

**EL DORADO COUNTY DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of: July 23, 2009

Item No.: 7

Staff: Jason R. Hade

PARCEL MAP

FILE NUMBERS: P08-0030/Harris Parcel Map

APPLICANT: Mary H. Nugent

AGENT: Wayne Swart

PROPERTY OWNER: Mary H. Nugent, Trustee, The Harris Family Survivors Trust

REQUEST: Tentative parcel map to create two parcels of 25 acres and 125 acres.

LOCATION: At the intersection of Blair Road and Badger Hill Road in the Pollock Pines area, Supervisorial District II. (Exhibit A)

APN: 101-030-13 (Exhibit B)

ACREAGE: 150 acres

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

ZONING: Timber Preserve Zone (TPZ) and Exclusive Agricultural (AE) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Negative Declaration

RECOMMENDATION:

Staff recommends the Planning Commission recommend that the Board of Supervisors take the following actions:

1. Adopt the Negative Declaration based on the Initial Study prepared by staff;

2. Approve P08-0030 subject to the conditions of approval in Attachment 1, based on the Findings in Attachment 2. (Requires Board of Supervisors 4/5 vote for approval pursuant to California Government Code Section 51119.5)

BACKGROUND

The proposed parcel map is the result of a mutually agreed upon court settlement between the two affected parties. Pursuant to a proposed 10-year deed restriction, no non-compatible development would be permitted on the proposed 25 acre parcel. The 150 acres of TPZ land would continue to be managed as one unit for timber management plan purposes.

STAFF ANALYSIS

Staff has reviewed the project for compliance with the County's regulations and requirements. An analysis of the proposal and issues for Planning Commission consideration are provided in the following sections.

Project Description

Tentative parcel map to create two parcels of 25 acres and 125 acres on a 150 acre site. Pursuant to a proposed 10-year deed restriction, no non-compatible development would be permitted on the proposed 25 acre parcel.

Site Description

The project site is at an elevation of approximately 3,600 feet above mean sea level. Approximately 25 acres of the total project site is used for Christmas trees, apple trees, pear trees, a garden, and a residence. Douglas fir and White fir dominate the north facing aspects of the site and the locations near the watercourses. The pines trees are associated with the flat ridge tops away from the watercourses. The subject site is bordered by single-family residential land uses on all sides. Proposed project access would be via Blair Road and Badger Hill Road. No new roads are proposed as part of the project. The proposed parcels would be served by individual well and septic systems.

Adjacent Land Uses

	Zoning	General Plan	Land Use/Improvements
Site	TPZ/AE	LDR	Residential and Agricultural / Single-Family Residence
North	RE-5	LDR	Residential / Single-Family Residences
South	RE-5/R1	LDR/HDR	Residential / Single-Family Residences
East	RE-10/R2	LDR/MFR	Residential / Single-Family Residences
West	RE-10	LDR	Residential / Single-Family Residences

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.

Circulation

The Department of Transportation (DOT) reviewed the proposed project and determined it would not trip the traffic impact threshold within the General Plan. Proposed project access would be via Blair Road and Badger Hill Road.

The 2004 General Plan Policies TC-Xe and TX-Xf (which incorporate Measure Y) require that projects that “worsen” traffic by 2 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 reviewed the proposed project and determined that it would not trigger the threshold described above because of its limited size.

Fire

The El Dorado County Fire Protection District reviewed the proposed project and would require sufficient fire flow documentation or the installation of a home fire sprinkler system as well as an approved fire safe plan. Fire issues are addressed within the project’s conditions of approval.

Land Use Compatibility

As discussed above, the subject site is surrounded by residential and agricultural uses. The proposed project would create one additional residential parcel from an existing parcel within an existing residential/agricultural area. Pursuant to a proposed 10-year deed restriction, no non-compatible development would be permitted on the proposed 25 acre parcel. Further, a minimum 50-foot setback for incompatible uses, such as residential structures, would be applied to the proposed 25 acre parcel from the adjacent Natural Resource designated land to the northwest of the project site. Therefore, the proposed project is compatible within the context of the surrounding land uses pursuant to General Plan Policy 2.2.5.21.

The property has an LDR General Plan land use designation and is located within the Camino/Pollock Pines Community Region Planning Concept area.

Wastewater

No development would be permitted on the proposed 25 acre parcel pursuant to the proposed deed restriction. Further, development of the TPZ parcel would require a zone change or special use permit application with further environmental review. At that time, waste discharge area analysis would be completed and submitted to the El Dorado County Environmental Management Department – Environmental Health Division for review and approval.

Water

As stated above, no development would be permitted on the proposed 25 acre parcel pursuant to the proposed deed restriction. Further, development of the TPZ parcel would require a zone change or special use permit application with further environmental review. At that time, well testing data would be completed and submitted to the El Dorado County Environmental Management Department – Environmental Health Division for review and approval.

GENERAL PLAN

This project is consistent with the applicable policies of the adopted 2004 El Dorado County General Plan. Findings for consistency with the General Plan are provided in Attachment 2. The policies and issues that affect this project are discussed below.

Policy 2.1.1.7 directs that *development be limited in some cases until such time as adequate roadways, utilities, and other public service infrastructure becomes available and wildfire hazards are mitigated.*

Discussion: As discussed above, the existing and proposed improvements would be adequate to serve the proposed parcel map.

Policy 2.2.1.2: states that the low-density residential land use designation *establishes areas for single-family residential development in a rural setting. Parcel sizes shall range from 5.00 to 10.00 acres.*

Discussion: The proposed project density is consistent with the density permitted under the LDR land use designation.

Policy 2.2.5.21 directs that new development be compatible with the surrounding neighborhood.

Discussion: The two proposed parcels would be in keeping with the General Plan intended development pattern expected in lands designated as Low Density Residential and would be consistent with the surrounding residential densities in the project vicinity. Pursuant to a proposed 10-year deed restriction, no non-compatible development would be permitted on the proposed 25 acre parcel. Further, a minimum 50-foot setback for incompatible uses, such as residential structures, would be applied to the proposed 25 acre parcel from the adjacent Natural Resource designated land to the northwest of the project site.

The property has an LDR General Plan land use designation and is located within the Camino/Pollock Pines Community Region Planning Concept area. As such, the General Plan contemplates a more urban/suburban development pattern for this area in the future.

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.

