil types are very low in clay content and are not considered expansive. Therefore impacts would be considered less than significant.
- e. The project proposes individual septic systems to treat wastewater generated by the 8 potential new homes on the site. The El Dorado County Department of Environmental Health is responsible for protecting public health and the environment from the potential adverse health and environmental impacts associated with on-site individual sewage disposal systems. The El Dorado County Department of Environmental Health has required:

Each proposed parcel shall have a site evaluation and soil test trench dug to a depth of at least 7½ feet, to demonstrate the parcels capability for sewage disposal.

Each proposed parcel shall have the sewage disposal area delineated on the parcel map. The sewage disposal area shall not be in the building envelope, wetland areas, and shall be outside all setback areas.

Review of proposed sewage disposal areas, and applicable permits and additional regulations are sufficient to ensure sewage disposal does not occur on sites that are not suitable. This impact would be considered less than significant.

Findings: It has been determined that there would be no significant impacts to geologic resources, nor any significant impacts resulting from placing people or structures in the vicinity of geologic hazards. Identified thresholds of significance for the geology and soils category have not been exceeded and no significant adverse environmental effects would result from the project.

VII. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i>			
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	X		
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	X		
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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VII. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i>			
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X

Discussion:

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

- Expose people and property to hazards associated with the use, storage, transport, and disposal of hazardous materials where the risk of such exposure could not be reduced through implementation of Federal, State, and local laws and regulations;
 - Expose people and property to risks associated with wildland fires where such risks could not be reduced through implementation of proper fuel management techniques, buffers and landscape setbacks, structural design features, and emergency access; or
 - Expose people to safety hazards as a result of former on-site mining operations.
- a. Hazardous materials would be used in the construction of homes and improvements associated with the project. During times of construction, these materials would be transported to and from the project site. The safe transport and use of these materials is required by federal law, and safety information for all such products is included on packaging materials and labels. The temporary transport and use of these materials by construction personnel does not result in significant adverse health impacts in typical circumstances. This impact would be less than significant.
 - b. Hazardous materials would be used in the construction of homes and improvements associated with the project. The temporary transport and use of these materials by construction personnel does not result in significant adverse health impacts in typical circumstances. There are no existing features within the project site or surrounding area that would result in reasonably foreseeable accident situations. This impact would be less than significant.
 - c. There are no schools within ¼ mile of the proposed project site. There would be no impact.
 - d. The site is not located on a known hazardous materials property, as identified on State and Federal databases. The site has been in use as rural lands and rural residential property for its known history. There would be no impact.
 - e. The nearest airport to the proposed project site is Cameron Park Airport, which is five miles away from the project site. There would be no impact.
 - f. There are no private airports or airstrips within two miles of the project site. There would be no impact.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- g. The proposed project includes the extension of one road within the project site, connecting to Malcolm Dixon Road, through adjacent property, south of the project site. This road would increase access to and from the area, and therefore provide more infrastructure for emergency response and evacuation. This impact would be considered less than significant.
- h. The site would be located within a relatively rural area, with grasslands and vegetation capable of supporting or spreading a wildland fire. CalFire has established a fire hazard severity classification system, which assesses the fire potential for wildlands based on three factors: fuel load, climate, and topography. The classification system provides three classes of fire hazards: Moderate, High, and Very High. According to Figure HS-1 of the El Dorado County General Plan, the project site would be within an area classified as High fire hazard severity. In compliance with CalFire regulations, the County requires the creation of defensible space around structures and roads. In order to comply with the state's defensible space requirement, the project must incorporate the following design features:
 1. Clearance of 30-100 feet of flammable vegetation from around buildings; on steeper parcels, fire safe Clearance requirements are determined by the local fire protection agency;
 2. Removal of branches from within 10 feet of a chimney; and
 3. Removal of all flammable vegetation from roof tops, including dry leaves and pine needles.

In addition to the above requirements, all buildings within the project area must comply with Chapter 8.08 of the El Dorado County Code, also known as the County Fire Hazard Ordinance, which includes rules and regulations covering emergency access, signing and numbering, and emergency water. The project has also been conditioned to require the preparation and implementation of a Wildland Fire Safety Plan by a licensed professional. Compliance with existing regulations would reduce the potential impact to less than significant.

Findings: It has been determined that there would be no significant impacts resulting from hazardous materials nor would the project result in exposure of schools or other sensitive areas to hazardous materials. There are no airports or dangerous intersections which would impact the project. Impacts in this category would be reduced with adherence to all existing, applicable safety regulations and policies. Identified thresholds of significance for the hazards category have not been exceeded and no significant adverse environmental effects would result from the project.

