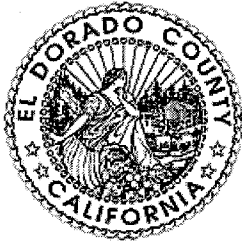


**ELDORADO COUNTY DEVELOPMENT SERVICES  
PLANNING COMMISSION  
STAFF REPORT**



**Agenda of:** July 23, 2009

**Item No.:** 8

**Staff:** Aaron Mount

**REZONE/TENTATIVE MAP**

**FILE NUMBER:** Z08-0004/TM08-1466/Blackhawk Estates

**APPLICANT:** Bruce Wirtanen

**AGENT:** Patterson Development

- REQUEST:**
1. Rezone from Exclusive Agricultural District (AE) to Estate Residential Five-Acre District (RE-5) and Estate Residential Ten-Acre District (RE-10);
  2. A tentative map creating 9 lots, ranging in size from 5 acres to 11.5 acres for APN 078-200-71 (Exhibit B); and
  3. Approve design waiver requests to:
    - a. Allow the creation of parcels with a length in excess of three times the width for Lots 4 and 5; and
    - b. Reduce the required 10 foot shoulder to 2 feet as required in Section III(A)(12) of the Design Improvements Standards Manual.

**LOCATION:** On the north and south side of Blackhawk Lane, approximately 0.25 miles east of the intersection with Mt. Aukum Road (E16) in the Pleasant Valley area, Supervisorial District II. (Exhibit A)

**APN:** 078-200-70 and -71 (Exhibit I)

**ACREAGE:** 77.42 acres

**GENERAL PLAN:** Medium Density Residential (MDR)/Low Density Residential-Important Biological Corridor (LDR-IBC)/Rural Residential- Important Biological Corridor (RR-IBC) (Exhibit E)

**ZONING:** Exclusive Agricultural (AE) (Exhibit F)

**ENVIRONMENTAL DOCUMENT:** Mitigated Negative Declaration

**RECOMMENDATION:** Staff recommends the Planning Commission forward a recommendation to the Board of Supervisors to:

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), as incorporated in the Conditions of Approval and Mitigation Measures in Attachment 1;
3. Approve Rezone Z08-0004 for APNs 078-200-70 and -71, based on the Findings in Attachment 2;
4. Approve Tentative Map TM08-1466 for APN 078-200-71, subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2; and
5. Approve design waiver requests to:
  - a. Allow the creation of parcels with a length in excess of three times the width for Lots 4 and 5; and
  - b. Reduce the required 10 foot shoulder to 2 feet as required in Section III(A)(12) of the Design Improvements Standards Manual.

**BACKGROUND:** The project parcels current configuration was created by Parcel Map PM47-138 which was the result of a lot line adjustment. The project site was within two Williamson Act Contracts that have completed roll outs and are no longer under contract.

## **STAFF ANALYSIS**

### **Project Description**

**Rezone:** Request to rezone two parcels totaling 77.42 acres from Exclusive Agricultural (AE) to Estate Residential Five-Acre (RE-5) and Estate Residential Ten-Acre (RE-10) consistent with the underlying General Plan land use designations of Medium Density Residential (MDR), Low Density

Residential-Important Biological Corridor (LDR-IBC), and Rural Residential- Important Biological Corridor (RR-IBC).

**Tentative Subdivision Map:** As shown in Table 1, Tentative Subdivision Map to subdivide a 74.38 acre site into nine single-family residential parcels ranging from five acres to 11.09 acres in size. A design waiver has been requested to allow the creation of parcels with a length in excess of three times the width. The applicant would be required to construct a new on-site access road of which a majority is currently a private driveway. All lots would be served by public water and individual septic systems.

**Table 1**  
**Blackhawk Estates TM Lot Area Summary**

<b>Lot Number</b>	<b>Gross Area (Total lot area in acres)</b>
<b>1</b>	<b>5.92</b>
<b>2</b>	<b>5.00</b>
<b>3</b>	<b>10.003</b>
<b>4</b>	<b>11.09</b>
<b>5</b>	<b>10.73</b>
<b>6</b>	<b>10.81</b>
<b>7</b>	<b>10.68</b>
<b>8</b>	<b>5.04</b>
<b>9</b>	<b>5.1</b>

**Site Description:** The 77.42 acre subject site ranges in elevation from 2,400 to 2,600 feet above mean sea level and is located adjacent to the Pleasant Valley Rural Center. The project site contains two parcels, 3.04 and 74.38 acres in size, each containing a single family residence. The project parcels were a portion of two Williamson Act contracts that have completed roll outs. The surrounding property is rural residential and rangeland.

A majority of the subject sites contains undulating terrain with annual grassland and scattered stands of trees. The area to the south and west of Black Hawk Lane, lies on Placer diggings and contains ponderosa pines and valley oaks. The east side of the project site rises steeply and is covered by oak-foothill pine woodland. The project site contains several ephemeral drainages and two seasonal wetlands. No impacts are proposed to the seasonal wetlands. A road crossing is proposed over one of the ephemeral drainages.

**Adjacent Land Uses:**

**Table 2**

	<b>Zoning</b>	<b>General Plan</b>	<b>Land Use/Improvements</b>
<b>Site</b>	AE	MDR/LDR/RR	Single Family Residence/Orchard
<b>North</b>	R2A/AE	MDR/LDR/RR	Single Family Residences/Grazing
<b>South</b>	R2A/AE	MDR/RR	Single Family Residences
<b>East</b>	RA-20	RR	Single Family Residences
<b>West</b>	R2A/AE	MDR/LDR	Single Family Residences

Discussion: The project is partially within and adjacent to the Pleasant Valley Rural Center. The requested rezone and tentative map are consistent with the existing land use designations and development in the project area. The project area is a mix of residential and agricultural uses. The proposed lots are compatible with the surrounding development for an area planned for low density and rural residential land use and located in an area adjacent to a Rural Center.

**Project Issues:** Discussion items for this project include access and circulation, agricultural impacts, fire safety, wastewater disposal, water supply, and wetland setbacks.

**Access and Circulation:** The project proposes to use the existing private roadway/driveway of Blackhawk Lane as the primary access point. County standards would require that Blackhawk Lane be improved to County Design Standard 101-C with a road width of 26 feet and a shoulder width of 7 feet due to the length of the proposed road at 2,400 foot. This road does not exceed the maximum length pursuant to Section 3.A.12 of the Design and Improvements Standards Manual (DISM), which states that a rural subdivision may have a dead end road exceeding 500 ft (but less than 2,640 ft) if the road will serve less than 24 lots provided that 10 ft wide shoulders are developed on either side (rural subdivision) for a total roadway width of 40 ft. However, the newly adopted California Fire Code 2007 Appendix D requires all dead end roads exceeding 500 feet in length must be 26 feet wide with a surface capable of supporting 75,000 lbs in all weather conditions. Therefore, these two conditions will be blended to require a 26 ft all-weather surface with 7 ft shoulders on either side, for a total roadway width of 40-ft. Blackhawk Lane connects to Mt Aukumn Road, which is a County maintained road.

**Agricultural Buffers:** General Plan Policies (Agricultural/Forestry Element) 8.1.3.1 and 8.1.3.2 provides for protection of adjacent agriculturally zoned lands by directing that new development be buffered by ten acre parcel sizes and 200-foot setbacks. The subject application was reviewed by the El Dorado County Agricultural Department and heard at the May 14, 2008 Agricultural Commission meeting. A recommendation was made to approve the zone change but to deny the subdivision map due to inconsistency with Policy 8.1.3.1 which requires ten-acre parcels adjacent to agriculturally zoned lands.

As seen on Exhibit C the project site is adjacent to agriculturally zoned lands on the west, north, and east sides. Proposed lots adjacent to agriculturally zoned parcels to the north and east are least 10 acres in size and consistent with policy 8.1.3.1. The reason for the Agricultural Commission's recommendation for denial of the subdivision was Lots 1 and 9 which are adjacent to agriculturally zoned parcels to the west. APN 078-200-70 is adjacent to the west and was acquired by the applicant and added to the rezone request. The remaining agriculturally zoned parcel to the west is APN 078-200-69 which is within the AE zone district but contains a land use designation of LDR and MDR and a majority of the parcel is within the Pleasant Valley Rural Center. Recent interpretation by the Board of Supervisors has concluded that General Plan Policies 8.1.3.1 and 8.1.3.2 do not apply where the adjacent agriculturally zoned parcel was assigned an urban or other non-agricultural land use designation on the Land Use Map for the 2004 General Plan (MFR,HDR,MDR,LDR,C,R&D,I,TR,AP or PF). Therefore, Proposed Lots 1 and 9 are consistent with the interpretation as the adjacent agriculturally zoned parcels have a land use designation of MDR and LDR.

**Fire Safety:** The site is located in the El Dorado Irrigation District (EID) service area. There are existing domestic water delivery facilities that abut the northwest corner of the project parcel. The lots would have to meet the required fire flow needed for fire protection as determined by the El Dorado County Fire Protection District. Pursuant to the Fire District, these standards would include the installation of fire hydrants every 500 feet with hydrants supplied by a water delivery system capable of maintaining a fire flow of 1,000 gallons per-minute for duration of two hours for homes less than 3,600 square feet and 1,500 gallons per minute for two hours for those over 3,600 square feet. According to the EID Facility Improvement Letter, the subdivision would be required to construct a water line extension from the 8 inch water line located on the northwest corner of the project parcel. The project has been conditioned to meet this requirement prior to filing the Final Map.

Cal Fire staff requested that the roads and clearances around structures meet the SRA Fire Safe Regulations and portions of the 2007 California Fire Code as adopted by the County of El Dorado. El Dorado County Fire Protection District has required that a Fire Safe Plan prepared by a District-approved Fire Safe Planner be prepared and then approved by the District as well as by Cal Fire staff. This plan would address the reduction of the intensity of potential wildfires by reducing the volume and density of flammable vegetation within the project vicinity. The project has been conditioned to meet this requirement prior to filing the final map.

**Wastewater Disposal:** Public sewer service is not available in the Pleasant Valley Area. The applicant provided an onsite wastewater treatment system feasibility report that studied the potential for one septic system for each of the nine lots which was reviewed and approved by the El Dorado County Environmental Health Division.

**Water Supply:** Water for the project would be provided by the El Dorado Irrigation District (EID). EID has indicated that they have the ability to serve the project with existing mains as long as the applicant meets Fire Protection District standards for a water system within the proposed development. This system would tie into existing lines located on the project parcel with no offsite

upgrades required. An EID Facility Improvement Letter (FIL) makes it clear that is not a commitment to serve, but does address the location and approximate capacity of existing facilities that may be available to serve the proposed project. In terms of water supply, as of January 1, 2007, there were 2,426 equivalent dwelling units (EDUs) available in the Western/Eastern Water Supply Region. The FIL states that the project, as proposed on the date of the notice, would require nine additional equivalent dwelling units (EDUs). The resulting lots for the current proposal would be required to establish separate domestic water service accounts with EID. The applicant would be responsible for the installation of all improvements to the District's *Water, Sewer and Recycled Water Design and Construction Standards* necessary to provide these services. The exact improvements required would be determined by an applicant-supplied Facility Plan Report of the system which would be given to EID to analyze to see if the proposed system is adequate to supply the domestic water at the correct pressure to satisfy the El Dorado County Fire Protection District fire flow requirements.

**Wetland Setbacks:** General Plan Policy 7.3.3.4 requires development projects to be set back a minimum of 100 feet from all perennial streams, rivers, lakes, and 50 feet from intermittent streams and wetlands. The proposed map identifies the riparian and wetland features with proposed setbacks consistent with this policy with the exception of one alternative setback request. An alternative setback has been requested for a portion of the access road that would be within 25 feet of a seasonal wetland. Findings have been made for consistency with General Plan Policy 7.3.3.4 and the setback reduction request which has been supported by the submitted biological resources study. All other potential development on the project parcel would meet the required setbacks. As conditioned the final map would be required to show the riparian and wetland features and their respective setbacks on the map.

**General Plan:** The General Plan designates the subject site as Medium Density Residential (MDR), Low Density Residential-Important Biological Corridor (LDR-IBC), and Rural Residential-Important Biological Corridor (RR-IBC), which permits respective minimum parcel size of 1, 5, and 10 acres. The proposed parcels therefore conform to the General Plan land use designation. The following General Plan policies apply to this project:

**Rezone:** General Plan Policy 2.2.5.3 requires that the County shall 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:

**Table 3**

1. <i>Availability of an adequate public water source or an approved Capital</i>	Consistent: An El Dorado Irrigation District (EID) Facility Improvement Letter states, "This letter is not a commitment to serve, but does address the location and approximate capacity of existing facilities that may available to serve your project. In terms of water supply, as of
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<i>Improvement Project to increase service for existing land use demands;</i>	January 1, 2005, there were 2,434 equivalent dwelling units (EDUs) available in the Western/Eastern Water Supply Region. Your project as proposed on this date would require 9 EDUs of water supply.”
2. <i>Availability and capacity of public treated water system;</i>	Consistent: As discussed above, the El Dorado Irrigation District (EID) has adequate EDUs to serve the proposed project. Facility improvements which would be required by the EID include the development of a water line extension from the 8-inch water line abutting the northwest corner of the project parcel.
3. <i>Availability and capacity of public waste water treatment system;</i>	Consistent: The project would not connect to public wastewater treatment systems as it proposes individual septic systems for each lot.
4. <i>Distance to and capacity of the serving elementary and high school;</i>	Consistent: The project is located within the Gold Oak Union School District. Students would attend Gold Oak Elementary School and Pleasant Valley Middle School. High school students are served by the El Dorado Union High School District.
5. <i>Response time from nearest fire station handling structure fires;</i>	Consistent: The El Dorado County Fire Protection District would be responsible for serving the project. The closest fire station would be Station 19, located approximately 3/4 miles from the project site on Pleasant Valley Road. The District was contacted as part of the initial consultation process. As such, the District has reviewed the project and indicated that adherence to the applicable building and fire codes, as well as conditions of approval regarding the installation of fire hydrants, provision of established fire flow, submittal of a fire safe plan, and construction of road improvements as required by the El Dorado County Department of Transportation (DOT), would satisfactorily address all fire related safety issues.
6. <i>Distance to nearest Community Region or Rural</i>	Consistent: The project site is located within and adjacent to the Pleasant Valley Rural Center. As proposed, the project is a residential project similar in character to existing and proposed

<i>Center;</i>	medium, low-density, and rural residential uses surrounding the project site.
7. <i>Erosion hazard;</i>	Consistent: The site is relatively flat to moderately-sloped with site development. At this time no development is proposed on slopes greater than 30% as adequate area exists on all parcels to avoid steeper sloped areas (Exhibit H). Parcel development will be required to adhere to El Dorado County General Plan policies prohibiting development on slopes greater than 30%. All existing drainage courses will be adequately protected from development through the incorporation of appropriate development setbacks with the exception of culverts under proposed roadways. Due to the fact that parcel sizes are five acres and larger, and development will not occur on steep slopes, erosion hazards are considered to be slight and localized on individual parcels.
8. <i>Septic and leach field capability;</i>	Consistent: The proposed lots would be served by individual septic systems for each lot. The El Dorado County Environmental Management Department has reviewed the land capability report and representative percolation tests performed for the project, and concurs that there will be adequate septic and leach field capability on each of the lots.
9. <i>Groundwater capability to support wells;</i>	Consistent: The project will be served by El Dorado Irrigation District (EID) public water facilities. No wells are proposed.
10. <i>Critical flora and fauna habitat areas;</i>	Consistent: The County's General Plan designates areas within the County that have the potential to affect rare plants. The County's General Plan defines Rare Plant Mitigation Areas within the County, which designate lands potentially affecting rare plants that are subject to mitigation. The project site is within Rare Plant Mitigation Area 2. The applicant conducted a survey for special-status species. The survey did not encounter any special-status plant or animal species on the project site.
11. <i>Important timber production areas;</i>	Consistent: The project site does not contain or is adjacent to any important timber production areas.