Discussion: The project would be conditioned by the El Dorado County Department of Transportation to meet the minimum State Responsibility Area (SRA) Fire Safe Regulations for road surface and road width prior to development. The project would be required to meet the required minimum fire flow requirements of the El Dorado County Fire Protection District which would be reviewed and approved by them prior to filing the parcel map.

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.

Discussion: As conditioned, and discussed under Access section above, the project would meet the intent of this policy.

Policy 7.3.3.4 requires a minimum setback of 100 feet from all perennial streams, rivers, and 50 feet from intermittent streams and wetlands.

Discussion: At the time of parcel map filing a 50-foot setback from all intermittent streams at the subject site shall be shown on the parcel map.

Policy 8.3.2.1 states that lands zoned Timber Production Zone (TPZ) shall not be subdivided into parcel containing less than 160 acres.

Discussion: Based on the deed restriction prohibiting development on the proposed 25-acre parcel for a minimum of 10 years as well as any further subdivision of the TPZ land, the Agricultural Commission found that the request is consistent with General Plan Policy 8.3.2.1 on December 10, 2008. The 150 acres of TPZ land would continue to be managed as one unit for timber management plan purposes.

The property has an LDR General Plan land use designation and is located within the Camino/Pollock Pines Community Region Planning Concept area. As such, the General Plan contemplates a more urban/suburban development pattern for this area in the future.

Policy 8.4.2.1 directs that the Agricultural Commission shall evaluate all discretionary development applications involving identified timber production lands which are designated Natural Resource or lands zoned Timberland Production Zone (TPZ) or lands adjacent to the same and shall make recommendations to the approving authority. Prior to granting an approval, the approving authority shall make the following findings:

- A. The proposed use will not be detrimental to that parcel or to adjacent parcels for long-term forest resource production value or conflict with forest resource production in that general area;
- B. The proposed use will not intensify existing conflicts or add new conflicts between adjacent proposed uses and timber production and harvesting activities;
- C. The proposed use will not create an island effect wherein timber production lands located between the project site and other non-timber production lands are negatively affected;

- D. The proposed use will not hinder timber production and harvesting access to water and public roads or otherwise conflict with the continuation or development of timber production harvesting; and
- E. The proposed use will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to timber production lands.

Discussion: The Agricultural Commission reviewed the request at the meeting of December 10, 2008 and recommended the approving authority make the appropriate findings outlined above based on the recommended conditions of approval within Attachment 1 of the staff report.

ZONING

The subject site is currently zoned Timber Preserve Zone (TPZ) and Exclusive Agricultural (AE) which permit the existing uses. The proposed 25-acre parcel lies within the area of the subject site zoned TPZ. As proposed, the parcel would conform to existing zoning and the development standards in Section 17.44.060 for minimum parcel area, building setback requirements of 100 feet on any side from parcel boundaries and road easements, 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.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (attached as Exhibit G) to determine if the project has a significant effect on the environment. Based on the Initial Study, staff has determined that there is no substantial evidence that the proposed project would have a significant effect on the environment and a 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 States fish and wildlife resources. However, staff has determined that the project would have no impact on biological resources. Potential impacts to biological resources would be further evaluated at time of development plan application submittal. As such, the applicant may request a "No Effect Determination Form" from the California Department of Fish and Game to waive payment of said fee.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1 Conditions of Approval
Attachment 2 Findings

Exhibit A Vicinity Map
Exhibit B Assessor's Parcel Map Page
Exhibit C General Plan Land Use Map
Exhibit D Zoning Map
Exhibit E Tentative Parcel Map
Exhibit F Agricultural Commission Memorandum, December
15, 2008
Exhibit G Environmental Checklist & Discussion of Impacts

ATTACHMENT 1
CONDITIONS OF APPROVAL

FILE NUMBER P08-0030

I. PROJECT DESCRIPTION

1. This tentative parcel map is based upon and limited to compliance with the project description, the Staff Report exhibit marked Exhibit E, and conditions of approval set forth below. Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

Tentative parcel map creating two parcels, comprising 25 and 125 acres, on a 150-acre site. Pursuant to a 10-year deed restriction, no non-compatible development is permitted on the 25 acre parcel. The parcels will be served by individual well and septic systems. Primary site access will be provided via Blair Road and Badger Hill Road.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased, or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

II. PROJECT CONDITIONS OF APPROVAL

Planning Services

2. In the event that previously unknown cultural resources are discovered during construction, operations shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archeologist shall make recommendations on the measures to be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds, in accordance with § 15064.5 of the CEQA Guidelines. Cultural resources could consist of, but are not limited to, stone, bone, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites.

3. If human remains are encountered during earth-disturbing activities within the project area, all work in the adjacent area shall stop immediately and the El Dorado County Coroner's office shall be notified. If the remains are determined to be Native American in origin, both the Native American Heritage Commission (NAHC) and any identified descendants shall be notified by the coroner and recommendations for treatment solicited (CEQA Guidelines § 15064.5; Health and Safety Code § 7050.5; Public Resources Code §§ 5097.94 and 5097.98).
4. The applicant shall be required to pay Park-in-Lieu fee of \$150.00 payable to El Dorado County, pursuant to El Dorado County Subdivision Ordinance Chapter 16.12.090. Check shall be submitted to the Development Services Department. A receipt showing compliance with this condition shall be submitted by the applicant to the Planning Services prior to filing of the parcel map.
5. This tentative parcel map shall expire within 36 months from date of approval unless a timely extension has been filed.
6. All fees associated with the tentative parcel map shall be paid prior to filing the parcel map.
7. The applicant shall submit to Planning Services a \$50.00 recording fee and a \$1,993 Department of Fish and Game fee prior to filing of the Notice of Determination by the County. No permits shall be issued or parcel map filed until said fees are paid.
8. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in Section 66474.9(b) of the Government Code.

The subdivider shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37.

County shall notify the subdivider of any claim, action, or proceeding and County will cooperate fully in the defense.

9. At time of parcel map filing, a 50-foot non-building setback shall be shown on the map from all intermittent streams at the subject site. A 50-foot setback shall also be shown on "Parcel A" (25 acre parcel) from the adjacent land designated Natural Resources to the Northwest of the subject site.