VIII. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i>			
a. Violate any water quality standards or waste discharge requirements?			X
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or -off-site?			X
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase			X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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VIII. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i>			
the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?		X	
f. Otherwise substantially degrade water quality?		X	
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X
j. Inundation by seiche, tsunami, or mudflow?			X

Discussion:

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

- Expose residents to flood hazards by being located within the 100-year floodplain as defined by the Federal Emergency Management Agency;
 - Cause substantial change in the rate and amount of surface runoff leaving the project site ultimately causing a substantial change in the amount of water in a stream, river or other waterway;
 - Substantially interfere with groundwater recharge;
 - Cause degradation of water quality (temperature, dissolved oxygen, turbidity and/or other typical stormwater pollutants) in the project area; or
 - Cause degradation of groundwater quality in the vicinity of the project site.
- a. The project is located outside the County's Community Region boundary; therefore General Plan Policy 5.3.1.1 allows for projects to rely on on-site septic systems. Subject to LAFCO's Discretionary approval the project would be annexed into the El Dorado Irrigation Service District for water service based on the EID Facilities Improvement Letter (FIL) dated November 2, 2009. The facility diagram attached to the FIL indicates that there would be no available sewer lines within the immediate vicinity of the project. Therefore, the project would be serviced by individual septic systems. Further, the El Dorado County Department of Environmental Management would be responsible for protecting public health and the environment from the potential adverse impacts associated with on-site, individual sewage disposal systems. The proposed project's septic system design would be reviewed by the Department to ensure compliance with County Ordinance Chapter 15.32, Private Sewage Disposal System, as well as County Resolution No. 259-99, Design Standards for the Site Evaluation and Design of Sewage Disposal Systems.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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Review by the Department of Environmental Management and compliance with the existing regulations would ensure that all septic systems constructed as part of the project would function properly and would not violate any water quality standards or waste discharge requirements. Therefore, the potential impacts would be less than significant.

- b. Subject to LAFCO's discretionary approval, water service for the proposed project would be provided by the El Dorado Irrigation District. The District obtains water entirely from surface water sources. Therefore, the eventual construction of single family dwellings would not substantially deplete groundwater supplies. Groundwater recharge rates on the project site are low, due to the nature of the soils and the steepness of the slopes and would only be minimally altered as a result of the proposed project. The potential impacts would be considered less than significant.
- c. Impacts to the project site and nearby waterways would consist of changes in grading and the creation of impervious surfaces associated with the construction of roads, new homes and driveways. Dischargers whose projects disturb one or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity. Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). Section A of the Construction General Permit describes the elements that must be contained in a SWPPP including, site map(s), Best Management Practices (BMPs), a visual and chemical monitoring program; and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment. Implementation of a SWPPP would reduce this impact to less than significant.
- d. The project site is moderately sloped. There are four drainage basins originating within, or draining into the site. Drainage basins 1, 2, 3 and 4 all drain to the west and eventually into New York Creek, which is a tributary to the South Fork of the American River. These four basins cover 32.37 acres, 18.70 acres, 23.75 acres, and 6.41 acres, respectively. Additional drainage from the project would result due to improvements to Malcolm-Dixon Road. This would create additional impervious surfaces; however areas close to the road would drain into drainage basin 1, and the increase in water volume resulting from road improvements would not be considered significant.

Groundwater recharge rates on the project site are normally low, due to the nature of the soils and the steepness of the slopes and would only be minimally altered as a result of the proposed project. Minor alterations would be made to drainage patterns on the project site due to changes in grading and the creation of impervious surfaces associated with new roads, homes and driveways. However, water would be channeled through drainage ditches along roads and through culverts under roads, the placement of which would coincide with existing drainage patterns. County standards related to septic design requires that septic systems be constructed under at least a twelve inch soil depth. In addition a 100 foot setback from year round streams is required. Soil filtration for standard septic systems occurs within three feet (*County standards require five feet of filtration*), therefore it would ensure that mixing of surface runoff and septic discharge would not negatively impact New York Creek. The project would not result in substantial changes in drainage volumes or patterns, from the site into New York Creek, nor would the proposed project result in on- or off-site flooding. This impact would be less than significant.

- e. According to the drainage study prepared for the proposed project, the carrying capacities of existing natural drainage ways would be unaffected by project implementation.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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Pollutant discharges from construction activities would be minimized through the implementation of an approved SWPPP (see Response (c) above). Once the project site has been developed, pollutant discharges to waterways, including automotive greases and oils, heavy metals, pesticides and fertilizers, may increase due to runoff flowing over project driveways, roads, and landscaped areas. Operational phase stormwater pollution would not be regulated by the Clean Water Act; however, El Dorado County has developed programs to inform residents of ways to minimize polluted runoff from lawn care, septic system maintenance, auto care, and landscaping activities. The proposed project would not be expected to provide substantial additional sources of polluted runoff. This impact would be considered less than significant.