12. <i>Important agricultural areas;</i>	Consistent: The project site is not located in an agricultural district. The Agricultural Commission reviewed the proposed project request, and did not have any concerns related directly to the rezoning of this agriculturally-zoned property to a residential zoning designation. Agriculturally zoned parcels with active agricultural operations exist to the north and south of the project site. The project design is consistent with General Plan Policy which requires 10-acre buffer parcels and 200 foot setbacks adjacent to agriculturally zoned parcels. These design features will ensure that there are insignificant impacts to adjacent agricultural operations. Recent Board of Supervisors interpretation of General Plan Policies 8.1.3.1 and 8.1.3.2 allow the creation of parcels less than ten acres where the adjacent agriculturally zoned parcel was assigned an urban or other non-agricultural land use on the Land Use Map for the 2004 General Plan. This interpretation applies to Proposed Lots 1 and 9.
13. <i>Important mineral resource areas;</i>	Consistent: The project site does not contain or is located adjacent to any important mineral resource areas.
14. <i>Capacity of the transportation system serving the area;</i>	Consistent: The El Dorado County Department of Transportation concluded that the recommended conditions of approval, including improvements to existing roadways, would sufficiently address traffic issues and ensure that the transportation system is adequate to serve the area. The on-site road, Blackhawk Lane, connects to Mt Aukumn road which is a major two lane road. The DOT determined that the project did not exceed the threshold to require a traffic study. El Dorado Transit has reviewed the project and had no specific conditions of approval regarding the project.
15. <i>Existing land use pattern;</i>	Consistent: The project site is surrounded by land designated and utilized for medium, low, and rural-density residential uses. The proposed rezone, with the proposed density, would be entirely consistent with that land use pattern.
16. <i>Proximity to</i>	Consistent: There are a number of ephemeral

<i>perennial watercourse</i>	watercourses and wetlands on the project site as discussed in the Mitigated Negative Declaration (Biological Resources section). Development will maintain a 25 to 50-foot setback from all wetlands.
17. <i>Important historical/archeological sites</i>	Consistent: A cultural resources investigation of the project site identified no significant cultural sites on the project parcels.
18. <i>Seismic hazards and present of active faults</i>	Consistent: 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. <i>Consistency with existing Conditions, Covenants, and Restrictions</i>	Consistent: The project is consistent with existing CC&Rs. Any new CC&Rs prepared for the project would be subject to review and approval by the DOT, County Counsel, and Planning Services..

**Important Biological Corridors:** Policy 7.4.2.9 states that the Important Biological Corridor (-IBC) overlay shall apply to lands identified as having high wildlife habitat values because of extent, habitat function, connectivity, and other factors. Lands located within the overlay district shall be subject to the following provisions except that where the overlay is applied to lands that are also subject to the Agricultural District (-A) overlay or that are within the Agricultural Lands (AL) designation, the land use restrictions associated with the -IBC policies will not apply to the extent that the agricultural practices do not interfere with the purposes of the -IBC overlay. The specific criteria to be considered include; but are not limited to, the following in Table 4:

**Table 4**

<b>Guideline</b>	<b>Project Design Feature</b>
Increased minimum parcel size	Consistent: The proposed parcel sizes ranging from 5 to 11 acres are of a sufficient size to retain habitat connectivity as determined by the submitted biological resource study.
Higher canopy-retention standards and/or different mitigation standards for oak	Consistent: The required retention standard for this site given its parcel size is 90%. As no

woodlands	oak trees are proposed to be removed, 100 percent retention will be achieved.
Lower thresholds for grading permits	Consistent: Initially grading will be limited to onsite and offsite road improvements. Future grading will be reviewed as building permits are submitted.
Higher wetlands/riparian retention standards and/or more stringent mitigation requirements for wetland/riparian habitat loss	Consistent: No wetland/riparian habitat loss will occur as a result of the project. One ephemeral stream crossing is proposed that will be mitigated to a less than significant level.
Increased riparian corridor and wetland setbacks	Consistent: Consistent: Proposed building sites are located well away from existing riparian corridors.
Greater protection for rare plants (e.g., no disturbance at all or disturbance only as recommended by U.S. Fish and Wildlife Service/California Dept. of Fish & Game).	Consistent: No rare plants were found within the project site.
Standards for retention of contiguous area/large expanses of other (non-oak or non-sensitive) plant communities	Consistent: No oak trees are proposed to be removed for development of this subdivision map.
Building permits discretionary or some other type of "site review" to ensure that canopy is retained	Consistent: Future building permits will ensure that any residential development is consistent with the El Dorado County Oak Woodland Management Plan.
More stringent standards for lot coverage, floor area ratio (FAR) and building height	Consistent: Given the large parcel size (77.42 acres), and relatively small project footprint (5-11 acre lot sizes), more stringent standards are not required for this project.
No hindrances to wildlife movement (e.g., no fences that would restrict wildlife movement)	Consistent: No fences are proposed as part of this project.

Land Use Compatibility: **Policy 2.2.5.21** directs that new development be compatible with the surrounding neighborhood.

**Consistent:** As previously discussed and shown in the *Adjacent Land Use Table* above, the proposed residential project would be consistent with General Plan **Policy 2.2.5.21**. Pursuant to the existing General Plan land use designations, the project area would be surrounded by Medium Density Residential, Low Density Residential, and Rural Residential residential uses that would be compatible with the proposed development. The new lots would be consistent and compatible with the General Plan intended development pattern expected in lands designated as MDR, LDR, and RR and would be consistent with the dominant pattern of parcel development expected for the surrounding neighborhood also designated for residential and agricultural development and located within and adjacent to a Rural Center.

Water Supply and Fire Flow: **Policy 5.2.1.2** requires that the applicant provide an adequate quantity and quality of water for all uses, including fire protection, and shall be provided for this development. **Policy 5.7.1.1** directs that the applicant demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection either are or would be provided concurrent with development. As discussed above in the *Project Issues* section, the project would be conditioned to meet these requirements.

**Consistent:** Water supply and required fire flow were discussed previously above in the *Project Issues*, *Fire Safety* and *Water Supply* sections. The project is conditioned to meet these Policy requirements.

Availability of Water Supply: **Policy 5.2.1.4** directs that subdivision approvals in Community Regions or other areas dependent on public water supply shall be subject to the availability of a permanent and reliable water supply.

**Consistent:** As discussed above, public water service would be provided to the project site by EID. EID provided a letter indicating that it has adequate water supplies to serve the project. Based on this information, the project would be consistent with General Plan Policy 5.2.1.4 regarding availability of reliable water supply.

Fire Protection Services: **Policy 5.7.1.1** requires that adequate fire protection services be provided for the proposed development.

**Consistent:** The El Dorado County Fire Protection District would provide fire protection services to the project site. As discussed above in the *Project Issues* and *Fire Safety* sections, a Fire Safe Plan, minimum roadway widths, and fire hydrant placement have been required by the Fire District to ensure adequate fire protection infrastructure. The project is conditioned to meet this Policy requirement.

Adequate Access for Emergencies: **Policy 6.2.3.2** directs that the applicant demonstrate that adequate access exists, or can be provided, to ensure that emergency vehicles can access the site and private vehicles can evacuate the area.

**Consistent:** As conditioned, and discussed under *Access and Circulation* in the *Project Issues* section, the project would meet the intent of this policy.

Oak Tree Canopy: **Policy 7.4.4.4** establishes the native oak tree canopy retention and replacement standards.

**Consistent:** The subject parcel contains a native oak canopy cover of 9.4 percent. General Plan Policy 7.4.4.4 requires retention of 90 percent of the indigenous oak tree canopy on the subject parcel and corridor as a whole. The submitted Oak Tree Impacts map prepared by Foothill Tree Service dated March 2007 determined that no native oak trees would be removed for this project. A condition of approval would ensure consistency with the Oak Woodlands Management Plan if

improvement plans identify native oaks to be removed due to road alignment changes. In lieu of the replanting and monitoring requirements set forth in Option A, the applicant may choose to mitigate the impacts to oak woodland by complying with the oak conservation in-lieu fee requirements (Option B) of the Oak Woodland Management Plan. With the adoption of the recommended Condition of Approval, the project would be compliant with Policy 7.4.4.4. The full discussion of the impacts to 7.4.4.4 is contained in section IV Biological Resources in Initial Study/Environmental Checklist as shown in Exhibit O.

**Impacts to Agriculture:** **Policies 8.1.3.1, 8.1.3.2, 8.1.4.1, and 8.2.2.5:** The stated policies direct that agriculturally zoned lands be buffered by ten-acre sized parcels, 200-foot setbacks and will not create conflicts between residential and agricultural activities.

**Consistent:** These issues are discussed in more detail above in the *Agricultural Impacts* section in *Project Issues* above, as well as in Section II, Agriculture Resources of the Environmental Checklist and Discussion of Impacts, attached as Exhibit N. The project was reviewed by the Agricultural Commission and it was determined that the proposed parcels have adequate area to allow for agricultural setbacks from adjacent agriculturally zoned parcels. Planning has determined that it can be found that the proposed tentative map is consistent with the Board of Supervisors interpretation of General Plan Policies 8.1.3.1, 8.1.3.2, 8.1.4.1, and 8.2.2.5.

**Conclusion:** The project has been reviewed in accordance with the El Dorado County 2004 General Plan policies and it has been determined that the project would be consistent with all applicable policies of the General Plan.

**Zoning:** The subject site is currently zoned Exclusive Agriculture (AE). With an approved rezone to Estate Residential Five-Acre (RE-5) and Estate Residential Ten-Acre (RE-10), and with the exception of Lots 4 and 5 as discussed above in the Design Waiver Requests section, seven of the proposed nine single-family residential parcels ranging in size from 5 to 11.5 acres would conform to existing zoning and the development standards in Section 17.70.110 (RE-5) and 17.70.110 (RE-10) for minimum lot width of 100 feet, minimum parcel sizes of 5 and 10 acres respectively, building setback requirements of 30 feet in the front yards, 30 feet for the side yards and 30 feet for the rear yards as well having the space to comply with the parking requirements of two spaces not in tandem per dwelling unit pursuant to Section 17.18.060.

**Conclusion:** As discussed above the project conforms to the Zoning Code. Staff finds that the necessary findings can be made to support the tentative map and rezone request. The details of those findings are contained in Attachment 2.

**Design Waiver:** Two design waivers from the Design and Improvement Standards Manual (DISM) has been requested for the proposed project. A finding of consistency for the proposed design waiver approvals are provided in Attachment 2. The requested design waivers are as follows:

1. Allow the creation of parcels with a length in excess of three times the width.

Discussion: The proposed project would create nine parcels which would take access from Blackhawk Lane. The requested design waiver if approved would allow the creation of two parcels exceeding the three to one length to width ratio. Parcels meeting the standard width to length ratio would cause significant additional grading to occur if the roadways were extended merely to achieve additional road frontage. The lots as shown have a minimum frontage of 150 feet and each lot is fully accessible, has a building site, and septic area.

2. Reduction in the required 10 foot shoulder to 2 feet as required in Section III(A)(12) of the Design Improvements Standards Manual.

Discussion: The proposed project would create nine parcels with a total of 11 parcels taking access from the road. The applicant proposes to pave the proposed road to a fire safe width of twenty feet with two foot shoulders. Increased road width has the potential to impact identified wetlands on the project site and further impact a proposed stream crossing. County Fire and the Department of Transportation have recommend approval of the request.

**El Dorado County Subdivision Ordinance:** The project is subject to the applicable provisions of the El Dorado County Subdivision Ordinance, including Section 16.12.010 (State Law Compliance) and 16.12.020 (General Plan Compliance), subject to the specific findings under Section 16.12.030.

**Conclusion:** The proposed Tentative Subdivision Map would create a total of 9 lots, in conformance with the standards under the RE-5 and Re-10 zone districts. Development of these parcels would be subject to applicable provisions of the El Dorado County General Plan, recommended Conditions of Approval, mitigation measures, and other standards imposed by El Dorado County and affected agencies.

## ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Environmental Checklist with Discussion attached) to determine if the project may have 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 in the areas of impacts to biological resources and traffic.

Staff has determined that significant effects of the project on the environment have been mitigated; therefore, a Mitigated Negative Declaration has been prepared.

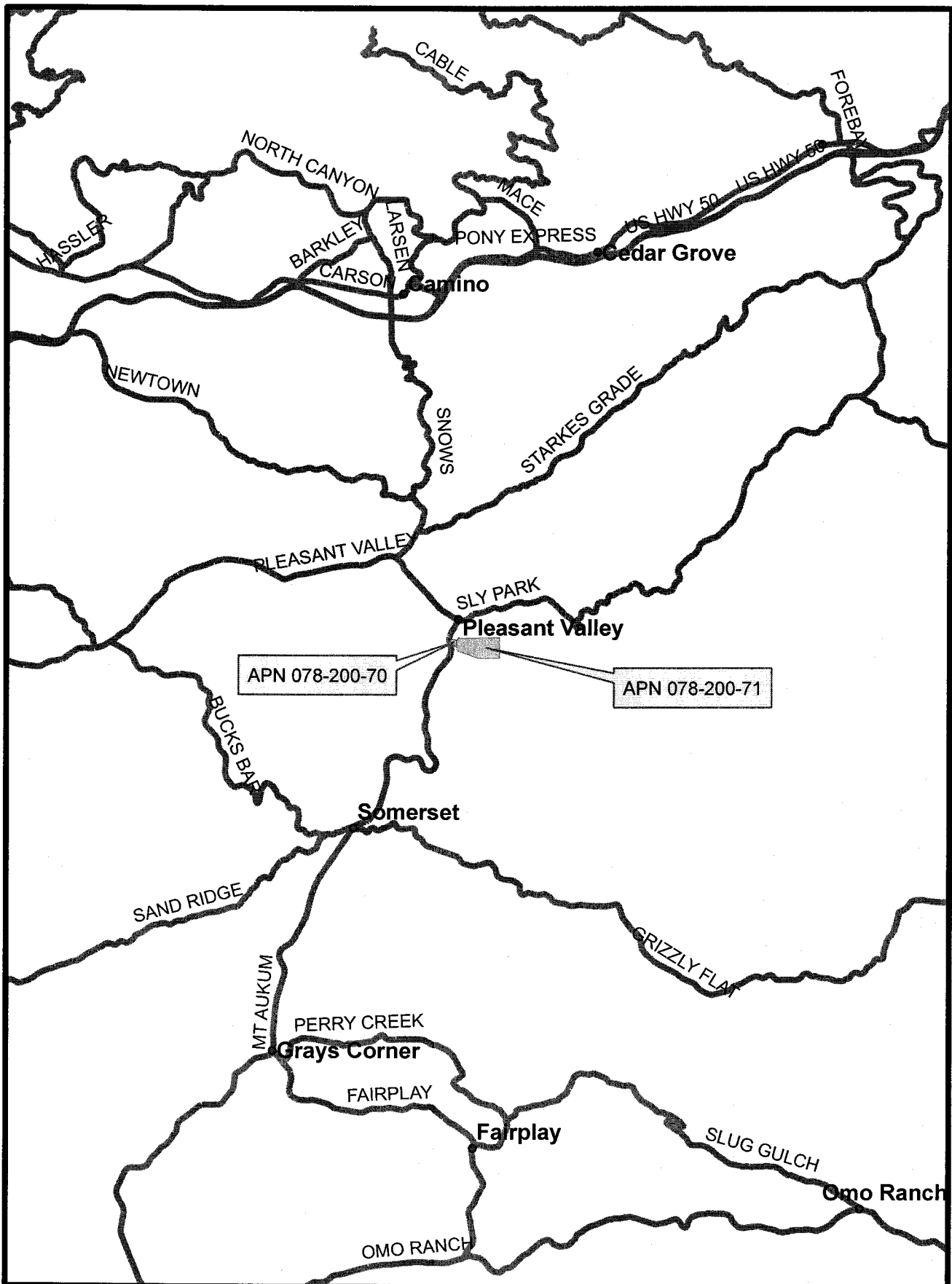
**NOTE:** This project is located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.), and was referred to the California Department of Fish and Game. In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$1,993.00 after approval, but prior to the County filing the Notice of Determination on the project. This fee, plus a \$50.00 recording fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$1,993.00 is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