Agriculture Department

10. Prior to parcel map filing, the Harris Non-Industrial Timber Management Plan shall be updated and amended to include the legal descriptions of the newly created parcels and be recorded with the County Recorder's Office as a deed restriction on the newly created parcels. The deed restriction shall be signed and dated with the current year and shall remain in effect for a period of not less than 10 years from the date the parcel map is approved by the Board of Supervisors. Prior to recordation, the deed restriction shall be reviewed and approved to the satisfaction of the Agriculture Department, Planning Services, and County Counsel.
11. No further subdivisions are permitted to occur on the TPZ zoned parcels, as stated in the deed restriction.
12. No non-compatible development is permitted to occur on the 25 acre TPZ zoned parcel, as stated in the deed restriction.

Department of Transportation

13. **On-site Access Improvements:** The applicant shall widen the on-site portion of Badger Hill Road and Blair Road to the minimum county standards at the time the parcels are rezoned from the current Timber Preserve Zone. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.
14. **Offer of Dedication:** The applicant shall irrevocably offer to dedicate in fee, 60ft right-of-way along the entire frontage of Blair Road as determined by EDC DOT, prior to the filing of the map. This offer will be accepted by the County.
15. **Offer of Dedication:** The applicant shall irrevocably offer to dedicate 60ft right-of-way along the entire frontage of Badger Hill Road as determined by EDC DOT, prior to the filing of the map. This offer will be rejected by the County.
16. **Encroachment Permit:** The applicant shall obtain an encroachment permit from DOT and shall construct the roadway encroachment from Badger Hill Road onto Blair Road to the provisions of County Design Std **103D**. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the map.

El Dorado County Fire Protection District

17. A plan check fee of \$120.00 shall be submitted to the El Dorado County Fire Protection District (EDC FPD) prior to parcel map filing.

18. In place of fire flow and a hydrant, the applicant may use a NFPA 13D home sprinkler system with 3,000 gallons of water storage for all structures built on each parcel. Prior to filing the parcel map, a deed restriction shall be recorded noting this requirement.
19. A fire safe management plan, acceptable to the EDC FPD and the California Department of Forestry and Fire Protection, shall be prepared and implemented. A letter of compliance with this condition shall be submitted by the fire district to Planning Services prior to filing the map.

Hazardous Materials

20. If any commercial, industrial, agricultural, mining or any other hazardous materials handling activities have taken place on the property in the past, the applicant must conduct a Phase I Environmental Site Assessment (ESA) prior to parcel map filing. The Phase I must be conducted in accordance with ASTM standard E 1527-00. All information developed in the Phase I process must be submitted to the Hazardous Materials Division (HMD) for review. If upon review of the Phase I information, HMD determines the property is a potentially impacted site, the applicant must apply for a permit, submit a workplan and conduct a Phase II ESA and any required site remediation activities prior to developing property.

Surveyor's Office

21. All survey monuments must be set prior to filing the parcel map.
22. Prior to filing the parcel map, a letter will be required from all agencies that have placed conditions on the map stating that "all conditions placed on P08-0030 by that agency have been satisfied." The letter is to be sent to the County Surveyor and copied to the agent and applicant.

ATTACHMENT 2 **FINDINGS**

FILE NUMBER P08-0030

FINDINGS FOR APPROVAL

1.0 CEQA FINDINGS

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this project.
- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services located at 2850 Fairlane Court, Placerville, CA.

2.0 GENERAL PLAN FINDINGS

- 2.1 As proposed, the project is consistent with the Low Density Residential (LDR) land use designation of the subject site, as defined by General Plan Policy 2.2.1.2, because this land use designation permits an allowable parcel size of five to 10 acres. The proposed project parcel sizes conform to the General Plan land use designation.
- 2.2 The proposal is consistent with all applicable Policies of the General Plan including 2.1.1.7 (adequate roadways, utilities, and other public services), 2.2.1.2 (land use density), 2.2.5.21 (compatibility with the surrounding neighborhood), 5.7.1.1 (availability of emergency water), 6.2.3.2 (adequate emergency access), 7.3.3.4 (intermittent stream setbacks), and 8.3.2.1 (subdivision of TPZ zoned lands). The project provides adequate access and site design that ensure compatibility with the surrounding permitted land uses, and is consistent with the General Plan policies identified above.
- 2.3 In addition to consistency with the General Plan policies outlined above, the following required findings can be made as required by General Plan Policy 8.4.2.1.
 - 2.3.1 *The proposed use will not be detrimental to that parcel or to adjacent parcels for long-term forest resource production value or conflict with forest resource production in that general area.* The project will not be detrimental to the subject site or to adjacent parcels for long-term forest resource production or conflict with forest resource production in the project area

because the 150 acre site will continue to be managed as one unit for timber production purposes.

- 2.3.2 *The proposed use will not intensify existing conflicts or add new conflicts between adjacent proposed uses and timber production and harvesting activities.* Pursuant to the required deed restriction to be recorded for the parcels, no non-compatible development is permitted on the 25 acre parcel. As such, no conflicts will occur between adjacent proposed uses and timber production activities.
- 2.3.3 *The proposed use will not create an island effect wherein timber production lands located between the project site and other non-timber production lands are negatively affected.* The 25 acre parcel will continue to be zoned as TPZ lands and managed under one Non-Industrial Timber Management Plan. As such, no island effect will occur.
- 2.3.4 *The proposed use will not hinder timber production and harvesting access to water and public roads or otherwise conflict with the continuation or development of timber production harvesting.* No development will occur on the 25 acre parcel. Therefore, access to water and public roads will not be impacted.
- 2.3.5 *The proposed use will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to timber production lands.* The 150 acre site will continue to be managed as one unit for timber production purposes. As a result, the project will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to timber production lands.

3.0 ZONING FINDINGS

- 3.1 The project, as proposed and conditioned, is consistent with the El Dorado County Zoning Ordinance Development Standards because the proposed parcels meet the development standards of the TPZ zone district pursuant to Section 17.44.060 for minimum parcel area, building setback requirements of 100 feet on any side from parcel boundaries and road easements, 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.