- f. Impacts to water quality resulting from the proposed project are addressed by regulations and permit requirements including an SWPPP, dredge and fill permits, construction set-back requirements and Best Management Practices. Impacts to water quality are discussed in detail in this section as well as the Biological Resources section of this Mitigated Negative Declaration. There are no additional impacts that would otherwise substantially degrade water quality. This impact would be less than significant.
- g. The project site is not located within a 100-year floodplain (Flood Zone C; Federal Emergency Management Agency Flood Insurance Rate Map Panel 060040 0700 D; areas of minimal flooding). There would be no impact.
- h. The project site is not located within a 100-year floodplain (Flood Zone C; Federal Emergency Management Agency Flood Insurance Rate Map Panel 060040 0700 D; areas of minimal flooding). There would be no impact.
- i. The closest dams and levees to the project site are Cameron park dam and dams and levees on Folsom Lake. This site is two miles uphill from Folsom Lake. Additionally, failure of Folsom Dam is considered remote. The inundation area of the Cameron Park dam failure map does not include this area. There would be no impact.
- j. The project area is not near a body of water large enough to generate a seiche, tsunami, or mudflow. The nearest large bodies of water are Lake Tahoe and Folsom Lake. Neither is close enough or large enough to pose seiche risk. Mudflow on this type of soil is unlikely, see geology and soils section. There would be no impact.

Findings: It has been determined that there would be no significant impacts to hydrology or water quality. Identified thresholds of significance for the hydrology and water quality category have not been exceeded and no significant adverse environmental effects would result from the project.

IX. LAND USE PLANNING. <i>Would the project:</i>			
a. Physically divide an established community?			X
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?			X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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Discussion:

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

- Result in the conversion of Prime Farmland as defined by the State Department of Conservation;
 - Result in conversion of land that either contains choice soils or which the County Agricultural Commission has identified as suitable for sustained grazing, provided that such lands were not assigned urban or other nonagricultural use in the Land Use Map;
 - Result in conversion of undeveloped open space to more intensive land uses;
 - Result in a use substantially incompatible with the existing surrounding land uses; or
 - Conflict with adopted environmental plans, policies, and goals of the community.
- a. The project would introduce housing into a partially developed area and require rezoning agricultural land to residential use. The El Dorado County 2004 General Plan Environmental Impact Report analyzed potential build-out and housing stock for the County by 2025. General Plan Policy 2.9.1.2 requires that every five years, as part of the General Plan review and update, actions be taken to decrease forecasted impacts in areas where higher intensity development is found to have a market demand. A study conducted by Bay Area Economics in June 2006 concluded that “Based on the actual growth rates within El Dorado County since 2002 compared to the growth projections contained in the Land Use Forecast Report, growth assumptions in the Land Use Forecast Report are reliable, and in fact somewhat conservative from an environmental impact standpoint.” Within four years of General Plan adoption, the growth rate for second dwelling units is at 4 percent of the estimated growth rate for each alternative. The surrounding area is residential in nature and the character of land use would not be significantly altered by the proposed project. The project would not divide an established community and thus the potential impact would be considered less than significant.
 - b. The project includes the Rezoning of the site from Exclusive Agriculture (AE) to Estate Residential 5-Acre (RE-5). The El Dorado County General Plan land use designation for the project site is Low Density Residential (General Plan Policy 2.2.1.2). The project would be consistent with this land use designation and would not require a General Plan Amendment.
 - c. Protected and sensitive natural areas within El Dorado County include: Recovery Plan Area for California Red-legged Frog, Pine Hill Preserve, Migratory Deer Herd Habitats and Sensitive Terrestrial Communities as listed in the California Natural Diversity Database. The project site does not include, nor is it adjacent to any of these Protected and Sensitive Natural Habitat areas. Therefore there would be no potential impact.

Findings: It has been determined that there would be no significant impacts to land uses. The proposed project would change the zoning for the proposed site from agricultural to residential, however this would not result in significant impacts. Identified thresholds of significance for the aesthetics category have not been exceeded and no significant adverse environmental effects would result from the project.

X. MINERAL RESOURCES. <i>Would the project:</i>				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b. Result in the loss of availability of a locally-important mineral resource				X

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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X. MINERAL RESOURCES. <i>Would the project:</i>			
recovery site delineated on a local general plan, specific plan or other land use plan?			