## SUPPORT INFORMATION

### Attachments to Staff Report:

Attachment 1 .....	Conditions of Approval
Attachment 2 .....	Findings
Exhibit A .....	Vicinity Map
Exhibit B .....	Tentative Subdivision Map
Exhibit C .....	APN 078-200-70 Site Plan
Exhibit D .....	Proposed Zone Districts
Exhibit E .....	General Plan Land Use Map
Exhibit F .....	Zoning Map
Exhibit G .....	Rural Center Map
Exhibit H .....	Important Biological Corridor Map
Exhibit I .....	Assessor's Map Bk. 78 Pg. 20
Exhibit J .....	Assessor's Map Bk. 78 Pg. 21
Exhibit K .....	Assessor's Map Bk. 79 Pg. 27
Exhibit L .....	Parcel Map PM47-138
Exhibit M .....	Parcel Map PM47-138A
Exhibit N .....	Agricultural Commission Memo Dated 2-19-09
Exhibit O .....	Environmental Checklist and Discussion of Impacts

# EXHIBIT A: VICINITY MAP



PERMIT # Z08-0004/TM08-1466  
PREPARED BY AARON MOUNT

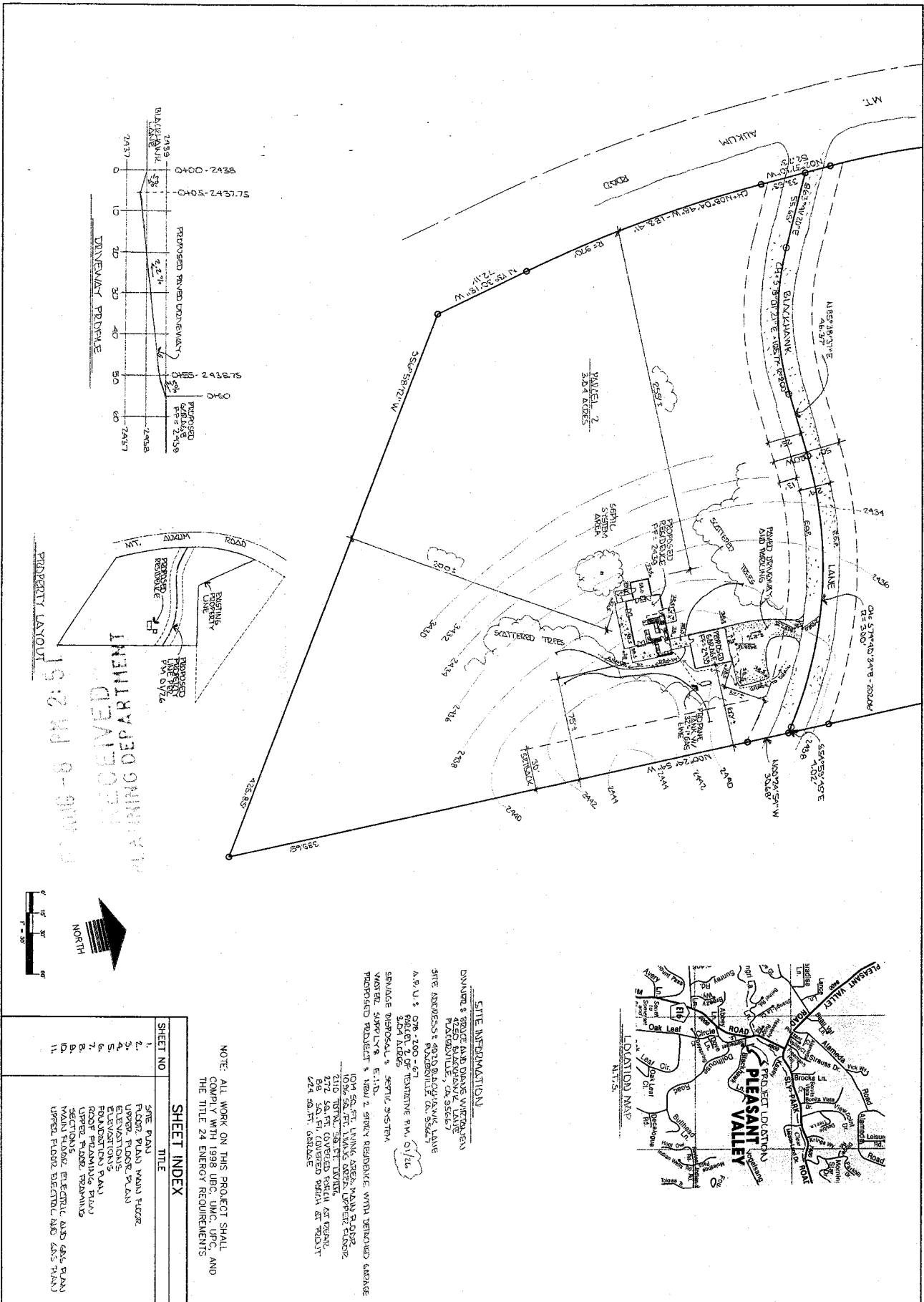
0 0.5 1 2 Miles



09-1167.E.16



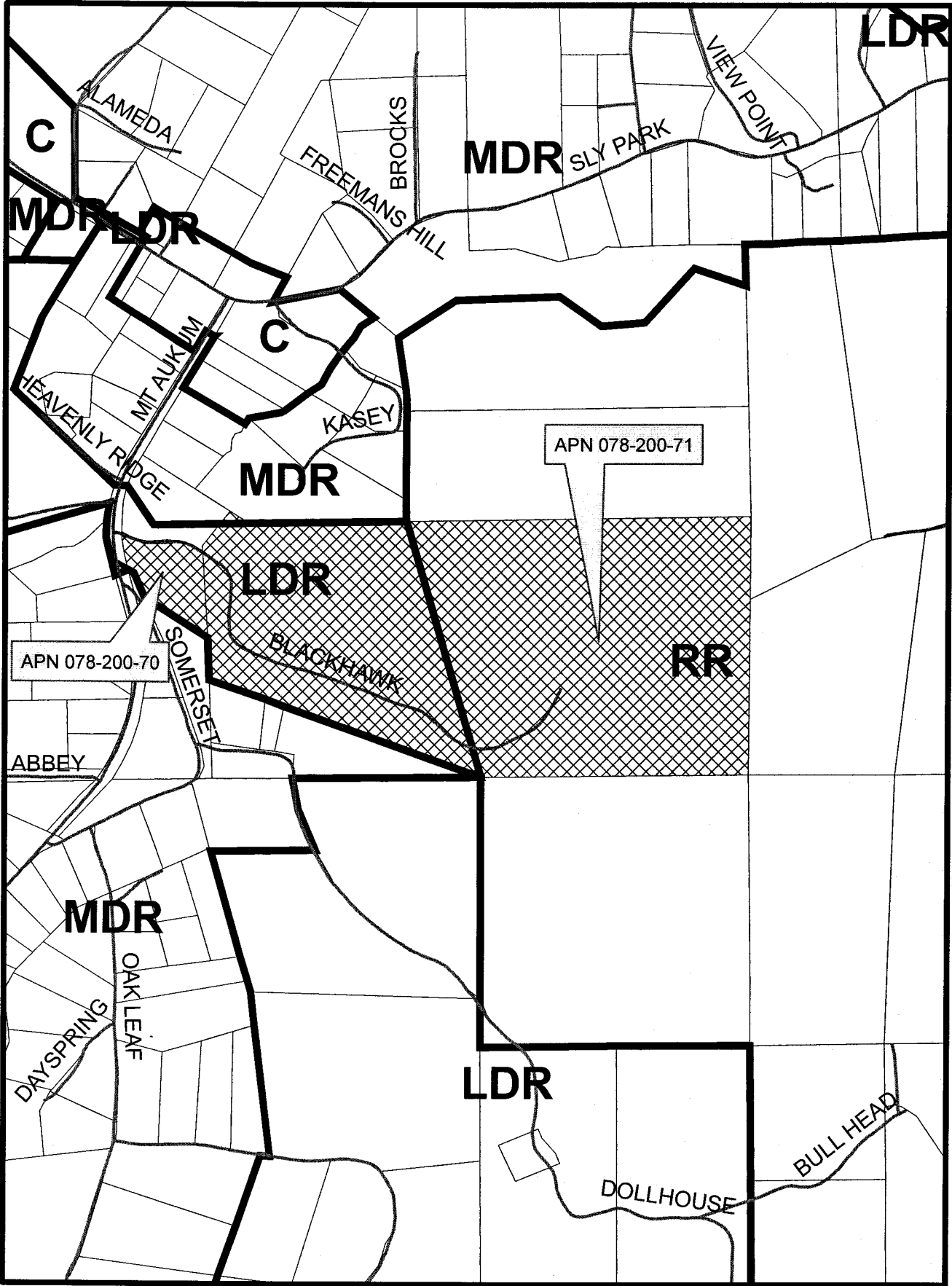
# EXHIBIT C



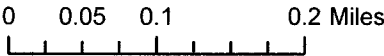
SHEET 1 OF 11	DATE: 1-1-2001 DRAWN BY: TET SCALE: AS SHOWN REVISIONS: 5-16-2001	SHEET TITLE: <b>SITE PLAN</b>	OWNER: BRUCE AND DIANE WIRTANEN 4020 BLACKHAWK LANE PLACERVILLE, CA. 95667	TIFT HOME DESIGN AND PLAN SERVICE P.O. BOX 59 EL DORADO, CA. 95663 (530) 621-0744 FAX: (530) 622-3078