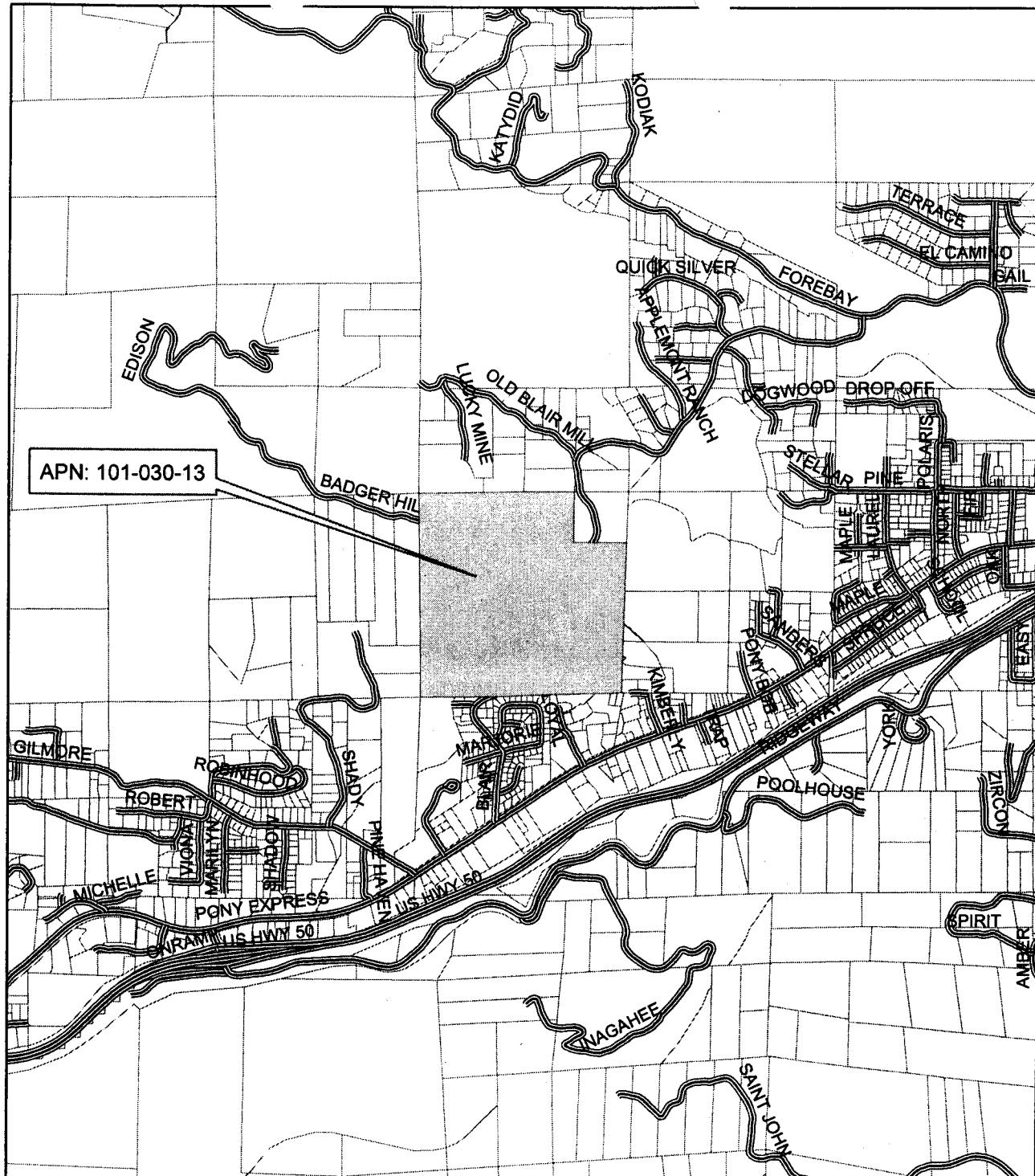
4.0 ADMINISTRATIVE FINDINGS

4.1 Tentative Parcel Map

- 4.1.1 *The proposed tentative map, including design and improvements, is consistent with the General Plan and Specific Plan, where applicable.* As proposed, the tentative map conforms to the LDR General Plan land use designation and applicable General Plan policies concerning, adequate roadways, utilities and other public services, compatibility with the surrounding neighborhood, availability of emergency water, adequate emergency access,

intermittent stream setbacks, subdivision of TPZ zoned lands, and impacts to existing and future timber harvesting activities.

- 4.1.2 *The tentative map conforms to the applicable standards and requirements of the County's zoning regulations and Minor Land Division Ordinance.* The proposed parcel sizes of 25 to 125 acres conform to the minimum parcel size of the TPZ zone district for the proposed uses. Additionally, the project conforms to the applicable provisions of the Minor Land Division Ordinance.
- 4.1.3 *The site is physically suitable for the proposed type and density of development.* The creation of one additional parcel with no non-compatible development permitted for at least 10 years at the 150 acre site is compatible with the surrounding existing residential land use densities.
- 4.1.4 *The proposed subdivision is not likely to cause substantial environmental damage.* A negative declaration was prepared for the proposed tentative parcel map. Based on the initial study, it was determined that the project would not have a significant effect on the environment.



0 950 1,900 3,800 5,700 7,600
Feet

N

Case No. P08-0030
Vicinity Map

EXHIBIT A

1" equals 1,200'.