Discussion:

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

- Result in obstruction of access to, and extraction of mineral resources classified MRZ-2x, or result in land use compatibility conflicts with mineral extraction operations.
- a. The project site is not located within the overlay zone designated in the Zoning Ordinance for areas with known mineral resources. There is no impact.
- b. The project would not limit the ability of property owners to extract mineral resources should such resources become known in the future. There is no impact.

Findings: It has been determined that there would be no significant impacts to mineral resources. Identified thresholds of significance for the mineral resources category have not been exceeded and no significant adverse environmental effects would result from the project.

XI. NOISE. <i>Would the project result in:</i>			
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise level?			X
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			X

Discussion:

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

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- Result in short-term construction noise that creates noise exposures to surrounding noise sensitive land uses in excess of 60dBA CNEL;
 - Result in long-term operational noise that creates noise exposures in excess of 60 dBA CNEL at the adjoining property line of a noise sensitive land use and the background noise level is increased by 3dBA, or more; or
 - Results in noise levels inconsistent with the performance standards contained in Table 6-1 and Table 6-2 in the El Dorado County General Plan.
- a. Noise would be generated on the site from construction associated with the new homes and improvements to the roadways and driveways. This noise generation would be required to comply with the County's noise ordinance, limiting the amount and duration of noise produced in residential areas. Construction times are limited to daytime hours, and the noise generation would be intermittent and temporary in nature. This impact would be considered less than significant.
 - b. Ground borne vibrations are associated with heavy vehicles (i.e. railroad) and with heavy equipment operations. All noise generation due to construction activities would be required to comply with the County's noise ordinance. Vehicle traffic generated by the Project would be typical of traffic generated by the adjacent residential uses; passenger cars and trucks, which are not a source of significant vibration. The impact would be considered less than significant.
 - c. The noise generated during construction would be temporary in nature. Subdivision of the land and construction and operation of the 8 additional homes would result in periodic noise generation from the use of vehicles, noises generated on home sites, and landscape maintenance. The overall effect on the ambient noise level would be considered than significant.
 - d. As noted above, the construction aspects of the project would result in a temporary increase in noise levels. The increase associated with this construction would be relative to the type of equipment used in residential construction which does not result in significant noise generation. This noise generation would be required to comply with the County's noise ordinance, limiting the amount and duration of noises produced in residential areas. Construction times are limited to daytime hours, and the noise generation would be intermittent and temporary in nature. The impacts would be considered less than significant.
 - e. The project site is not located within an airport land use plan or within two miles of an airport. Cameron Park Airport is the nearest airport to the project area and is five miles away. The project site is located outside of the 55dB CNEL area on the airport noise contour map for Cameron Park Airport. There would be no impact.
 - f. The project site is not located within two miles of a private airstrip. There would be no impact.

Findings: It has been determined that there would be no significant impacts due to noise. The project would increase ambient noise levels during construction; however, this is mitigated by limiting the hours of operation. Additional noise increases would result from implementation of the project, however, identified thresholds of significance for the noise category have not been exceeded and no significant adverse environmental effects would result from the project.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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XII. POPULATION AND HOUSING. <i>Would the project:</i>			
a. Induce substantial population growth in an area, either directly (i.e., by proposing new homes and businesses) or indirectly (i.e., through extension of roads or other infrastructure)?			X
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			X
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?			X

Discussion:

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

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

a,b,c. To avoid impacts associated with an increase in population growth potential displacement of housing or residents, General Plan Policy 2.9.1.2 requires that every five years, as part of the General Plan review and update, actions can be taken to decrease forecasted impacts in areas where higher intensity development is found to have a market demand. A recent study conducted by Bay Area Economics in June 2006 concluded that "Based on the actual growth rates within El Dorado County since 2002 compared to the growth projections contained in the Land Use Forecast Report, it appears that the growth assumptions in the Land Use Forecast Report are reliable, and in fact somewhat conservative from an environmental impact standpoint." The proposed project could include up to 16 residential units. Assuming 2.8 persons per household² in the primary units, population could increase by approximately 23 persons. Assuming all residential units include a primary and secondary unit, the population could increase to approximately 45 persons. Assuming growth beyond the primary units the additional population would not be considered a significant population growth. Therefore, potential impacts as a result of increased population and displacement of housing or residents would be considered less than significant.

Findings: It has been determined that there would be no significant impacts to population or housing. The project would not substantially increase the population, nor displace housing or residents. Identified thresholds of significance for the population and housing category have not been exceeded and no significant adverse environmental effects would result from the project.

² El Dorado County General Plan, July 2004, Chapter 2 land Use, Table 2-2, Page 19.