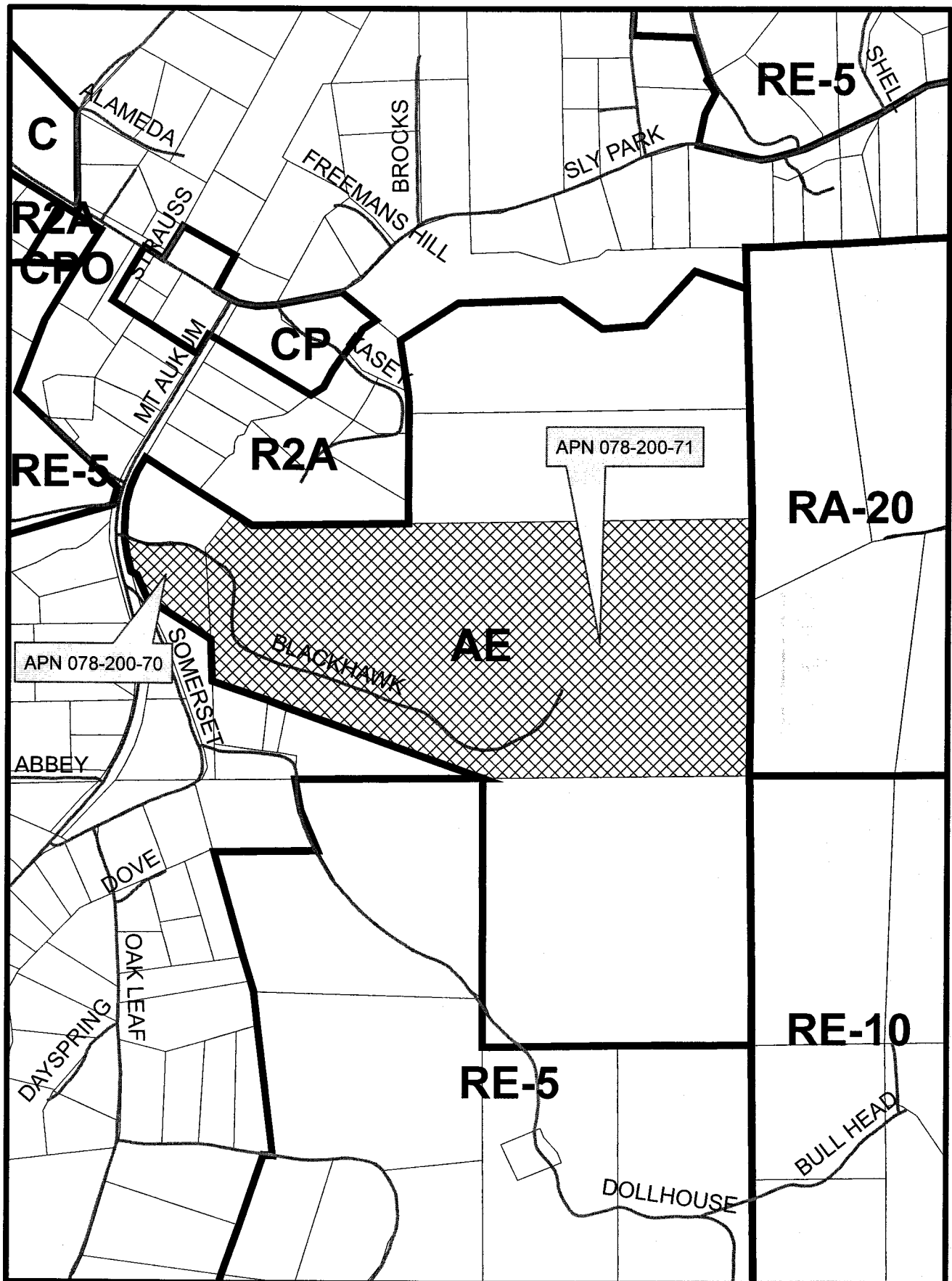
# EXHIBIT E: GENERAL PLAN MAP



PERMIT # Z08-0004/TM08-1466  
PREPARED BY AARON MOUNT



# EXHIBIT F: ZONE DISTRICT MAP



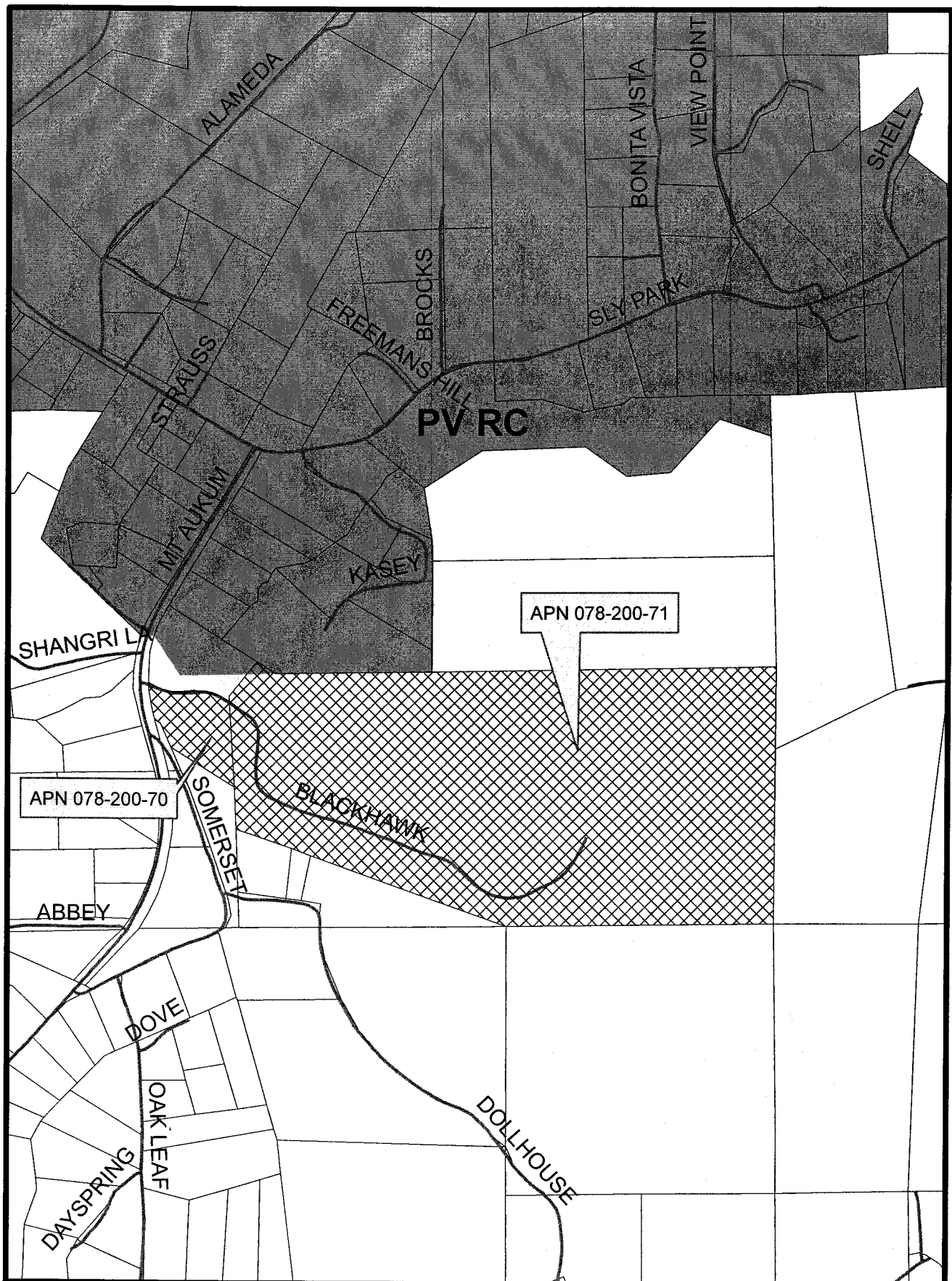
PERMIT # Z08-0004/TM08-1466  
PREPARED BY AARON MOUNT

0 0.05 0.1 0.2 Miles



09-1167.E.21

# EXHIBIT G: PLEASANT VALLEY RURAL CENTER



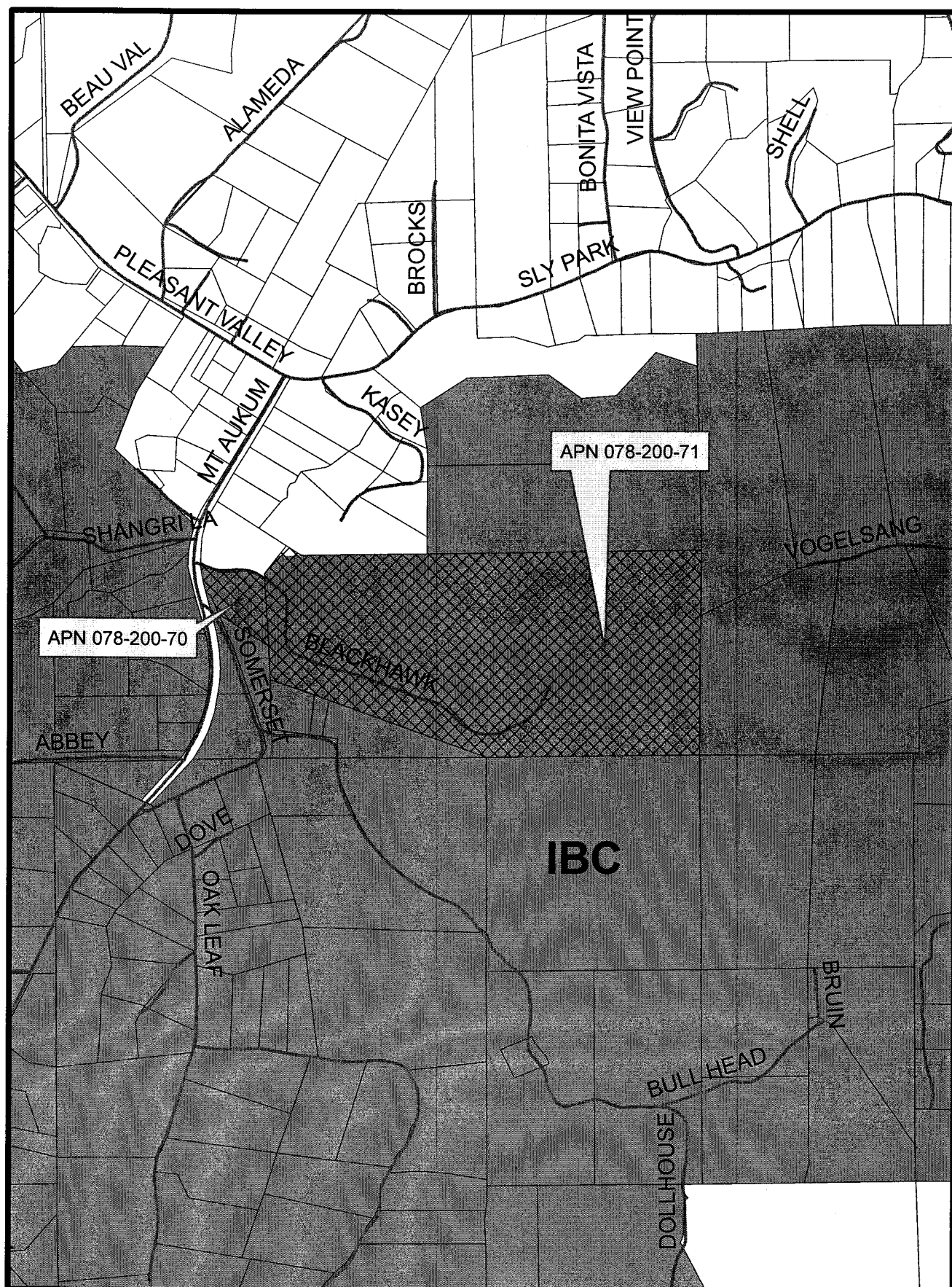
PERMIT # Z08-0004/TM08-1466  
PREPARED BY AARON MOUNT

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09-1167.E.22

# EXHIBIT H: IMPORTANT BIO CORRIDOR



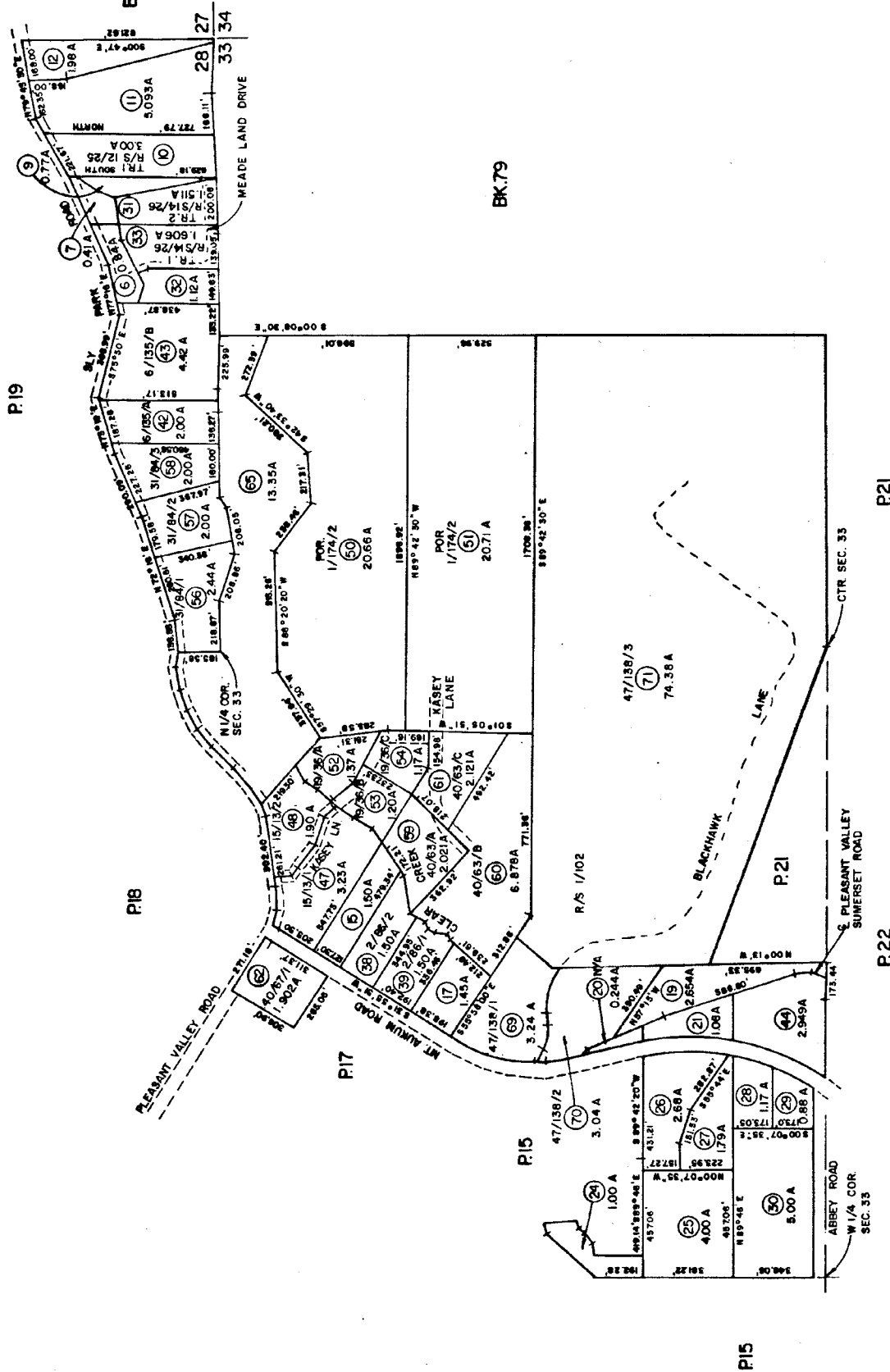
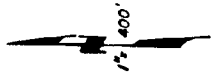
PERMIT # Z08-0004/TM08-1466  
PREPARED BY AARON MOUNT

0 0.1 0.2 0.4 Miles



09-1167.E.23

# EXHIBIT I

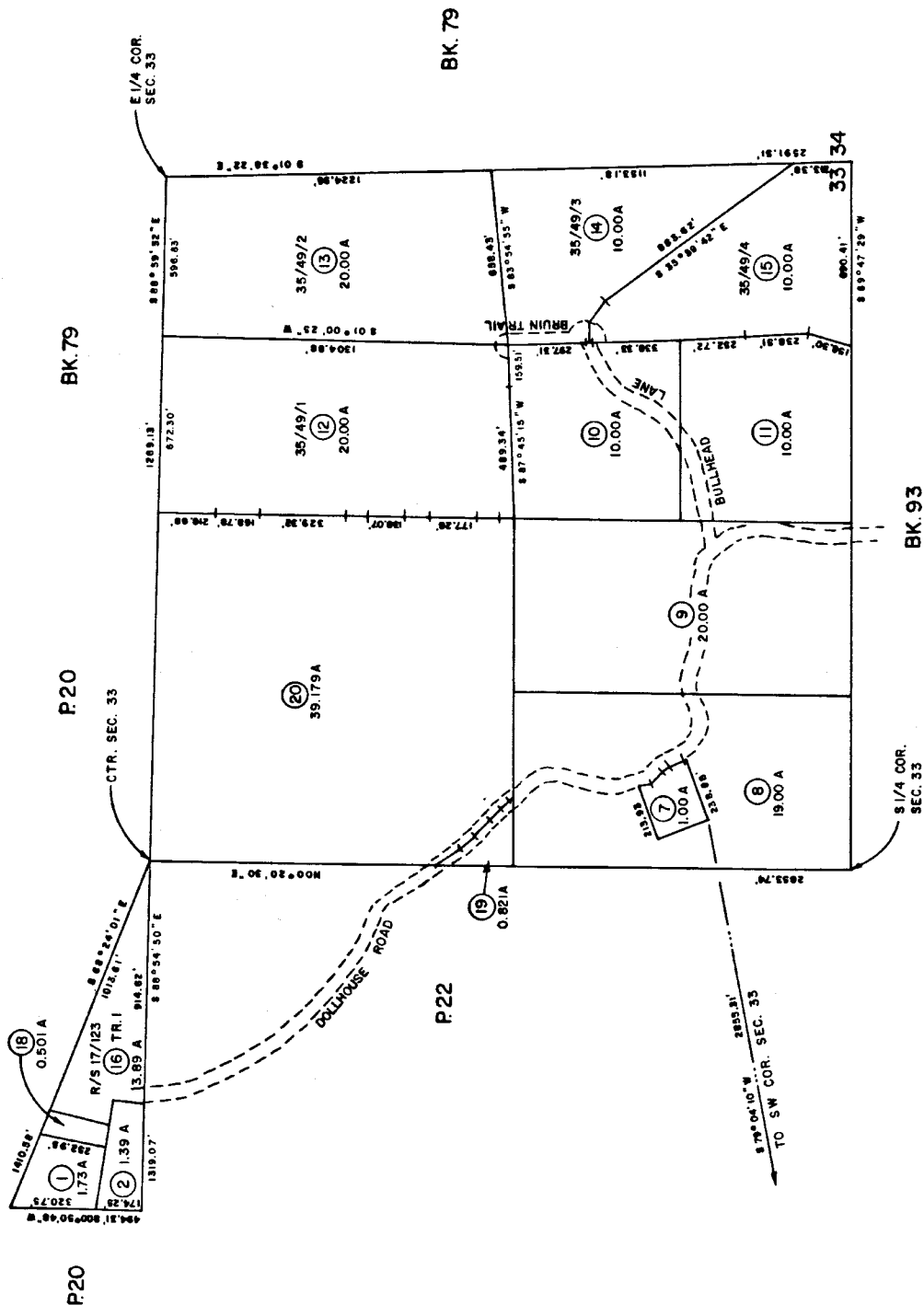


NOTE - Assessor's Block Numbers Shown in Ellipses  
Assessor's Parcel Numbers Shown in Circles

THIS MAP IS NOT A SURVEY, it is prepared by the El Dorado Co.  
Assessor's office for assessment purposes only.