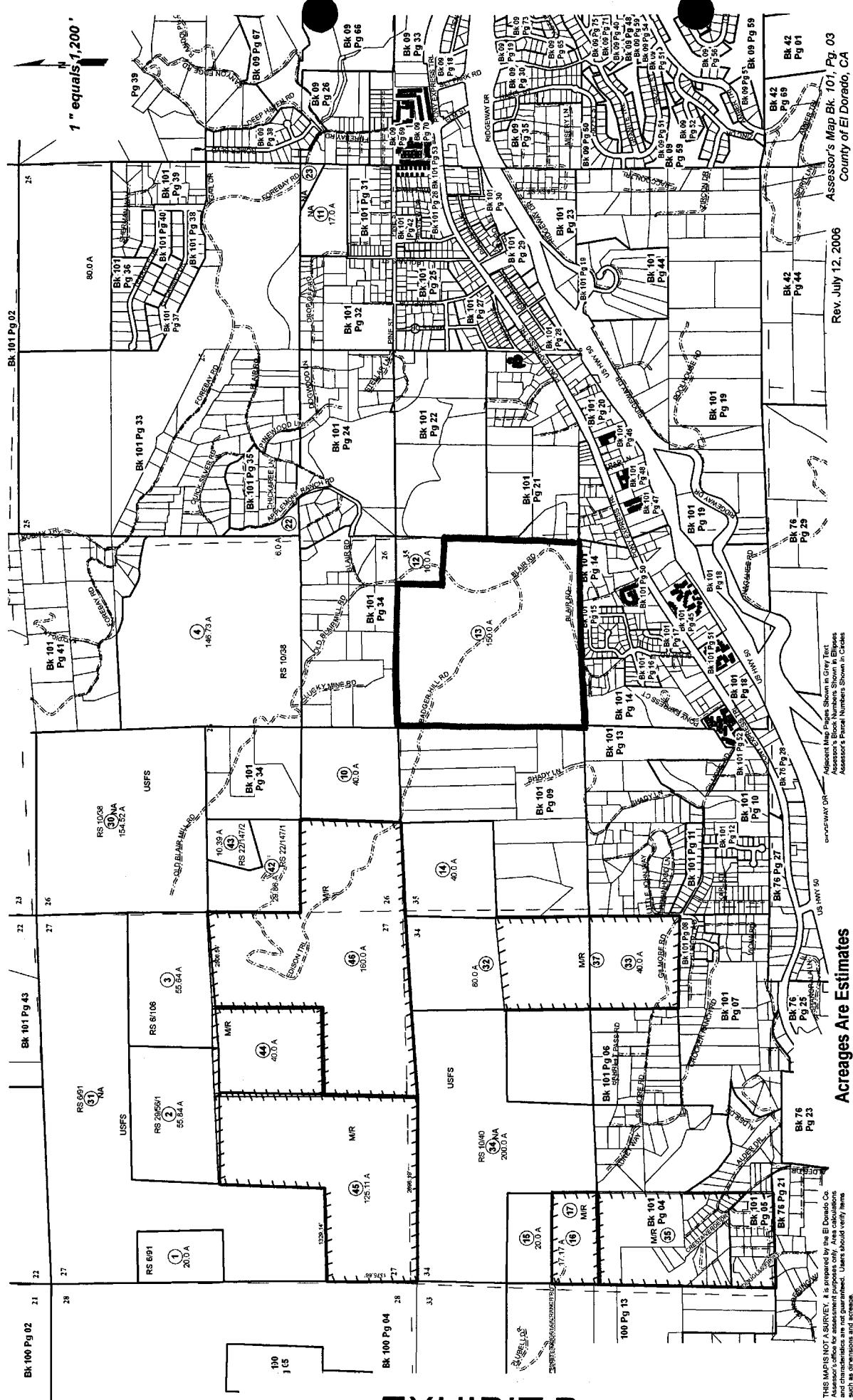


EXHIBIT B

09-1516.I.16

Adjacent Map Pages Shown in Grey Text
Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

Increases Are Estimates

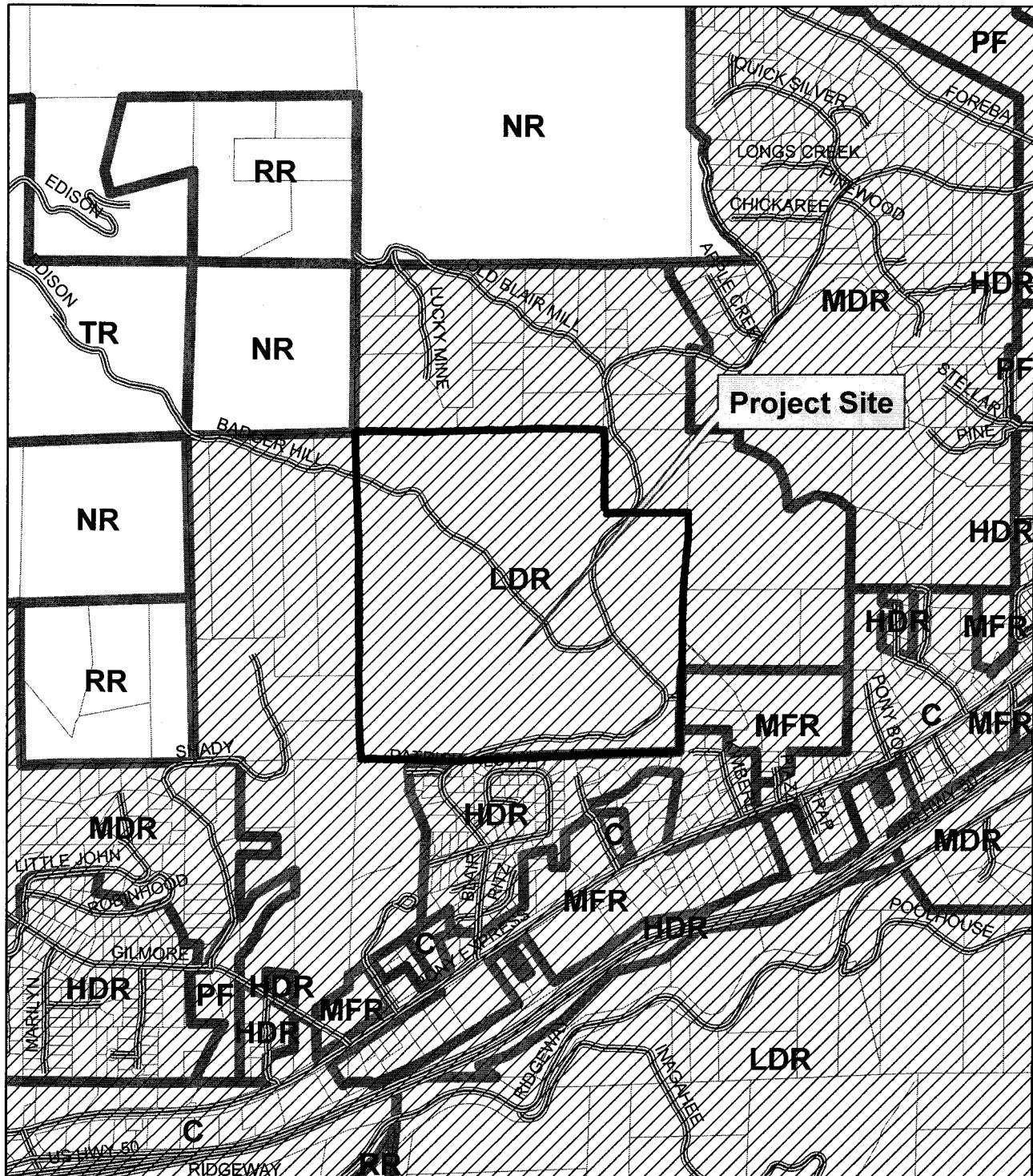
THIS MAP IS NOT A SURVEY. It is prepared by the El Donado Co. Assessor's office for assessment purposes only. Area calculations and characteristics are not guaranteed. Users should verify items