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XIII. PUBLIC SERVICES. <i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>			
a. Fire protection?			X
b. Police protection?			X
c. Schools?			X
d. Parks?			X
e. Other government services?			X

Discussion:

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

- Substantially increase or expand the demand for fire protection and emergency medical services without increasing staffing and equipment to meet the Department's/District's goal of 1.5 firefighters per 1,000 residents and 2 firefighters per 1,000 residents, respectively;
- Substantially increase or expand the demand for public law enforcement protection without increasing staffing and equipment to maintain the Sheriff's Department goal of one sworn officer per 1,000 residents;
- Substantially increase the public school student population exceeding current school capacity without also including provisions to adequately accommodate the increased demand in services;
- Place a demand for library services in excess of available resources;
- Substantially increase the local population without dedicating a minimum of 5 acres of developed parklands for every 1,000 residents; or
- Be inconsistent with County adopted goals, objectives or policies.

- a. Upon Annexation, Fire protection for the project site would be currently provided by the California Department of Forestry and Fire. El Dorado Hills County Water District (El Dorado Hills Fire Department). The project site would be annexed, through discretionary approval of LAFCO, into the El Dorado Hills Fire Department and would be within the Department's Response Zone 84b. The closest fire station to the project site would be Station 84 located at 2180 Francisco Drive just over one mile west of the project site. The development and annexation of new homes in the District would result in an increased demand for services but would not significantly impact the Department. The applicant would be responsible for the payment of development fees to the District which would help fund required capitol improvements. Additionally, a portion of property taxes collected from the proposed development would fund ongoing operations of the Department. With annexation into the Department and payment of fees, this impact would be less than significant.
- b. The El Dorado County Sheriff's Department would provide law enforcement services to the proposed development. The El Dorado Hills Satellite Sheriff Station is located at 981 Governors Drive approximately three miles southwest of the project site. The development of new homes on the project site would result in an increase in calls for service but would not significantly impact the Department. The project applicant would be responsible for the payment of development fees to the Department to offset any project impacts. As a result, this impact would be considered less than significant.

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- c. The project site would be located within the Rescue Union School District and the El Dorado Union High School District. The occupancy of proposed residences may result in new enrollments at local schools. Under Senate Bill 50, school districts can levy developer fees from residential construction to pay for school improvements. Fees would be assessed as part of the County's building permit process and are sufficient to offset any project impacts to the school district resulting in a less than significant impact.
- d. Park and recreation services would be provided by the County and special districts, which maintain facilities within the County. It should be noted that although the subdivision is not within the service boundaries of the El Dorado Hills Community Services District and no property tax increment would be allotted to the District, future residents would likely use the District's parks and recreation facilities, creating a "free-rider" situation. There are numerous parks located within five miles of the project site with a total area of over 50 acres. The applicant would be required to dedicate land or pay a fee pursuant to Section 16.12.090 of the County Subdivision Ordinance to mitigate the increased demand for parkland. Thus, this impact would be considered less than significant.
- e. No other government services would be adversely affected by the project and any potential impacts are less than significant.

Findings: It has been determined that there would be no significant impacts to public services. There are adequate police, fire, school, park, and other public services available to serve the proposed project without resulting in significant impacts to the physical environment. Identified thresholds of significance for the public services category have not been exceeded and no significant adverse environmental effects would result from the project.

XIV. RECREATION.				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Discussion:

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

- Substantially increase the local population without dedicating a minimum of 5 acres of developed parklands for every 1,000 residents; or
 - Substantially increase the use of neighborhood or regional parks in the area such that substantial physical deterioration of the facility would occur.
- a. Park and recreation services would be provided by the County and special districts, which maintain facilities within the County. Using the standard of five acres of parkland for every 1,000 residents, this project would result in the demand for less than one acre of new parkland. The project applicant would be required to dedicate land or pay a fee pursuant to Section 16.12.090 of the County Subdivision Ordinance

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to mitigate the increased demand for parkland. As a result, this impact would be considered less than significant.

- b. The project does not include nor require the construction or expansion of recreational facilities. There would be no impact.

Findings: It has been determined that there would be no significant impacts to recreational resources. The project applicant would be required to dedicate land or pay a fee to offset impacts to community park facilities. Identified thresholds of significance for the recreation category have not been exceeded and no significant adverse environmental effects would result from the project.

XV. TRANSPORTATION/TRAFFIC. <i>Would the project:</i>				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X	
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e. Result in inadequate emergency access?			X	
f. Result in inadequate parking capacity?			X	
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

Discussion:

A substantial adverse effect on Traffic would occur if the implementation of the project would:

- Result in an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system;
 - Generate traffic volumes which cause violations of adopted level of service standards (project and cumulative); or
 - Result in, or worsen, Level of Service "F" traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county as a result of a residential development project of 5 or more units.
- a. ITE trip generation predicts 10 trips per day per house, a total of 80 additional trips per day due to the proposed project. The additional trips from the proposed 8 lots would not be considered substantial. This

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impact would be considered less than significant. Compliance with the above regulations and mitigation measure would reduce impacts to traffic and transportation infrastructure to less than significant.