Assessor's Map Bk. 78 - Pg. 20  
County of El Dorado, California

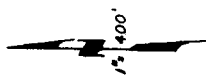
MAY 02 2005



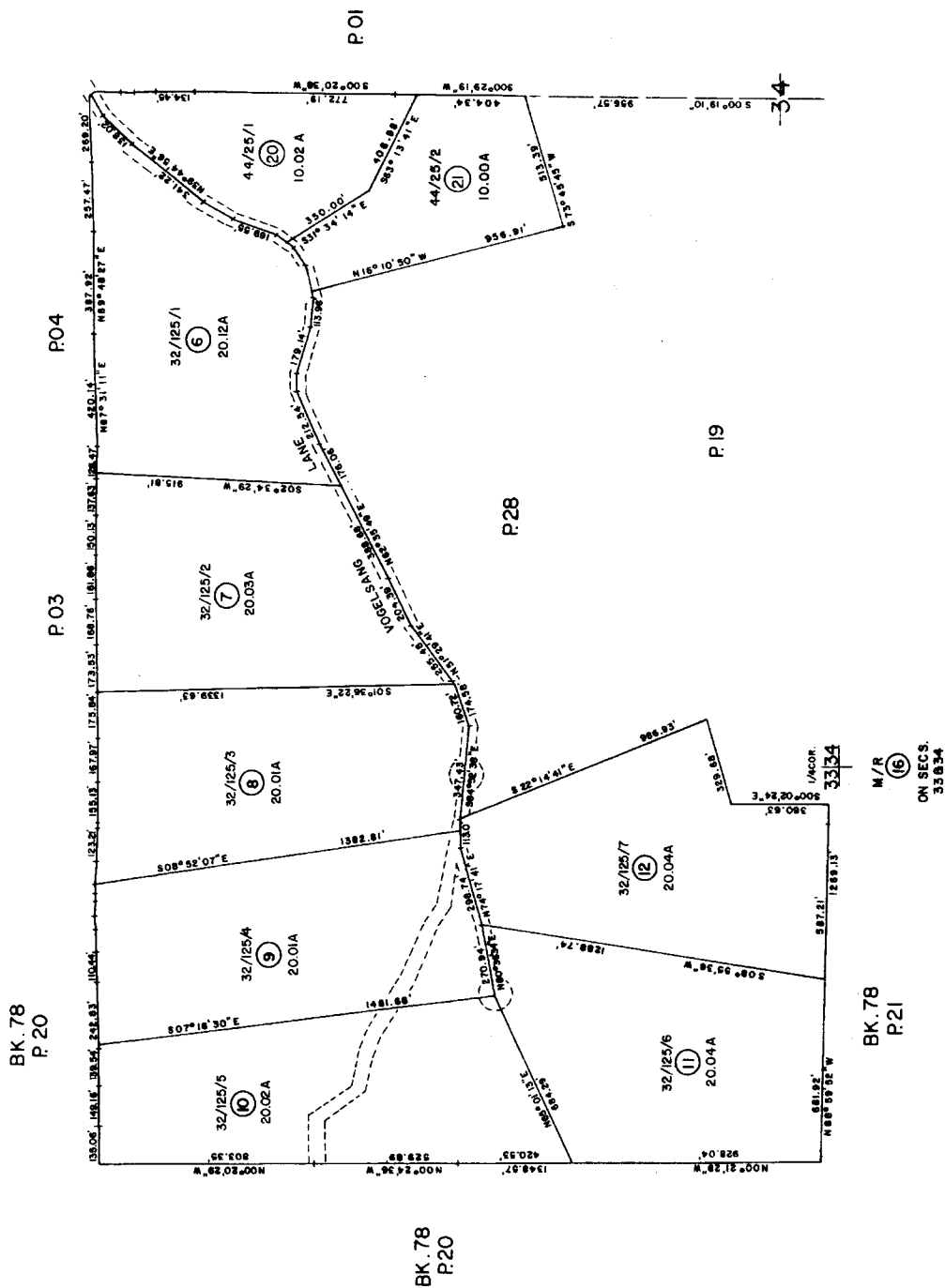
Assessor's Map Bk. 78 -- Pg. 21  
County of El Dorado, California  
OCT 20 2003

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

**THIS MAP IS NOT A SURVEY, It is prepared by the El Dorado Co. Assessor's office for assessment purposes only.**



# EXHIBIT K



*Assessor's Map Bk. 79 - Pg. 27*  
*County of El Dorado, California*

**NOTE – Assessor's Block Numbers Shown in Ellipses  
Assessor's Parcel Numbers Shown in Circles**

## PARCEL MAP

A PORTION OF THE N 1/2 OF  
SECTION 33, T10N, R12E, M1D. M.  
COUNTY OF EL DORADO, CALIFORNIA  
AUGUST 2001  
SCALE: 1"=100'  
EL DORADO LAND SURVEY CO.  
SHEET 1 OF 2

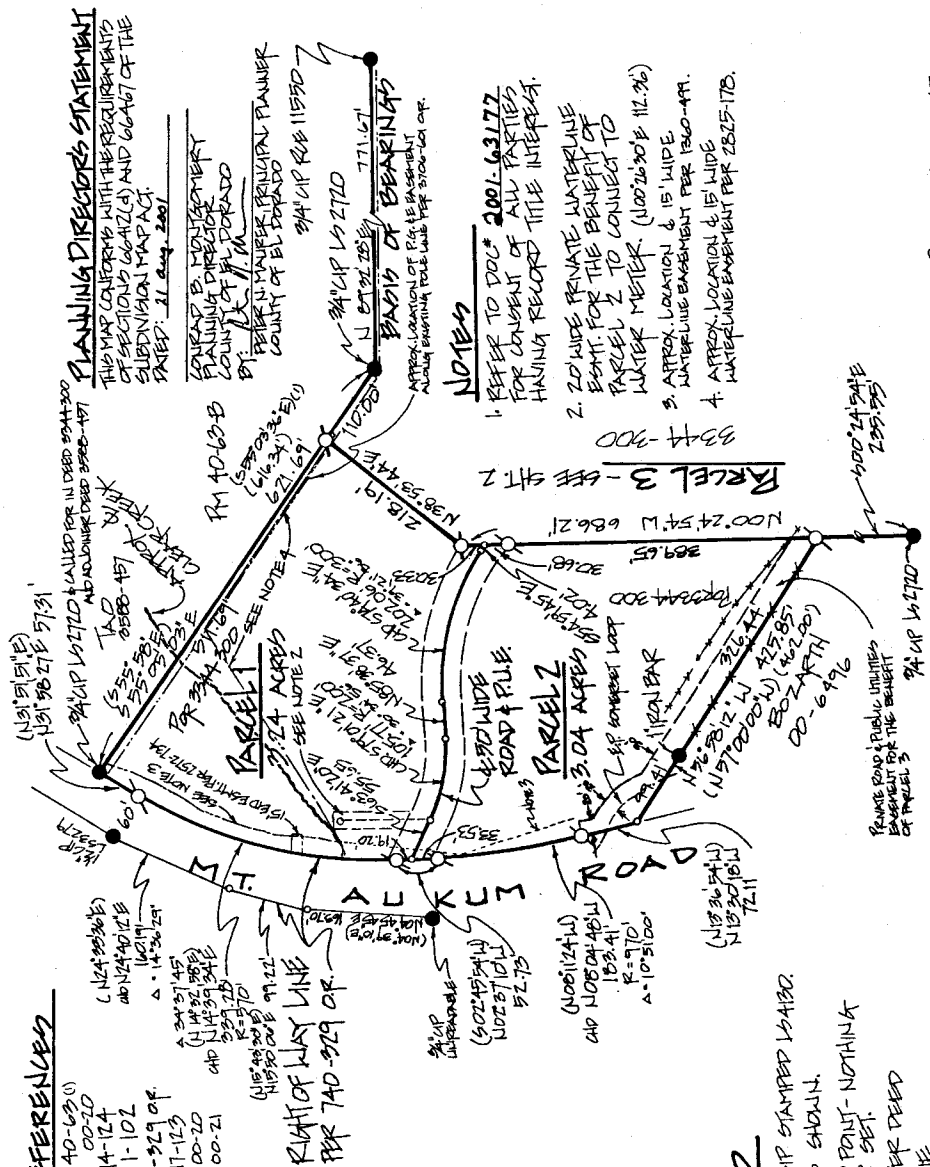
**BASIS OF BEARINGS**  
THE MERIDIAN OF THIS SURVEY IS  
TRUE NORTH AND IS IDENTICAL TO  
THAT OF PM 40-63.

### REFERENCES

PM 40-63 (1)  
COC 00-20  
RS 14-124  
RS 1-102  
740-929 OF  
RS 11-123  
CC 00-20  
CC 00-21



1"=100'



### PLANNING DIRECTOR'S STATEMENT

THIS MAP CONFORMS WITH THE REQUIREMENTS  
OF SECTIONS 6642(4) AND 66467 OF THE  
SUBDIVISION MAP ACT.  
DATED: 31 Aug. 2001

CONRAD B. HODGSON  
PLANNING DIRECTOR  
COUNTY OF EL DORADO  
BY: [Signature]  
COUNTY OF EL DORADO  
3/4" CIP R/L 11530

### SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND  
IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE  
REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL  
ORDINANCES AT THE REQUEST OF EL DORADO LAND SURVEY  
ON 2001. THE SURVEY WAS CONDUCTED AND THE CHARACTER  
AND QUALITY OF THE SURVEYING METHODS USED ARE SUFFICIENT  
TO MAKE THE SURVEY TO BE RELIED UPON.

WALTER C. SMART - 154130  
DATE: 6-30-04



### COUNTY SURVEYORS STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND  
IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE  
REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL  
ORDINANCES AT THE REQUEST OF EL DORADO LAND SURVEY  
ON 2001. THE SURVEY WAS CONDUCTED AND THE CHARACTER  
AND QUALITY OF THE SURVEYING METHODS USED ARE SUFFICIENT  
TO MAKE THE SURVEY TO BE RELIED UPON.

DANIEL RUSSELL  
COUNTY SURVEYOR  
COUNTY OF EL DORADO  
DATE: Aug 27, 2001  
EXPIRATION DATE: 12-31-01



### COUNTY RECORDER'S CERTIFICATE

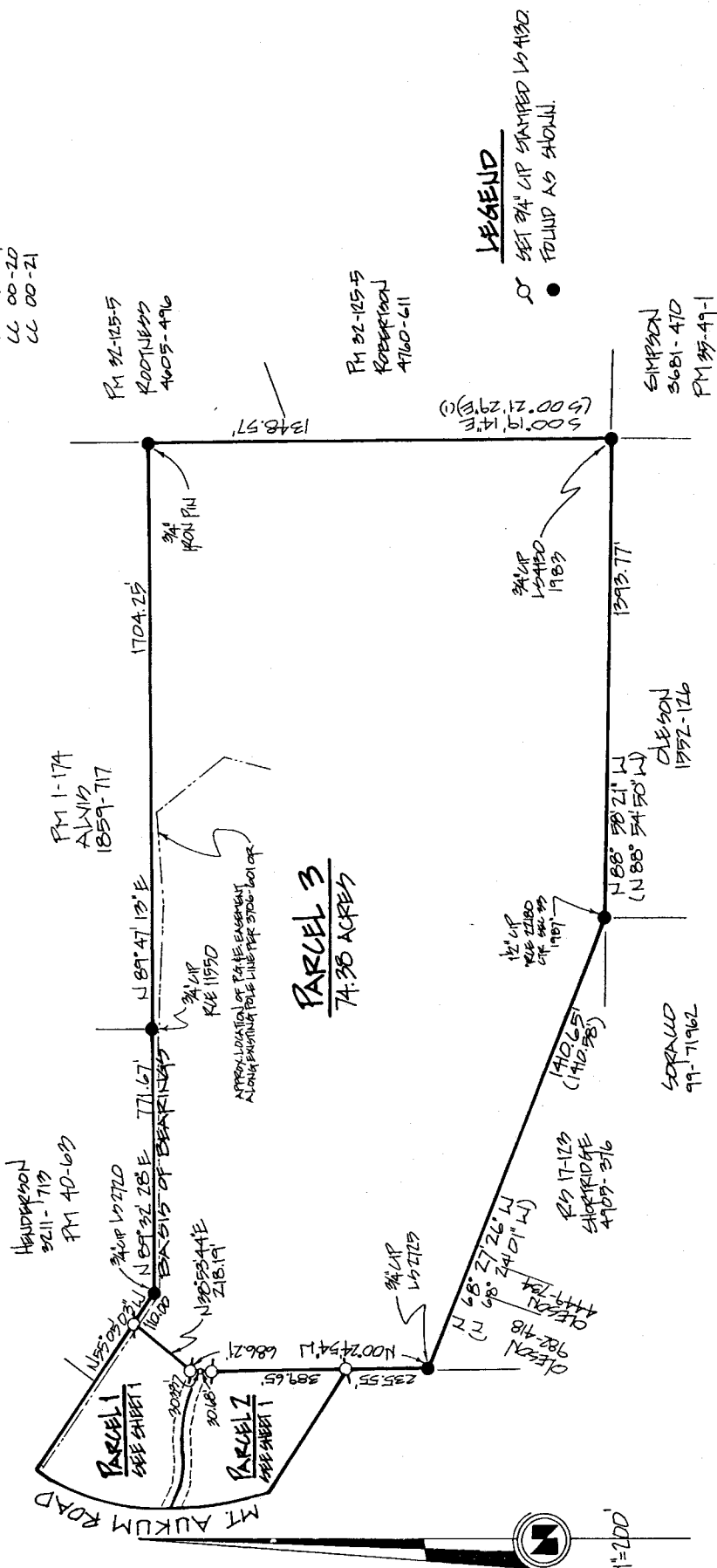
I HEREBY CERTIFY THAT THE ABOVE MAP WAS  
FILED WITH THE COUNTY CLERK OF EL DORADO  
COUNTY, CALIFORNIA, ON AUGUST 27, 2001, AT  
THE REQUEST OF EL DORADO LAND SURVEY, INC.  
DOCUMENT NO. 2001-03176

BY: [Signature]  
COUNTY CLERK  
COUNTY OF EL DORADO

EXHIBITING ASSessor'S PARCEL NOS. 18-700-04, 06 AND 07

REFERENCES  
PM 32-129 (1)  
PM 1-174  
PM 40-63  
RM 17-123  
RM 35-49  
CC 00-20  
CC 00-21

BASIS OF BEARING  
THE MERIDIAN OF THIS SURVEY IS  
TRUE NORTH AND IS IDENTICAL TO  
THAT OF FM 40-63



EXISTING ASSEMBLY PARCEL NO. 5 078-200-6A, 66 AND 67

# EXHIBIT N

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](mailto:eldcag@co.el-dorado.ca.us)

Greg Boeger, Chair – Agricultural Processing Industry  
Lloyd Walker, Vice-chair – Other Agricultural Interests  
Chuck Bacchi – Livestock Industry  
Bill Draper – Forestry /Related Industries  
Dave Pratt – Fruit and Nut Farming Industry  
Gary Ward – Livestock Industry  
- Fruit and Nut Farming Industry

### MEMORANDUM

DATE: 2/19/09

TO: Aaron Mount

FROM: Greg Boeger, Chair

SUBJECT: STAFF RECOMMENDATION of Z 08-0004, Black Hawk Estates

During the Agricultural Commission's regularly scheduled meeting held on February 11, 2009, the following discussion and motion occurred regarding the rezone of APN 078-200-70 from AE to RE-5.