Rev. July 12, 2006

Assessor's Map Bk. 101, Pg. 03
County of El Dorado, CA

Rev. July 12, 2006

Increases Are Estimates



0 600 1,200 2,400 3,600 4,800 Feet

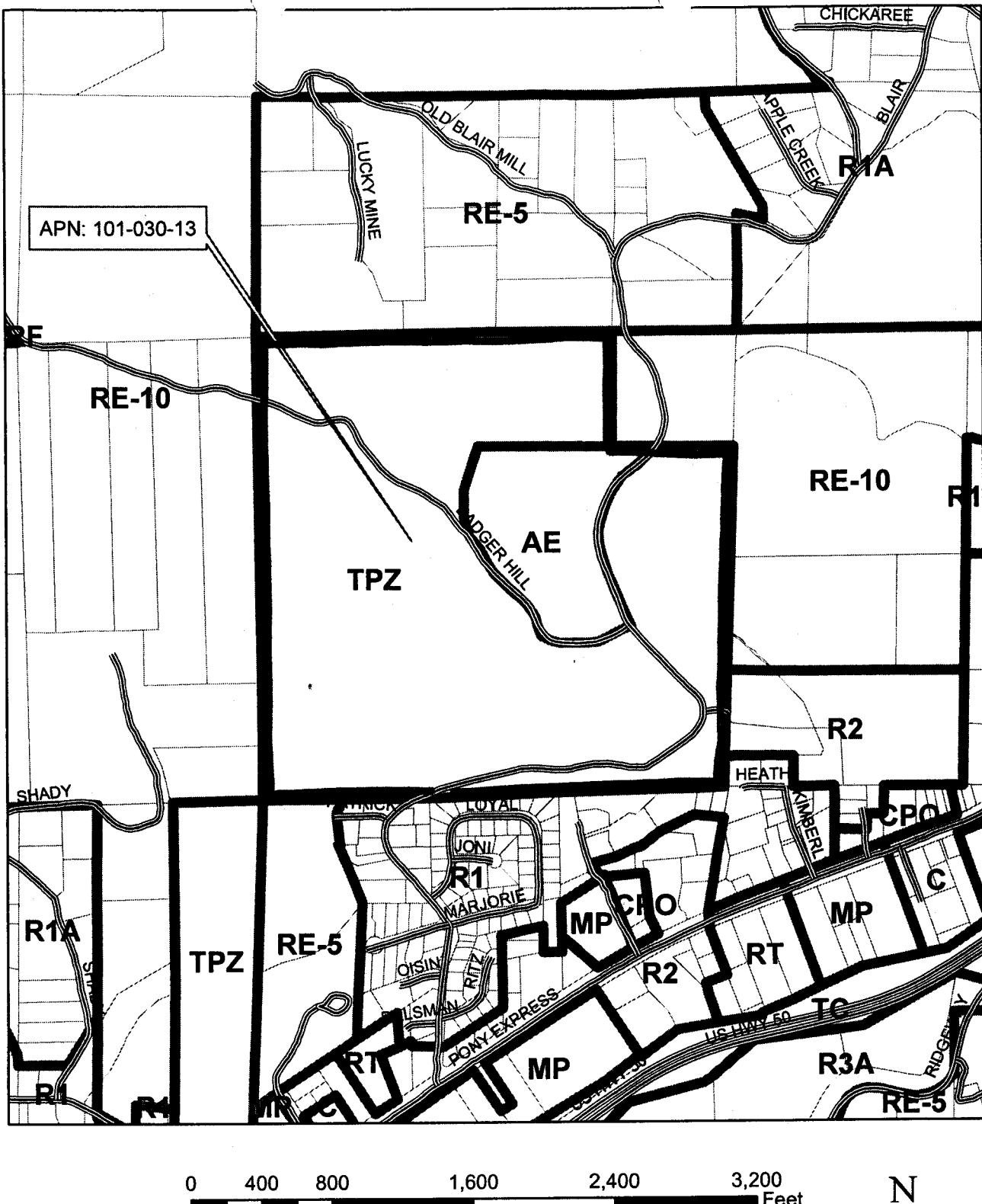
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Case No. P08-0030
General Plan Land Use Map
Camino/Pollock Pines Community Region



Community Region

EXHIBIT C



Case No. P08-0030
Zoning Map

EXHIBIT D

09-1516.l.18



AGRICULTURAL COMMISSION

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

MEMORANDUM

DATE: December 15, 2008

TO: Jason Hade

FROM: Greg Boeger, Chair GB

**SUBJECT: P 08-0030 – HARRIS PARCEL MAP (MARY NUGENT/WAYNE SWART)
 REQUEST FOR A TENTATIVE PARCEL MAP**

REC'D BY
 DEC 18 PM
 11:52
 PLANNING DEPARTMENT
 RECEIVED

During the Agricultural Commission's regularly scheduled meeting held on December 10, 2008, the following discussion and motion occurred regarding P 08-0030 – Harris Parcel Map (Mary Nugent/Wayne Swart): A request for a tentative parcel map to create a 25-acre and a 125-acre parcel from a 150-acre parcel. The property, identified by Assessor's Parcel Number 101-030-13, consists of 150 acres, and is located at the intersection of Blair Road and Badger Hill Road, in the Pollock Pines area. (District 2)

Mr. Heflin recused himself from this item.

Staff reported on the site visit. The 150 acre parcel consists of 125 acres of TPZ land, under a Non-industrial Timber Management Plan, written in 1999, and 25 acres of AE zoned land containing Christmas trees, orchards, and a residence. The parcel has a Low Density Residential land use designation and is in the Camino/Pollock Pines Community Region. Surrounding adjacent land use designations include LDR to the west, north, and east; MFR (Multi-family Residential) to the east; and HDR (High Density Residential) to the south. The parcel has TPZ and AE (Exclusive Agriculture) zoning and is surrounded by the following zonings: RE-10 (Estate Residential Ten-Acre) to the west and east, RE-5 (Estate Residential Five-Acre) to the north and south, TPZ to the southwest, R1 (One-Family Residential) to the south and R2 (Limited Multifamily Residential) to the east. The parcel is above 3,000 feet in elevation and the majority of the property contains choice soils (Cohasset Loan, Josephine Silt Loam, and Sites Loan). California Government Code Section 51119.5 refers to timberland production parcels and states, "Parcels zoned as timberland production under this chapter may not be divided into parcels containing less than 160 acres unless the original owner prepares a joint timber management plan prepared or approved as to content by a registered professional forester for the parcels to be created. The joint timber management plan shall provide for the management and harvesting of timber by the original and any subsequent owners, and shall be recorded with the county recorder as a deed restriction on all newly created parcels. The deed restriction shall run with the land rather than with the owners, and shall remain in force for a period of not less than 10 years from the date division is approved by the board or council. The division shall be approved only by a four-fifths vote of the full board or council, and only after recording of the deed restriction." The applicants submitted their 1999 timber management plan with their application for the parcel split. Staff recommends that the applicants update their 1999 timber management plan to include a new, dated signatory page, the two proposed parcels and their respective acreages and legal property descriptions. The external borders of the 1999 timber management plan will not be affected by the creation of the 25 acre and 125 acre parcels, and the existing acreage within the plan, will remain the same.