- b. ITE trip generation predicts 10 trips per day per house, a total of 80 additional trips per day. There are currently areas of roads within the area that are impacted to service level F. During the AM peak hour, Highway 50 is impacted to LOS F in the westbound direction, west of El Dorado Hills Boulevard as shown in El Dorado County General Plan EIR exhibit 5.4-4. In the PM peak hour, Green Valley Road, east of Salmon Falls Road is impacted to LOS F and Highway 50 is impacted to LOS F in the eastbound direction, west of El Dorado Hills Boulevard as shown in El Dorado County General Plan EIR exhibit 5.4-5. The project would add a negligible amount of traffic and therefore impacts would be considered less than significant.
- c. The project would not result in a change in air traffic patterns. There would be no impact.
- d. The project would involve road and potentially driveway building on grades of up to 30%. The project would also involve the formation of an intersection of a county road. The intersection would only affect residents on Malcolm-Dixon Road. The project area contains historic grazing lands and residential lands. The addition of residential traffic would not alter the uses of roads. These impacts would be considered less than significant.
- e. The project would increase on-site circulation and would not adversely affect any roadway or route used or potentially usable for emergency access to or through the property. All roads and driveways built on the site are required to comply with El Dorado County Title 14, Division 1.5, Chapter 7, Subchapter 2, Articles 1-51273.03 Roadway Grades. All roads constructed within the project site must adhere to the General Plan Design and Improvements Standard Manual Standard Plan 101C. Standard Plan 101C requires roads to be 24 feet wide, with a 50 foot right of way. Roads within the project site would connect to an adjacent property to the north (site of the approved Alto Subdivision). All roads constructed as part of the proposed project must be named by filing a completed Road Name Petition with the County Surveyors Office. Regulations and permitting requirements are sufficient to ensure impacts to emergency access would be less than significant.
- f. The project would add 8 new single-family residential homes. Parking for these uses would be provided on site, likely in the creation of garage parking for residents of the homes. The impact would be considered less than significant.
- g. The project proposes no design characteristics, uses, or features that conflict with any plans, policies, or programs supporting alternative transportation. There would be no impact.

Findings: For the "Transportation/Traffic" category, the identified thresholds of significance have not been exceeded and no significant environmental impacts would result from the project.

XVI. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i>			
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could			X

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XVI. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i>			
cause significant environmental effects?			
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		X	
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?		X	
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?		X	
g. Comply with federal, state, and local statutes and regulations related to solid waste?		X	

Discussion:

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

- Breach published national, state, or local standards relating to solid waste or litter control;
 - Substantially increase the demand for potable water in excess of available supplies or distribution capacity without also including provisions to adequately accommodate the increased demand, or is unable to provide an adequate on-site water supply, including treatment, storage and distribution;
 - Substantially increase the demand for the public collection, treatment, and disposal of wastewater without also including provisions to adequately accommodate the increased demand, or is unable to provide for adequate on-site wastewater system; or
 - Result in demand for expansion of power or telecommunications service facilities without also including provisions to adequately accommodate the increased or expanded demand.
- a. The project proposes the subdivision of the site into eight new residential lots proposed to have individual septic systems serving each home. The septic systems fall under the authority of the El Dorado County Department of Environmental Health, and under the regulations of the Regional Water Quality Control Board. Refer to Hydrology and Water Quality section of this Mitigated Negative Declaration. Septic systems designed and installed on site must meet State and county standards, and thus would not exceed any standards of the Regional Water Quality Control Board. The impact is less than significant.
 - b. Water service for the proposed development would be provided by the El Dorado Irrigation District (EID). Prior to any provision of service from EID, the subject parcel is required to be annexed into the District's service boundaries, which can only be granted through discretionary approval of the LAFCO Commission. The subject parcel is not contiguous with EID's current service boundaries; contiguity must be established between the subject parcel and the District prior to, or in conjunction with, LAFCO approval of the annexation, per El Dorado LAFCO Policy 3.9.3. The District's Salmon Falls Water Storage Tank is

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located near the northwest corner of the project site. The El Dorado Hills Fire Department has determined that the minimum fire flow required for the project would be 1,500 gallons per minute for a two hour duration, while maintaining a 20-psi residual pressure. In order to provide this fire flow and receive service, construction of a new booster pump station at the storage tank site would be required. This booster pump station would need to provide both domestic and fire flows. The project applicant would be responsible for the construction of the booster pump station as well as all other on- and off-site water supply infrastructure required for project development.