Staff reported on the site visit of January 9, 2009. The subject parcel is located on the southwest corner of Blackhawk Lane in the Pleasant Valley area and is 3.04 acres. Surrounding parcels are zoned R2A (Single-Family Two-Acre Residential) and have a land use designation of MDR (Medium Density Residential). The subject parcel has a land use designation of LDR (Low Density Residential). This land use designation allows for a maximum density of one dwelling unit per 5.0 acres, with parcel sizes ranging from 5.0 to 10.0 acres. The subject parcel's land use designation is not consistent with its size of 3.04 acres. The subject parcel and surrounding parcels have "Choice soils."

Relevant General Plan Policies: General Plan Policy 8.1.3.2 states, "Agriculturally incompatible uses adjacent to agricultural zoned lands shall provide a minimum setback of 200 feet from the boundary of the agriculturally zoned lands. The implementing ordinance shall contain provisions for Administrative relief to these setbacks, where appropriate, and may impose larger setbacks where needed to protect agricultural resources."

General Plan Policy 8.1.4.1 states, "The County Agricultural Commission shall review all discretionary development applications involving land zoned for or designated agriculture, and shall make recommendations to the reviewing authority."

Considerations: On May 14, 2008, the Agricultural Commission recommended denial of the proposed tentative parcel map (TM 08-1466) until the adjacent AE zoned parcels were rezoned to something other than agriculture, or Lots 1 and 9 were combined to create a 10 acre parcel with a consistent zoning.

If the requested rezone is approved, proposed Lot 9 (5.1 acres), on the tentative parcel map would be consistent with applicable agricultural policies.

Bill Stephans referred to a "Note" on this agenda item that stated, "(Depending on the Board of Supervisors action at their February 3, 2009 meeting, staff may be able

*to make additional recommendations on TM 08-1466 if General Plan Policy 8.1.3.1 is further clarified.)"* He stated that the Board of Supervisors had adopted an interpretation of General Plan Policy 8.1.3.1. which would no longer allow the Commission to make a recommendation regarding Lot no.1 on the tentative parcel map, because the AE zoned parcel adjacent to it, is in a Rural Center and has a land use designation of Low Density Residential (LDR) .

Bruce Wirtanen was present for questions and review of the project.

Don Carter, representing, Clarence, David and Michael Alvis expressed their general concerns regarding the entire project and did not specifically address this request for rezoning the AE parcel. The creation of smaller parcels in agricultural areas is a major concern of theirs because once smaller parcels are approved; increases in conflicts and lack of agricultural uses follow. In his opinion, this area has some of the best soils for agriculture and should not be residentially developed. The effect on the local water supply, due to increased usage is another.

***It was moved by Mr. Pratt and seconded by Mr. Draper to recommend Approval of Z 08-0004, the rezone of APN 078-200-70 from AE to RE-5, as all of the required findings can be made for General Plan Policy 8.1.4.1., the proposed use:***

- A. Will not intensify existing conflicts or add new conflicts between adjacent residential areas and agricultural activities;***
- B. Will not create an island effect wherein agricultural lands located between the project site and other non-agricultural lands will be negatively affected; and***
- C. Will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to agricultural lands.***

***Motion passed.***

**AYES:** Draper, Pratt, Walker, Boeger  
**NOES:** Bacchi, Ward  
**ABSENT:** None

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

GB:na

Cc: Bruce Wirtanen  
Larry Patterson

# EXHIBIT O



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

**ENVIRONMENTAL CHECKLIST FORM  
AND DISCUSSION OF IMPACTS**

**Project Title:** Z08-0004/TM08-1466/Blackhawk Estates

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

**Contact Person:** Aaron Mount

**Phone Number:** (530) 621-5355

**Property Owner's Name and Address:** Bruce and Diane Wirtanen, 4250 Blackhawk Lane, Placerville, CA 95667

**Project Applicant's Name and Address:** Bruce and Diane Wirtanen, 4250 Blackhawk Lane, Placerville, CA 95667

**Project Agent's Name and Address:** Patterson Development, 6610 Merchandise Way, Diamond Springs, CA 95619

**Project Engineer's / Architect's Name and Address:** Patterson Development, 6610 Merchandise Way, Diamond Springs, CA 95619

**Project Location:** On the north and south side of Blackhawk Lane, approximately .25 miles east of the intersection with Mt Aukum Road (E16) in the Pleasant Valley area

**Assessor's Parcel Number(s):** 078-200-70 & -71 (77.42 acres)

**Zoning:** Exclusive Agricultural (AE)

**Section:** 33      **T:** 10N **R:** 12E

**General Plan Designation:** Medium Density Residential (MDR)/Low Density Residential-Important Biological Corridor (LDR-IBC)/Rural Residential- Important Biological Corridor (RR-IBC)

**Description of Project:**

1. Rezone of APN's 078-200-70 and 078-200-71 from Exclusive Agricultural (AE) to Estate Residential Five-Acre (RE-5) and Estate Residential Ten-Acre (RE-10); and
2. A tentative subdivision map for APN 078-200-71 creating 9 lots, ranging in size from 5 acres to 11.5 acres, on a 74.38-acre site (Exhibit B).

**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	MDR/LDR-IBC/RR-IBC	Single Family Residence, Orchard
North:	R2A/AE	MDR/LDR-IBC/RR-IBC	Single Family Residences, Grazing
East:	RA-20	RR-IBC	Single Family Residences
South:	R2A/AE	MDR/RR-IBC	Single Family Residences
West:	R2A/AE	MDR/LDR-IBC	Single Family Residences

**Briefly Describe the environmental setting:** The project site ranges in elevation from 2,400 to 2,600 feet above mean sea level and is located adjacent to the Pleasant Valley Rural Center. The project site contains two parcels, 3.04 and 74.38 acres in size, each containing a single family residence. The project parcels were a portion of two Williamson Act contracts that have completed roll outs. The surrounding property is rural residential and rangeland. A majority of the subject sites contains undulating terrain with annual grassland and scattered stands

of trees. The area to the south and west of Black Hawk Lane, lies on Placer diggings and contains ponderosa pines and valley oaks. The east side of the project site rises steeply and is covered by oak-foothill pine woodland. The project site contains several ephemeral drainages and two seasonal wetlands. No impact is proposed to the seasonal wetlands. A road crossing is proposed over one of the ephemeral drainages.

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

**El Dorado County Department of Transportation: grading permits**

**El Dorado County Surveyors Department: Final Map**

**El Dorado County Fire Protection District: Fire safe plan**

**El Dorado Irrigation District: water meters**

**California Department of Fish and Game: Streambed alteration permits**

**Planning Services: Tentative Map/Final map**

### 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		

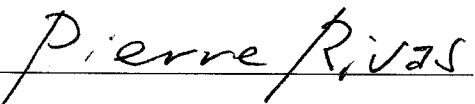
### DETERMINATION

#### 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:  Date: 5-5-09

Printed Name: Aaron Mount, Associate Planner For: El Dorado County

Signature:  Date: 5-5-09

Printed Name: Pierre Rivas, Principal Planner 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.

## **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 fifteen residential parcels.

### **Project Location and Surrounding Land Uses**

The project site is located within the Pleasant Valley area. The project site is surrounded by existing developed and undeveloped residential and agricultural parcels.

### **Project Characteristics**

The project would create nine single-family residential parcels ranging in size from 5 to 11 acres. An on-site road would be developed.

#### **1. Transportation/Circulation/Parking**

Access to the project parcel would be provided from an existing off-site access easement, Blackhawk Lane, which encroaches onto Mt Aukumn Road (E16). On-site access would be provided by a newly developed road which is currently a driveway. The project is proposed to create nine residential lots, which would require two parking spaces per parcel. Parking for each parcel would be provided by future residential development. No impacts to parking would occur as part of the project.

#### **2. Utilities and Infrastructure**

The project site currently contains a single family residence. As part of the project, the extension of utilities services would be required. The project would be required to connect to El Dorado Irrigation District metered water service and sewage disposal would be provided by on-site private septic systems.

#### **3. Population**

Using the 2000 U.S. Census figures which established that, in the unincorporated areas of the County, the average household size was 2.70 persons/occupied unit. The approval of the applications as proposed would potentially add 9 single-family units which at 2.70 persons/occupied unit currently propose to potentially add approximately 24 persons to the neighborhood. The project matches the density of the MDR, LDR, and RR land use designations.

#### **4. Construction Considerations**

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

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

#### **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:

Aesthetics, Agriculture Resources, and Air Quality.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

## **ENVIRONMENTAL IMPACTS**

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

- Scenic Vista:** The project site and vicinity is not identified by the County as a scenic view or resource (El Dorado County Planning Services, El Dorado County General Plan Draft EIR (SCH #2001082030), May 2003, Exhibit 5.3-1 and Table 5.3-1). Impacts would be less than significant.
- Scenic Highways:** The project site is not within a State Scenic Highway corridor. There are no trees or historic buildings that have been identified by the County as contributing to exceptional aesthetic value at the project site (California Department of Transportation, California Scenic Highway Program, Officially Designated State Scenic Highways, p.2 (<http://www.dot.ca.gov/hq/LandArch/scenic/schwyl.html>)). Impacts would be less than significant.
- Visual Character:** The DEIR for the General Plan had identified and examined the potential impacts that implementation of the General Plan would have to the visual character of the areas of the County. Section 5.3-2 states that the County mitigate the potential significant impacts by designing new streets and roads within new developments to *minimize visual impacts, preserve rural character, and ensure neighborhood quality to the maximum extent possible consistent with the needs of emergency access, on-street parking, and vehicular and pedestrian safety.* The proposed project is designed and conditioned to provide improvement and extension of an existing driveway to access the proposed 9 parcels. Conditions applied to the access road will require adequate fire access while ensuring a minimum impact to resources.

Mitigation in the form of General Plan policies have been developed to mitigate impacts to less than significant levels for impacts associated with aesthetic resources. Cumulative impacts were previously considered and analyzed. With full review with consistency with General Plan Policies as well as the consistency rezone resultant of the subject applications, impacts would be less than significant. As designed and conditioned, impacts would be less than significant.

- Light and Glare:** If approved as proposed, the creation of these nine lots would allow new lighting by creating the potential for residential units on each lot. These impacts would not be expected to be any more than any typical residential lighting similar and typical to other subdivisions created within a land use area designated by the General Plan

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for High Density Residential uses within the County. Section 5.3-3 states the potential significant impacts would be mitigated by including *design features, namely directional shielding for street lighting, parking lot lighting, and other significant lighting sources, that could reduce the effects from nighttime lighting.* With exception to potential patio and garage entrance lighting, common area lighting is not proposed for this project. All lighting, including patio and garage entrance lighting would be required to meet the County lighting ordinance and must be shielded to avoid potential glare affecting day or nighttime views for those that live or travel through the area.

No lighting is proposed with this project. Any future lighting would need to conform to Section 17.14.170, and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation.

Mitigation in the form of General Plan policies have been developed to mitigate impacts to less than significant levels for impacts associated with aesthetic resources. Cumulative impacts were previously considered and analyzed. With full review with consistency with General Plan Policies as well as the rezone resultant of the subject applications, impacts would be less than significant. As designed and conditioned, impacts from outdoor lighting would be less than significant with this project.

**Finding:** It could be found that as proposed, the project would not significantly impact designated scenic highways, scenic viewpoints as well as outside-in views, and lighting impacts not normally anticipated from similar high density residential developments. As a result, there would be a less than significant level of impact.

<b>II. AGRICULTURE RESOURCES. <i>Would the project:</i></b>				
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, b, c.) **Conversion of Prime Farmland, Williamson Act Contracts, Non-agricultural Use:** El Dorado County has established the Agricultural District (-A) General Plan land use overlay designation and included this overlay on the

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General Plan Land Use Maps. Review of the General Plan land use map for the project area indicates that there are no areas of "Prime Farmland" or properties designated as being within the Agricultural District (-A) General Plan land use overlay designation adjacent to the project site. This property and project is not under, and would not conflict with an adjacent Williamson Act Contract. There would be a conflict with existing zone designations protecting agricultural uses and with General Plan Policies 8.1.3.1, 8.1.3.2 and 8.2.2.5 that require that newly created parcels adjacent to Agricultural land be ten acres or larger and be of such size as to allow for adequate setback. In Section 5.2-1, the General Plan DEIR identified potential significant impacts by new development that would convert Important Farmlands and grazing areas. DEIR Mitigation Measure 5.2-1(a) identifies that these impacts are significant and unavoidable in many instances. Table 5.2-5 identifies that an estimated 104,149 agriculturally zoned acres were subject to a medium or high conversion potential. DEIR Mitigation Measures 5.1-3(a) and (b) direct that the County *establish a General Plan conformity review process for all development projects* and that development be *located and designed in a manner that avoids adjacent incompatible land uses*.

The El Dorado County Agricultural Commission reviewed the project and recommended approval of the zone change from AE to RE-5 and RE-10. Further they stated that the project would not have a significant impact on adjacent agriculturally zoned parcels with the inclusion of 10 acre buffer parcels and 200 foot incompatible building setbacks. The subject parcel is located within and adjacent to the Pleasant Valley Rural Center. General Plan Policy 2.1.1.2 establishes Rural Centers as those areas of *higher intensity development throughout the rural areas of the County based on the availability of infrastructure, public services, existing uses, parcelization, impact on natural resources, etc* 10 acre buffer parcels on the western end of the map are not required due to recent Board of Supervisors interpretation that parcels with a LDR land use designation and within a Rural Center are exempt from review of agricultural incompatibility.

Mitigation in the form of General Plan polices have been developed to mitigate impacts to less than significant levels for impacts associated with agriculture resources. Cumulative impacts were previously considered and analyzed. With full review with consistency with General Plan Policies as well as the consistency rezone resultant of the subject applications, impacts would be less than significant.

**Finding:** This project would not impact properties subject to a Williamson Act Contract. The Agricultural Commission has determined that the design of the map would not have a significant impact on adjacent agricultural activities. Impacts within this category would be less than significant.

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 non-attainment 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	

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### **Discussion:**

A substantial adverse effect on Air Quality would occur if:

- Emissions of ROG and NO<sub>x</sub>, 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 PM<sub>10</sub>, CO, SO<sub>2</sub> and NO<sub>x</sub>, 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. **Air Quality Plan.** El Dorado County has adopted the *Rules and Regulations of the El Dorado County Air Pollution Control District* (February 15, 2000) establishing rules and standards for the reduction of stationary source air pollutants (ROG/VOC, NO<sub>x</sub>, and O<sub>3</sub>). Any activities associated to the grading and construction of this project would pose a less than significant impact on air quality because the El Dorado County Air Quality Management District (AQMD) would require the project implement a Fugitive Dust- Asbestos Mitigation (FDM) plan during grading and construction activities. Such a plan would address grading measures and operation of equipment to minimize and reduce potentially significant impacts to a less than significant level.

b. **Air Quality Standards.** The project would create air quality impacts which may contribute to an existing or projected air quality violation during construction. Construction activities associated with the project include grading and site improvements, for roadway expansion, utilities, driveway, home, and building pad construction, and associated on-site activities. Construction related activities would generate PM<sub>10</sub> dust emissions that would exceed wither the state or federal ambient air quality standards for PM<sub>10</sub>. This is a temporary but potentially significant effect.