The following General Plan Policies relate to lands zoned TPZ:

- Policy 8.3.2.1 – Lands zoned Timber Production Zone (TPZ) shall not be subdivided into parcels containing less than 160 acres.

Based on information received by our department, the creation of a 25 acre parcel from the 150 acre parcel has been mutually agreed upon by the courts and the affected parties through the settlement of the Harris Family estate.

- Policy 8.3.2.2 – Timber production lands within areas designated Natural Resource and generally above 3,000 feet elevation shall maintain a 160-acre minimum parcel size or larger, except where smaller parcels already exist, in order to ensure the viability of long-term operations and to maximize economic feasibility for timber production or otherwise meet the parcel size requirements of the Natural Resource designation. *(Not applicable as parcel does not have a Natural Resource designation)*
- Policy 8.4.1.1 – The subdivision of lands located adjacent to Natural Resource (NR) designation boundaries and lands zoned Timberland Production Zone (TPZ) shall not result in the creation of new parcels containing less than 40 acres. The subdivision of lands adjacent to NR designation and lands zoned TPZ containing 40 acres or less located generally below 3,000 feet in elevation may be considered for the creation of new parcels containing not less than 10 acres, as appropriate. Projects within Rural Center and Community Region planning concept areas are exempt from this minimum parcel size to encourage the concentration of such uses. *(Not applicable as parcel is within a Community Region)*
- Policy 8.4.2.1 – The County Agricultural Commission shall evaluate all discretionary development applications involving identified timber production lands which are designated Natural Resource or lands zoned Timberland Production Zone (TPZ) or lands adjacent to the same and shall make recommendations to the approving authority. Prior to granting an approval, the approving authority shall make the following findings:
 - A. The proposed use will not be detrimental to that parcel or to adjacent parcels for long-term forest resource production value or conflict with forest resource production value or conflict with forest production in that general area;
 - B. The proposed use will not intensify existing conflicts or add new conflicts between adjacent proposed uses and timber production and harvesting activities;
 - C. The proposed use will not create an island effect wherein timber production lands located between the project site and other non-timber production lands are negatively affected;
 - D. The proposed use will not hinder timber production and harvesting access to water and public roads or otherwise conflict with the continuation or development of timber production harvesting; and
 - E. The proposed use will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to timber production lands.

Bill Stephans explained the reason for staff's recommendation for Conditional Approval. As this application involves the courts and the parties involved with the settlement of the trust. With the Timber Plan that will be implemented on both parcels and is going to be managed as one unit, not much agricultural land will be lost with this plan in place. It will still be 150 acres of TPZ land but it will have a boundary on it which satisfies the courts mutually agreed settlement. As long as this plan is in place and the parties agree to the conditions of no non-compatible structures on the 25 acre parcel (do not develop the 25 acre parcel at all) and remains part of the TPZ land and is managed as such, it is not inconsistent with the General Plan even though the General Plan says you cannot create a parcel

less than 160 acres, but with that management plan in place and with the suggested conditions staff has requested to be put on the parcel split and the deed restriction, it is going to be managed as one unit.

Mr. Bacchi referred to the CA Government Code and asked if it superseded General Plan Policy 8.3.2.1.

Bill Stephans stated that he had consulted County Counsel and was told that the County can be more restrictive than what State Law requires but it is their opinion that with the conditions that are being set in place in this recommendation, it is not inconsistent with the General Plan Policy and the State Law does not supersede the policy.

Pierre Rivas, stated that Planning receives quite a few of these types of applications. He explained that the courts cannot override the Subdivision Map Act. Typically, what the court is really saying is that the parties are being ordered to submit an application to subdivide the property. The county is not compelled to subdivide the property based on a court order. If an application request was found to be inconsistent with the General Plan and with the zoning, the county can deny it and there is no recourse for the applicant. In this case, because it is Low-Density Residential (LDR) and in a Community Region and under the stated Government Code where there is a Timber Management Plan that will manage the whole property, plus the conditions that are being imposed, the Commission can make the appropriate findings. Mr. Rivas mentioned that the creation of the parcel has not yet been approved and asked that "*proposed* creation" of the 25 acre TPZ parcel should be included in the recommendation.

John Olson, representing the applicant, stated that they were in agreement with the recommendation and are willing to comply with all of the conditions.

It was moved by Mr. Pratt and seconded by Mr. Walker to recommend CONDITIONAL APPROVAL of P 08-0030 – Harris Parcel Map (Mary Nugent/Wayne Swart), if:

1. *The Harris Non-industrial Timber Management Plan is updated and amended to include the legal descriptions of the newly created parcels, is recorded with the county recorder as a deed restriction on the newly created parcels, and is signed and dated with the current year, which shall remain in force for a period of not less than 10 years from the date the parcel split is approved by the Board;*
2. *No further subdivisions are allowed to occur on the TPZ zoned parcels; and*
3. *No non-compatible development is permitted to occur on the 25 acre TPZ zoned parcel,*

Then the findings can be made for General Plan Policy 8.4.2.1, which states:

- A. *The proposed use will not be detrimental to that parcel or to adjacent parcels for long-term forest resource production value or conflict with forest resource production in that general area;*
- B. *The proposed use will not intensify existing conflicts or add new conflicts between adjacent proposed uses and timber production and harvesting activities;*
- C. *The proposed use will not create an island effect wherein timber production lands located between the project site and other non-timber production lands are negatively affected;*
- D. *The proposed use will not hinder timber production and harvesting access to water and public roads or otherwise conflict with the continuation or development of timber production harvesting; and*

Jason Hade

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RE: Wayne Swart/Mary Nugent

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E. The proposed use will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to timber production lands.