Proposed residences would be serviced by individual septic systems and would not require or result in the construction of new off-site wastewater treatment facilities or the expansion of existing facilities as a result, associated impacts are considered less than significant.

- c. Storm drainage facilities required by the project are limited to on-site drainage ditches and culverts. Potential environmental effects of constructing these drainage facilities are considered throughout this document as part of the project. Any potential impacts would be avoided through the implementation of the County Grading Ordinance and thus this potential impact would be considered less than significant.
- d. The proposed project includes the annexation of the project site into the El Dorado Irrigation District (EID) for the provision of domestic water and fire hydrants. LAFCO's discretionary approval is required for annexation, and contiguity must be established prior to annexation. LAFCO has provided comments in regard to the potential water availability stating the following:

The subject parcel is within EID's El Dorado Hills Supply Area, which primarily pumps water from Folsom Reservoir. EID has a surplus of available water supply in the El Dorado Hills supply area, but delivery of this water is currently restricted by infrastructure capacity at the El Dorado Hills Water Treatment Plant. According to EID's 2009 Water Resources and Service Reliability Report First Amendment dated March 12, 2010, water meter availability in the EDH supply region is 3,597 equivalent dwelling units (EDU's) and contractual commitments total 2,889 EDU, due to a recent agreement between EID and Sierra Pacific Industries which defers 1,303 EDUs of contractual commitments until December 31, 2014.

Pursuant to the First Amendment to the 2009 Water Resources and Services Reliability Report, "any qualified customer in the El Dorado Hills supply area can now purchase service, whether or not they are a beneficiary of a contractual commitment" to serve the El Dorado Hills service area that is restricted by existing infrastructure. The District is confident at this time that the current "infrastructure restriction" in EDH will not be detrimental to this project and it is anticipated that general pool EDU's will be available to purchase eventually."

Furthermore, according to the EID Facility Improvement Letter for the project dated November 2, 2009 states, "The District has secured additional water rights and is in the process of obtaining approvals for diverting these additional supplies from Folsom Lake. The expected equivalent dwelling unit (EDU) demand for the project is 24 EDU's based on the landowner's request to utilize 1 1/2-inch meters for the residences. The FIL also states that water facilities adjacent to the project site would need to be upgraded by the applicant. The upgrades include water lines, fire hydrant, and a new booster pump that would provide minimum fire flow in order for EID to serve the project. There would be no impacts as a result of water infrastructure improvements and they are required to be installed prior to finaling any final map for the project as well as recently approved adjacent subdivisions.

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Pursuant to Section 15.16.050 of the El Dorado County Code, no permit shall be issued for the construction of a building having plumbing facilities therein, until proof of an adequate water supply would be provided as required by the Division of Environmental Management.

EID anticipates availability of the required water supply for the proposed project and compliance with the County Code would ensure that the project would not be approved unless this water supply actually becomes available and would be committed to the project. EID service to the proposed project would be contingent upon, LAFCO approval of the annexation, the future availability of water supply, approval of the Facility Plan Report, construction of all water facilities, and acceptance of the facilities by EID. The potential impact would be considered less than significant.

- e. Wastewater treatment would be provided by on-site septic systems and there are no potential impacts.
- f. In December of 1996, direct public disposal into the Union Mine Disposal Site was discontinued and the Material Recovery Facility/Transfer Station was opened. Only certain inert waste materials (e.g., concrete, asphalt, etc.) may be dumped at the Union Mine Waste Disposal Site. All other materials that cannot be recycled are exported to the Lockwood Regional Landfill near Sparks, Nevada. In 1997, El Dorado County signed a 30-year contract with the Lockwood Landfill Facility for continued waste disposal services. The Lockwood Landfill has a remaining capacity of 43 million tons over the 655-acre site. Approximately six million tons of waste was deposited between 1979 and 1993. This equates to approximately 46,000 tons of waste per year for this period.

After July of 2006, El Dorado Disposal began distributing municipal solid waste to Forward Landfill in Stockton and Kiefer Landfill in Sacramento. Pursuant to El Dorado County Environmental Management Solid Waste Division staff, both facilities have sufficient capacity to serve the County. Recyclable materials are distributed to a facility in Benicia and green wastes are sent to a processing facility in Sacramento. Impacts would be less than significant.