Operational air quality impacts would be minor, and would cause an insignificant contribution to existing or projected air quality violations. Source emissions would be from vehicle trip emissions, natural gas and wood combustion for space and water heating, landscape equipment, and consumer products.

The El Dorado County Air Quality Management District review of the project determined that the construction activities would result in potentially significant impacts to air quality. The assessment recommended that mitigation measures be applied to reduce impacts during project construction. The Air Quality Management District has reviewed the assessment and determined that standard District conditions of approval would reduce potentially significant impacts to less than significant.

Long term potential impacts to air quality would be related to typical residential development occurring as part of the project. The Air Quality Assessment determined that long-term impacts would not exceed established thresholds of significance. Long term impacts would be less than significant.

c. **Cumulative Impacts.** The project site is located within the Mountain Counties Air Basin which is designated as non-attainment for ozone and PM<sub>10</sub>. The Air Quality Analysis prepared for the project has recommended conditions

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of approval listed in (b) above that would reduce impacts related to PM<sub>10</sub> to a less than significant level. The Air Quality Analysis determined that the project would not generate a potentially significant level of ozone emissions. Impacts would be less than significant.

- d. **Sensitive Receptors.** The project would create 8 residential units within the El Dorado Hills Area. The proposed residential use would not be considered a use which would expose sensitive receptors to substantial pollutant concentrations. Impacts would be less than significant.
- e. **Objectionable Odors.** Table 3-1 of the *El Dorado County APCD CEQA Guide* (February, 2002) does not list the proposed residential use as a use known to create objectionable odors. Impacts would be less than significant.

**FINDING** The proposed project would not affect the implementation of regional air quality regulations or management plans. The project would result in increased emissions due to construction and operation, however existing regulations would reduce these potentially significant impacts to a less-than-significant level. Additional long-term impacts to air quality would be less than significant. The proposed project would not cause substantial adverse effects to air quality, nor exceed established significance thresholds for air quality impacts.

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 Service?		X		
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:**

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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) **Special Status Species and Sensitive Natural Communities:** The parcel does not fall within designated critical habitat or core areas for the Red-legged and Yellow-legged frog species. (El Dorado County Planning Department, El Dorado County General Plan Draft EIR (SCH #2001082030) May 2003, Exhibits 5.12-6 and 5.12-7). The proposed project potentially involves one crossing of an ephemeral stream. The ephemeral stream is not suitable habitat for any listed species and is not covered by General Plan policy for stream setbacks.

The "Biological Resources Study," submitted by the applicant, prepared by Sierra Ecosystem Associates dated January 21, 2008 determined the project site contained suitable habitat for several listed species, however no listed species were observed on the site.

(b. & c)

**Riparian Habitat, Wetlands:** The project is not located within a sensitive natural community of the County, state or federal agency, including but not limited to an Ecological Preserve or USFWS Recovery Plan boundaries.

**Potentially Jurisdictional Waters of the U.S.** The site supports potentially jurisdictional waters of the U.S. These areas are likely regulated by the U.S. Army Corps of Engineers (Corps) and the El Dorado County General Plan. As stated in Policy 7.3.3.4 of the General Plan, El Dorado County requires a 100-foot setback from all perennial streams, rivers, and lakes and a 50-foot setback from all intermittent streams and wetlands (El Dorado County 2004). The project site contains two seasonal wetlands and several ephemeral streams. No disturbance of the wetlands is proposed and one crossing over an ephemeral stream will be developed. Implementing a 25-foot buffer from the SW-1 and proposed development is still expected to protect habitat values and quality of the wetland. Ephemeral streams are not required to have development setbacks according to General Plan policy. However, the authorized buffer from development activities would ultimately be decided during CEQA review and any wetland permitting that may be necessary for the project. The following mitigation measures are recommended in order to bring potential impacts to a less than significant level:

1. **[MM Bio 1]** A 25-foot setback from the edge of SW-1 and a 50-foot setback from the edge SW-2 shall be recorded on the final map as shown on the Biological Resource Study for Blackhawk Estates prepared by Sierra Ecosystem Associates on January 21, 2008. No development shall occur within the setback area. No proposed lot boundary lines shall infringe on said setback lines. The identification shall be made on the final map, Site Plan Review, grading and building plans where applicable.

*Monitoring: Prior to filing of final map, Site Plan Review (SPR), grading and/or building plan approval, Development Services shall verify that the identification has been made on the final map, Site Plan Review, grading and building plans where applicable. The setback lines shall be shown on any submitted development plans submitted for the grading permit and Development Services shall verify this prior to issuance of any grading permit.*

Any alterations crossings of streams potentially require Streambed Alteration Permits. The following mitigation measures are to be implemented in order to reduce the impacts to the stream and watershed to a less than significant level:

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1. **[MM Bio 7]** A Streambed Alteration Agreement shall be obtained from CDFG, if applicable, pursuant to Section 1602 of the California Fish and Game Code, for each stream crossing and any other activities affecting the bed, bank, or associated riparian vegetation of any stream on the site. Appropriate mitigation measures would be developed in coordination with CDFG in the context of the 1602 agreement process. Authorization prior to placement of any fill is required from the Corps of Engineers if any impacts are proposed to jurisdictional riparian habitat. This authorization may require mitigation as deemed necessary by the Corps of Engineers.

*Monitoring:* The applicant shall provide a copy of the 1602 permit to Planning Services prior to issuance of the grading permit.

2. **[MM Bio 7]** A bottomless arch culvert shall be installed in place of a standard culvert where the access road crosses the ephemeral drainage upstream of SW-1. Flow dissipation structures shall be placed at the outfall of the culvert to moderate additional sheet flow collected in the drainage as a result of increased hardscaping from the project.

*Monitoring:* The features shall be shown on improvement plans submitted to the DOT. Improvements plan shall be approved by the DOT prior to finaling of the map.

- d) **Wildlife corridors:** The Biological Resource Assessment performed for the project site determined that the project would not have the potential to cause any impact, conflict with, or disturbance to the movement of wildlife and/or any migration corridor. The ability of wildlife to move across the site would not be unique to the other undeveloped areas in the project area. Impacts would be less than significant.
- e) **Biological Resources:** The project is consistent with the adopted Oak Woodlands Management Plan as no native oaks are to be removed. A condition of approval has been included to ensure any oaks removed due to development are replaced consistent with the plan.
- f) **Adopted Plans:** The project would not conflict with the provisions of any adopted or approved habitat conservation plan as the currently is not one involving or in the vicinity of the subject parcel. There would be a less than significant impact.

**Finding:** Direct impacts to biological resources by this proposed project would be reduced to a less than significant level by the inclusion of the mitigation measures listed above. For this "Biological" category, the potentially significant impacts are mitigated to a less than significant level.

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	

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V. CULTURAL RESOURCES. <i>Would the project:</i>				
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:

- 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-d) **Historical Resources, Pre-Historic Resources:** A *Cultural Resources Survey of Assessors Parcel Map 78-200-18*, dated August 8, 1990 by Dana Supernowicz, Consulting Archeologist, was completed for the subject parcel that reported there were no significant 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 following standard condition is required:

*In the event of the discovery of human remains, all work is to stop and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within 24 hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission. The Planning Services shall review the grading plans prior to the issuance of a grading permit, to ensure that this notation has been placed on the grading plans.*

**Finding:** As with many projects throughout the County, the potential to find historic, archaeological, or human remains outside of a designated cemetery could occur with this project. Combined with the typical project conditions outlined in the project permit, impacts would be reduced below a level of significance with this project.

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	

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VI. GEOLOGY AND SOILS. <i>Would the project:</i>				
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	
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. **Seismic Hazards.** i) According to the California Department of Conservation, Division of Mines and Geology, there are no Alquist- Priolo fault zones within El Dorado County. The nearest such faults are located in Alpine and Butte Counties. There would be no impact.

ii) The potential for seismic ground shaking in the project area would be considered less than significant. Any potential impacts due to seismic impacts would be address through compliance with the Uniform Building Code. All structures would be built to meet the construction standards of the UBC for the appropriate seismic zone.

iii) El Dorado County is considered an area with low potential for seismic activity. The potential areas for liquefaction on the project site would be the wetlands which would be filled as part of the project. Impacts would be less than significant.

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iv) Slopes exceeding 30% on the project site are limited to the existing drainage channels near the center of the project site. These slopes comprise approximately 3 percent of the site area. All grading activities onsite would be required to comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance. Compliance with the Ordinance would reduce potential landslide impacts to less than significant.

- b. **Soil Erosion.** According to the Soil Survey for El Dorado County, the soil types onsite are classified as Josephine, Mariposa, and Sites Series which have a moderate erosion hazard. All grading activities onsite would comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance. Impacts would be less than significant.
- c. **Geologic Hazards.** The onsite soil types have a slow to medium runoff potential with medium to moderate erosion potentials. All grading activities would comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance, impacts would be less than significant.
- d. **Expansive Soils.** All grading activities would comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance. Impacts would be less than significant.
- e. **Septic Capability.** The project would construct private on-site septic systems for each of the proposed lots. The project submittal included a preliminary septic test trench report and soil survey which were reviewed by the El Dorado County Environmental Management Department. Prior to issuance of any permits for septic systems, the Department would review the systems for compliance with County Standards. Impacts would be less than significant.

**FINDING** A review of the soils and geologic conditions on the project site determined that the soil types are suitable for the proposed development. All grading activities would be required to comply with the El Dorado County Grading, Erosion Control and Sediment Ordinance which would address potential impacts related to soil erosion, landslides and other geologic impacts. Future development would be required to comply with the Uniform Building Code which would address potential seismic related impacts. For this 'Geology and Soils' impacts would be less than significant.

<b>VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:</b>				
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				X

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<b>VII. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i></b>				
project area?				
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
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, b) **Hazardous Substances:** No significant amount of hazardous materials would be used for the project, including those that may be required during construction activities to prepare the site to construct single-family residential homes. Hazardous materials are not expected, and any such material that would need to be used at the project site must comply with the *El Dorado County Hazardous Waste Management Plan*. In addition, all materials that are to be used, including, but not limited to diesel powered construction equipment and other material typical of a construction project must be used under the County's Air Quality Management District (AQMD) and Environmental Management guidelines. The project does not expect to experience any reasonably foreseeable upset and accident conditions that involve the release of hazardous materials into the environment. As such, impacts within this category would remain below a level of significant.
- c. **Hazardous Emissions:** As proposed, the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. There would be operation of construction equipment and the use of construction materials, none of which are classified as acutely hazardous materials and/or all materials would be regulated based on Environmental Management standards. Impacts within this category remain below significant.
- d. **Hazardous Materials Sites:** The project site is not identified on any list compiled pursuant to California Government Code 65962.5 identifying hazardous material sites in the project vicinity. There would be no impact within this category. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (*California Department of Toxic Substances Control, Hazardous Waste and Substances Site List*

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(Cortese List), [http://www.dtsc.ca.gov/database/Calsites/Cortese\\_List](http://www.dtsc.ca.gov/database/Calsites/Cortese_List), accessed March 31, 2009; California Regional Water Quality Control Board, Central Valley Region, Leaking Underground Storage Tanks Quarterly Report, April 2004; California Regional Water Quality Control Board, Central Valley Region, Site Cleanup List, April 2004). There would be no impact.

- e. **Public Airport Hazards:** *The San Francisco Sectional Aeronautical Chart*, last updated March 22, 2001, was reviewed and this project is not located within not located within two miles of a public airport. There would be no impacts within this category.
- f. **Private Airstrip Hazards:** *The San Francisco Sectional Aeronautical Chart*, last updated March 22, 2001, was reviewed and the project site is not located within two miles of a privately owned airstrip. There would be no impacts within this category.
- g. **Emergency Response Plan:** This project would not physically interfere with the implementation of the County adopted emergency response and/or evacuation plan. The County's Emergency Response Plan incorporates elements of the emergency response and evacuation procedures and includes reference to fire safety and circulation, as well as applicable contact and safety procedures linked to state and federal agencies responsible for emergency preparedness and response. The Chief Administrative Officer (CAO) is responsible for maintaining the El Dorado County Emergency Management Policy and the County Sheriff's Office is responsible for operating the County's Office of Emergency Service (OES) for the entire County. The main El Dorado County Sheriff's Office is located in the El Dorado County Government Center complex in Placerville. There would be a less than significant impact in this category.
- h. **Fire Hazards:** The site is located in a neighborhood designated for medium, low, and rural density. As with most areas of the County, there is vegetation such as trees and foliage that exist on and adjacent to this property. The El Dorado County Fire Protection District reviewed the project and would require that fire hydrants be installed and that a Fire Safe Plan be developed for this project during the grading and/or building permit review phase. As conditioned, there would be adequate driveway and emergency access to accommodate fire apparatus, emergency vehicle and automobile circulation on and around the site in case of an emergency. Project conditions have also been included by the Fire District and in cooperation with the El Dorado Irrigation District (EID) improvements to ensure that adequate fire flow and water pressure is available for this project. As a result, this project poses a less than significant level chance to expose people to a significant risk of loss, injury or death involving wildland fires or wildland fires adjacent to or located in an urbanized area. The impacts within this category would remain below significant.

**Finding:** The site is not located within two miles of a public or private airport. The site is not within one-quarter mile of school facilities however, no hazardous materials exist and/or no excessive exposures from diesel fuel, emissions, and/or construction materials would result from the project because the project be required to adhere to the Air Quality Management District (AQMD) and Environmental Management rules and regulations. Such rules are included in the project conditions and are typical. Fire hydrants, water line infrastructure, and the implementation of a Fire Safe Plan would address overall fire safety and reduces impacts associated to wildland fires for this project. Impacts within this category would remain below significant.

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<b>VIII. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i></b>				
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 the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
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

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- Cause degradation of groundwater quality in the vicinity of the project site.
- a. **Water Quality Standards:** Any grading and improvement plans required by the El Dorado County Department of Transportation (DOT) and/or Building Services would be prepared and designed to meet the *County of El Dorado Grading, Erosion and Sediment Control Ordinance*. These standards require that erosion and sediment control be implemented into the design of the project. Combined with the design standards outlined by the *El Dorado Design and Improvement Standards Manual (DISM)*, as well as the *Off-Street Parking and Loading Ordinance*, all stormwater and sediment control methods required by the ordinance would be implemented and engineered correctly for the final design, including those necessary for site grading and drainage facilities. Grading and drainage designs shall consider and would be designed pursuant to a project specific Storm Water Mitigation Plan (SWMP). This would address Storm Water Prevention and Pollution Program (SWPPP) standards in order to adhere to the state requirements, as well as the federal, National Pollution Discharge Elimination System (NPDES) requirements for water quality and water discharge. As a result, impacts would be less than significant.
  - b. **Groundwater:** There is no evidence that the project would substantially reduce or alter the quantity of groundwater in the vicinity, or materially interfere with groundwater recharge in the area of the proposed project. The project is required to connect to the El Dorado Irrigation District (EID) water line (see Utility and Services Systems category). There would be no draw from groundwater sources in the area with the approval of this project and impacts in this category would be less than significant.
  - c-f. **Drainage Patterns.** The project would be required to prepare a drainage study subject to review by the Department of Transportation. The drainage study would be required to conform to the El Dorado County Grading, Erosion Control and Sediment Ordinance. Impacts would be less than significant.
  - g-j. **Flood-related Hazards.** The project site is not located within any mapped 100-year flood areas and would not result in the construction of any structures that would impede or redirect flood flows. No dams are located in the project area which would result in potential hazards related to dam failures. The risk of exposure to seiche, tsunami, or mudflows would be remote. There would be no impact.
  - j. **Inundation:** There is no potential for impacts from seiche or tsunami, or from mudflow at this site. There would be no impact.