- g. Assembly Bill 939, known as the California Integrated Waste Management Act of 1989, mandates all jurisdictions to divert 50 percent of their waste from the landfill by the year 2000. El Dorado County did not meet the year 2000 diversion goal achieving only a 38 percent diversion rate in the year 2001. The County applied for and received a time extension until July 1, 2004. A preliminary diversion rate summary for the County indicates that the diversion goal was achieved in 2005. The proposed project would be required by County Ordinance to divert 50 percent of all construction debris. Additionally, residential recycling collection service would be provided to the proposed development by the County. This impact would be less than significant.

Findings: It has been determined that there would be no significant impacts to water, wastewater, drainage, or solid waste utilities. Identified thresholds of significance for the utilities and service systems category have not been exceeded and no significant adverse environmental effects would result from the project.

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XVII. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:			
a. Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?		X	
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X

Discussion:

- a. The proposed project may result in potentially significant impacts to biological resources. Due to the presence of suitable habitat for special status species on the property adjacent to the project site, it is likely that there is habitat for Cooper's hawk and other raptors within the project site. **MM BIO-1** would prevent the loss of raptor nests and requires consultation with CDFG to determine appropriate avoidance measures. Due to the occurrence of special status plants on adjacent property, it is likely that these plants occur within the project site. **MM BIO-2** requires surveys for special status plants, and appropriate measures for the avoidance. These mitigation measures would reduce impacts to biological resources to less than significant. The proposed project would alter the hydrology of the area, however not in amounts considered substantial. The proposed project includes the construction of on-site septic systems. Impacts due to water quality as a result of septic systems are subject to State and County permitting requirements and review. Impacts to the quality of the environment and special status species are reduced to less than significant.
- b. The project would not involve development or changes in land use that would result in increased population growth. Impacts due to increased demand for public services associated with the project would be offset by the payment of fees as required by service providers. The project would not contribute substantially to increased traffic in the area. Three other approved tentative subdivision maps either adjacent or in close proximity to the project have been conditioned to participate in an area of benefit to develop a circulation system to serve the project and the three approved subdivisions. The circulation system for this area would improve traffic circulation and adequately accommodate the traffic generated by the 89 residential units from the project and the three approved subdivisions. The project would not require an increase in the wastewater treatment capacity of the County. There would be no cumulative impacts with the use of individual septic systems for the proposed development in conjunction with other potential developments in the area. The additional septic systems have been proposed by three additional projects adjacent to the project or in close proximity. Any potential for impacts as a result of septic systems has been analyzed by the County Environmental Management Department and discussed in detail throughout this environmental document. The project proposes to provide public water in addition to 3 other projects either adjacent to or in close proximity of the proposed project. Each project provided a Facilities Improvement Letter stating the availability of resources to serve the proposed lots in addition to correspondence from El Dorado Irrigation District stating that "the District has adequate water supply

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(contingent on Warren Act Contracts) to serve the El Dorado Hills Service Area that is restricted by existing infrastructure.” Therefore, it is anticipated that there are no significant cumulative impacts resulting from the additional 89 residential lots. As discussed throughout this environmental document, the project would not contribute to a substantial decline in water quality, air quality, noise, biological resources, agricultural resources, or cultural resources under cumulative conditions. Cumulatively considerable impacts associated with the project are less than significant.

- c. All impacts identified in this MND are either less than significant after mitigation or less than significant and do not require mitigation. Therefore, the proposed project would not result in environmental effects that cause substantial adverse effects on human beings either directly or indirectly. Impacts would be less than significant.

SUPPORTING INFORMATION SOURCE LIST

The following documents are available at El Dorado County Planning Services in Placerville

El Dorado County General Plan - Volume I - Goals, Objectives, and Policies

El Dorado County General Plan - Volume II - Background Information

Findings of Fact of the El Dorado County Board of Supervisors for the General Plan

El Dorado County Zoning Ordinance (Title 17 - County Code)

County of El Dorado Drainage Manual (Resolution No. 67-97, Adopted March 14, 1995)

County of El Dorado Grading, Erosion and Sediment Control Ordinance (Ordinance No. 3883, amended Ordinance Nos. 4061, 4167, 4170)

El Dorado County Design and Improvement Standards Manual

El Dorado County Subdivision Ordinances (Title 16 - County Code)

Soil Survey of El Dorado Area, California

California Environmental Quality Act (CEQA) Statutes (Public Resources Code Section 21000, et seq.)

Title 14, California Code of Regulations, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (Section 15000, et seq.)

Additional References:

ECORP Consulting, Inc. Wetland Delineation for El Dorado 112 El Dorado County, California. (August 26, 2005)

ECORP Consulting, Inc. Special Status Species Evaluation El Dorado County, California (August 28, 2009)

El Dorado Irrigation District FIL1109-036 dated November 2, 2009.

North Central Information Center. Record Search Results. (May 17, 2005)