**Finding:** The drainage facilities on and off-site would be conditioned to handle the run-off that would be associated to the project. Water would be provided for this project by connections to the EID system, as well as adequate capacity to connect to the existing EID wastewater system. All grading, drainage, to include BMPs for pre-and-post-construction for erosion and sediment controls would be incorporated into the final grading and drainage design for the project. Impacts within this category would remain below significant.

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<b>IX. LAND USE PLANNING.</b> <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

**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. **Established Community.** The project would not result in the physical division of an established community. As proposed, the project is compatible with the surrounding residential land uses and would not create land use conflicts with surrounding properties. There would be no impact.
- b. **Land Use Consistency.** The proposed project is consistent with the specific, fundamental, and mandatory land use development goals, objectives, and policies of the 2004 General Plan, and is consistent with the development standards contained within the El Dorado County Zoning Ordinance. The proposed parcel sizes are consistent with the Estate Residential Five-Acre (RE-5) and Estate Residential Ten-Acre (RE-10) zone districts and the Low-Density Residential (LDR) and Rural Residential (RR) land use designations. The proposal would not physically divide an established community as they would fit into the dominant pattern of parcel development for the area and that expected within a Community Region. There would be no impact.
- c. **Habitat Conservation Plan.** There are currently no adopted HCP's or NCCP's in El Dorado County. There would be no impact.

**FINDING:** For the 'Land Use Planning' category, the project would have a less than significant impact.

<b>X. MINERAL RESOURCES.</b> <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

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<b>X. MINERAL RESOURCES.</b> <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, b. **Mineral Resources:** The project site is not located within a Mineral Resource Zone (MRZ) as mapped by the State of California Division of Mines and Geology and is not classified or affected by any Mineral Resource overlays of the El Dorado County General Plan.

The western portion of El Dorado County is divided into four, 15 minute quadrangles (Folsom, Placerville, Georgetown, and Auburn) mapped by the State of California Division of Mines and Geology showing the location of Mineral and Resource Zones (MRZ). Those areas which are designated MRZ-2 contain discovered mineral deposits that have been measured or indicate reserves that have been identified and calculated. Land in this category is considered to contain mineral resources of known economic importance to the County and/or State. Review of the mapped areas of the County indicates that this site does not contain any mineral resources of known local or statewide economic value. There would be no impact.

**Finding:** There are no mapped mineral resources or deposits on this property. No impacts to energy and mineral resources are expected with the proposed project either directly or indirectly. For this "Mineral Resources" category, there would be no impact..

<b>XI. NOISE.</b> <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

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<b>XI. NOISE.</b> <i>Would the project result in:</i>			
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:

- 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 Standards:** The project would be located along Blackhawk Drive and connects to Mt Aukumn Road which is adjacent to the Pleasant Valley Rural Center. The project would not be located in an area containing existing or potential noise sources that would exceed the thresholds established by the General Plan. Impacts would be less than significant.
- b. **Groundborne Vibration & Noise:** Short-term noise impacts may be associated with excavation, grading, and construction activities in the project vicinity during development. El Dorado County requires that all construction vehicles and equipment, fixed or mobile, be equipped with properly maintained and functioning mufflers. All construction and grading operations are required to comply with the noise performance standards contained in the General Plan. All storage, stockpiling and vehicle staging areas are required to be located as far as practicable from any residential areas. 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 Policy 6.5.1.11 of the El Dorado County General Plan Noise Element. Vehicle traffic generated by the proposed project would be typical of traffic generated by the adjacent residential uses; passenger cars and trucks, which are not a source of significant vibration. Impacts would be less than significant.
- c. **Ambient Noise Levels:** This project would not add to the existing ambient noise levels of the surrounding area. Temporary construction noise would result and project conditions would be regulated as to the time of day and days per week such activity could occur by County Code. Subdivision of the land and construction and occupation of the 9 additional lots would result in periodic noise generation from the use of vehicles, noises generated on home sites, and landscape maintenance. The overall types and volumes of noise would not be excessive and would be similar in character to surrounding land uses which are low to medium density residential in nature. There would be a less than significant impact.
- d. **Temporary Increases in Noise Levels.** The construction phase of the project would result in an increase in noise levels to surrounding residences as individual homes were built on lots. Construction noise would be temporary and would be minimized by compliance with Policy 6.5.1.11 of the El Dorado County General Plan Noise Element. Project operation

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would also result in periodic noise generation above current levels from the use of vehicles, landscaping equipment, etc. The overall types and volumes of noise from project operation would not be excessive and would be similar in character to anticipated and expected surrounding land uses within a high-density designated area. Thus, as a result, this impact would be less than significant.

e, f) **Airport Noise:** The project is not located adjacent to or in the vicinity of a private airstrip and would not experience noise from a private airport. There would be no impacts within this category.

**Finding:** No significant impacts to or from noise is expected directly as a result of this proposal. Any future development proposal would have all potential environmental impacts analyzed further during the grading/building permit processes. For this "Noise" category, the thresholds of significance have not been exceeded.

<b>XII. POPULATION AND HOUSING. <i>Would the project:</i></b>				
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. **Population Growth:** The proposed project would not induce growth directly or indirectly by providing infrastructure that would create development beyond what is currently anticipated in the General Plan because the land use designationS would not change. If approved as proposed, the project would ultimately result in the addition of 9 new single-family dwellings. The 2000 U.S. Census figures as noted in Section 2, *Housing Assessments and Needs, Population Characteristics*, established that, in the unincorporated areas of the County, the average household size was 2.70 persons/occupied unit. The approval of the applications as proposed would potentially add 9 single-family units which at 2.70 persons/occupied unit could potentially add approximately 24 persons to the neighborhood. The proposed project would not induce growth in the area that was not previously anticipated when the General Plan was adopted. Impacts would be less than significant.

b. **Housing Displacement:** The project would not displace any existing housing. The proposed project would not displace people or existing housing, which would prevent the construction of replacement housing elsewhere. There would be no impact.

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c. **Population Displacement:** The proposed project would not displace any people. There would be no impact

**Finding:** There is limited potential for a significant impact due to substantial growth with the proposed applications, the proposed project either directly or indirectly. The project would not displace housing. There is no potential for a significant impact due to substantial growth with the proposed rezone, development plan, and tentative map either directly or indirectly. For this "Population and Housing" category, the thresholds of significance have not been exceeded.

<b>XIII. PUBLIC SERVICES.</b> <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. **Fire Protection.** The El Dorado County Fire Protection District provides structural fire protection to the project site. The District would require fire protection measures that would be included as conditions of approval of the project. These measures include the installation of a fire hydrant, preparation of a fire safe plan, and other standard requirements of the Fire Safe Regulations. Impacts would be less than significant.
- b. **Police Protection.** Police services would continue to be provided by the El Dorado County Sheriff's Department. Due to the size and scope of the project, the demand for additional police protection would not be required. Impacts would be less than significant.

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- c. **Schools.** School services would be provided by the Gold Oak Union School District. Any future residences would be required to pay the impact fees adopted by the District. Impacts would be less than significant.
- d. **Parks.** As discussed in the 'Recreation' category below, the project would be required to pay park in-lieu fees. Impacts would be less than significant.
- e. **Government Services.** There are no services that would be significantly impacted as a result of the project. Impacts would be less than significant.

**FINDING:** The project would not result in a significant increase of public services to the project. Increased demands to services would be addressed through the payment of established impact fees. For this 'Public Services' category, impacts would be less than significant.

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. **Parks:** The project would result in an increase the usage of parks and recreational facilities. Payment of in-lieu fees to the El Dorado County Department of General Services would be sufficient to ensure the impacts from the new development would be mitigated. Impacts would be less than significant.
  - b. **Recreation:** The project would not include additional recreation services or sites as part of the project. The increased demand for services would be offset by the payment of the in-lieu fees as discussed above. Impacts would be less than significant.

**Finding:** No significant impacts to recreation and open space resources are expected with this proposal either directly or indirectly. For this "Recreation" category, the thresholds of significance have not been exceeded.

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<b>XV. TRANSPORTATION/TRAFFIC. <i>Would the project:</i></b>			
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. **Traffic Increases.** The Department of Transportation (DOT) reviewed the proposed project and determined it would not trip the traffic impact threshold of the General Plan. On-site and off-site improvements to Blackhawk Lane are required in order to bring the private road/driveway to current standards. The required improvements have been analyzed and have been accounted for in the environmental review of this project.

The 2004 General Plan Policies TC-Xe and TX-Xf (which incorporate Measure Y) require that projects that "worsen" traffic by two percent, or 10 peak hour trips, or 100 average daily trips must construct (or ensure funding and programming) of any improvements required to meet Level of Service standards in the General Plan Transportation and Circulation Element. DOT has reviewed the proposed project and determined that it would not trigger the threshold described above because of the project only creating 9 parcels. DOT has conditioned the project to address this General Plan consistency issue by requiring payment of traffic impact mitigation fees with each building permit. Impacts would be less than significant.

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- b. **Levels of Service Standards.** The project would not exceed the thresholds of service established by the General Plan in the project area. Impacts would be less than significant.
- c. **Air traffic.** The project will not result in a change in established air traffic patterns for publicly or privately operated airports or landing field in the project vicinity. No impacts would occur.
- d. **Design Hazards.** The project would not create any significant traffic hazards. The proposed on-site and off-site improvements to Peace Trail would be designed and constructed to County standards. Review by the Fire District and the Department of Transportation did not identify any hazards associated with the design of the project. Impacts would be less than significant.
- e. **Emergency Access.** The El Dorado County Fire Protection District reviewed the project proposal and concluded that the project would not result in inadequate emergency access to any potential residential structure with the implementation of the conditions of approval included in Attachment 1 of the staff report. Impacts would be less than significant.
- f. **Parking.** The proposed parcels would provide adequate space to comply with all parking requirements. Future development would be required to meet on-site parking requirements identified by use within Section 17.18.060 of the County Zoning Ordinance. Future requests for building permits would be reviewed for conformance with parking standards during the review process. A single-family residence requires two on-site parking spaces in tandem. There would be no impact.
- g. **Alternative Transportation.** The project would not conflict with adopted plans, policies or programs relating to alternative transportation. There would be no impact.

**FINDING:** The impacts of the project related to Transportation would be less than significant. For the Transportation/Traffic category, the thresholds of significance have not been exceeded.

<b>XVI. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i></b>				
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 cause significant environmental effects?			X	
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	

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<b>XVI. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i></b>				
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. **Wastewater Requirements.** Environmental Management has reviewed and approved the existing and proposed septic designs. There is adequate septic capability for the existing and proposed systems. No significant wastewater discharge will result from the proposed parcel map. Impacts would be less than significant.
- b. **Construction of New Facilities.** No new water or wastewater treatment facilities are proposed or are required because of the project. The existing and proposed septic systems have been reviewed and approved by the Environmental Management Department. The project would be served by EID public water. Impacts would be less than significant.
- c. **New Stormwater Facilities.** Minimal grading and improvements are proposed. Therefore, substantial drainage pattern alteration or runoff would not occur. Any future request for a grading, improvement, or building permit will be required to show how site discharge and/or run-off will not exceed the levels that existed prior to the proposed development based on BMP's and stormwater management plans. An existing man made seasonal pond exists on-site, and a 100-foot buffer on all sides is proposed and no impacts to the drainage are proposed. All required drainage facilities necessary for this project will be constructed in conformance with the standards contained in the County of El Dorado Grading and Drainage Manual. Impacts would be less than significant.
- d. **Sufficient Water Supply.** The project would be served by EID public water. The Facilities Improvement Letter submitted for the project indicated that adequate public water is available to serve the project. No new public water improvements would be required; the existing water lines in the area are capable of providing the required water meters and fire flow. Impacts would be less than significant.
- e. **Adequate Capacity.** In this case, wastewater disposal for the proposed parcels will be provided by an existing and proposed septic disposal system. Environmental Management has reviewed and approved the existing and proposed disposal systems for the project. Impacts would be less than significant.

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- f. **Solid Waste Disposal.** 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. **Solid Waste Requirements.** County Ordinance No. 4319 requires that new development proved areas for adequate, accessible, and convenient storing, collection and loading of solid waste and recyclables. On-site solid waste and recyclables collection for the proposed lots would be provided by a local waste management provider contracting to the property owner for the service. Adequate space would be available at the site for solid waste collection. Impacts would be less than significant.

**FINDING:** Adequate water and sewer systems are available to serve the project. For this 'Utilities and Service Systems' category, impacts would be less than significant.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE. <i>Does the project:</i>				
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. There is no substantial evidence contained in the project record that would indicate that the proposed rezone and 9 lot subdivision has the potential to significantly degrade the quality of the environment. The proposed project has the potential to significantly impact biological resources as well as cultural resources as discussed in this document.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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However, as conditioned and mitigated, and with strict adherence to County General Plan policies and permit requirements, this rezone and tentative subdivision map and the typical residential uses expected to follow, would not appear to have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of California history or pre-history. Any impacts from the project would be less than significant due to the design of the project and required standards that would be implemented with the process of the final map and/or any required project specific improvements on or off the property.

- b. Cumulative impacts are defined in Section 15355 of the California Environmental Quality Act (CEQA) Guidelines as “two or more individual effects, which when considered together, would be considerable or which would compound or increase other environmental impacts.” Based on the analysis in this study, it has been determined that the project would have a less than significant impact based on the issue of cumulative impacts. The project has no impacts that could be considered cumulatively significant based on- as well as off-site improvements necessary to develop the project. By implementing the conditions of approval and with strict adherence to County permit requirements outlined by this document in the various sections and categories listed, impacts within this category would also be reduced below a level of significant.
- c. The project does not have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly. The project includes mitigations and conditions which have been incorporated into the project. The proposed project has the potential to generate potentially significant impacts to humans with respect to noise and land use as discussed in this document. However, as conditioned and mitigated, and with strict adherence to County General Plan policies and permit requirements, this rezone, development plan and tentative subdivision map and the typical residential uses expected to follow, are not likely to cause project-related environmental effects which would result in substantial adverse effects on human beings, either directly or indirectly. Impacts would be less than significant. 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 Draft Environmental Impact Report  
Volume 1 of 3 – EIR Text, Chapter 1 through Section 5.6  
Volume 2 of 3 – EIR Text, Section 5.7 through Chapter 9  
Appendix A  
Volume 3 of 3 – Technical Appendices B through H

El Dorado County General Plan – A Plan for Managed Growth and Open Roads; A Plan for Quality Neighborhoods and Traffic Relief (Adopted July 19, 2004)

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

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.)