The Agricultural Commission finds that the creation of the 25 acre TPZ parcel is consistent with California Government Code § 51119.5 and is not inconsistent with General Plan Policy 8.3.2.1 because the proposed creation of the 25 acre TPZ parcel was due to the courts and affected parties mutually agreed upon settlement of the Harris Family Trust.

Motion passed.

AYES: Bacchi, Draper, Pratt, Walker, Boeger

NOES: None

ABSENT: Ward

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

GB:na

cc: Wayne Swart

Mary Nugent/Trustee, The Harris Family Survivors Trust

Jason Hade, El Dorado County Planning Department

EXHIBIT G



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

**ENVIRONMENTAL CHECKLIST FORM
AND DISCUSSION OF IMPACTS**

Project Title: Tentative Parcel Map P08-0030 / Harris Parcel Map

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

Contact Person: Jason R. Hade, AICP, Senior Planner **Phone Number:** (530) 621-5355

Project Owner's Name and Address: Mary H. Nugent Trustee The Harris Family Survivors Trust, 1011 Harris Road, Placerville, CA 95667

Project Applicant's Name and Address: Wayne Swart, 4081 Deer Valley Road, Rescue, CA 95672

Project Location: The subject property is located at the intersection of Blair Road and Badger Hill Road in the Pollock Pines area.

Assessor's Parcel No(s): 101-030-13 **Parcel Size:** 150 acres

Zoning: Timberland Preserve Zone District (TPZ) & Exclusive Agricultural District (AE)

Section: 35 **T:** 11N **R:** 12E

General Plan Designation: Low-Density Residential (LDR)

Description of Project: Tentative parcel map to create two parcels of 25 acres and 125 acres on a 150 acre site. Pursuant to a proposed 10-year deed restriction, no non-compatible development would be permitted on the proposed 25 acre parcel.

Surrounding Land Uses and Setting:

	<u>Zoning</u>	<u>General Plan</u>	<u>Land Use</u> (e.g., Single Family Residences, Grazing, Park, School)
North:	RE-5	LDR	Residential
East:	RE-10/R2	LDR/MFR	Residential
South:	RE-5/R1	LDR/HDR	Residential
West:	RE-10	LDR	Residential

Briefly Describe the environmental setting: The project site is at an elevation of approximately 3,600 feet above mean sea level. Twenty five acres of the total project site is used for Christmas trees, apple trees, pear trees, a garden, and a residence. Douglas fir and White fir dominate the north facing aspects of the site and the locations near the watercourses. The pines trees are associated with the flat ridge tops away from the watercourses. The subject site is bordered by single-family residential land uses on all sides. Proposed project access would be via Blair Road and Badger Hill Road. No new roads are proposed as part of the project. The proposed parcels would be served by individual well and septic systems.

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

El Dorado County Fire Protection District: Fire Safe Plan

CALFIRE: Joint Timber Management Plan

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. The environmental factors checked below contain mitigation measures which reduce any potential impacts to a less than significant level.

Aesthetics	Agriculture Resources	Air Quality
Biological Resources	Cultural Resources	Geology / Soils
Hazards & Hazardous Materials	Hydrology / Water Quality	Land Use / Planning
Mineral Resources	Noise	Population / Housing
Public Services	Recreation	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: Jason R. Hade Date: 6/10/09

Printed Name: Jason R. Hade, AICP For: El Dorado County

Signature: Pierre Rivas Date: 6-9-09

Printed Name: Pierre Rivas 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.

Potentially Significant Impact	Potentially Significant Unless Mitigation	Less Than Significant Impact	No Impact
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ENVIRONMENTAL IMPACTS

I. AESTHETICS. Would the project:			
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.

- a) No identified public scenic vistas or designated scenic highway would be affected by this project. No impacts would occur.
- b) The proposed project would have a less than significant impact on existing scenic resources including, but not limited to, trees, rock outcroppings, and historic resources as the project is not located within a corridor defined as a State scenic highway.
- c) The proposed project would not substantially degrade the visual character or quality of the site and its surroundings. No development is proposed and all tree removal would occur consistent with an approved joint timber management plan. Impacts would be less than significant.
- d) The proposed two parcels would not have a significant effect or adversely affect day or nighttime views adjacent to the project site. All outdoor lighting would conform to Section 17.14.170 of County Code. As such, impacts would be less than significant.

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

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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II. AGRICULTURE RESOURCES. Would the project:			
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) Review of the Important Farmland GIS map layer for El Dorado County developed under the Farmland Mapping and Monitoring Program indicates that no areas of Prime, Unique, or Farmland of Statewide Importance would be affected by the project. In addition, El Dorado County has established the Agricultural (-A) General Plan land use map for the project and included this overlay on the 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 (-A) General Plan land use overlay district area adjacent to the project site. The project would not result in the conversion of farmland to non-agricultural uses.

b) The proposed project would not conflict with existing agricultural zoning in the project vicinity and would not adversely impact any properties currently under a Williamson Act Contract. The El Dorado County Agricultural Commission reviewed the proposal and recommended conditional approval of the request because the site would still be managed as one unit under a joint timber management plan. Under a deed restriction to be recorded prior to parcel map filing, no development would be permitted on the proposed 25 acre parcel for at least 10 years. As such, very little, if any, of the 150 acres of TPZ land would be lost. Impacts would be less than significant.

c) No existing agricultural land would be converted to non-agricultural use as a result of the proposed project. As discussed above, under a deed restriction to be recorded prior to parcel map filing, no development would be permitted on the proposed 25 acre parcel for at least 10 years. As such, very little, if any, of the 150 acres of TPZ land would be lost. Impacts would be less than significant.

FINDING: It has been determined that the project would not result in any significant impacts to agricultural lands or properties subject to a Williamson Act Contract. The surrounding area is developed with residential development. For this

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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“Agriculture” category, the identified thresholds of significance have not been exceeded and no significant adverse environmental effects would result from the project.

III. AIR QUALITY. Would the project:			
a. Conflict with or obstruct implementation of the applicable air quality plan?		X	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X	
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		X	
d. Expose sensitive receptors to substantial pollutant concentrations?		X	
e. Create objectionable odors affecting a substantial number of people?		X	

Discussion:

A substantial adverse effect on Air Quality would occur if:

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

a) 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_x, and O₃). Activities related to the implementation of this parcel map would create a less than significant impact for air quality as no project grading is proposed.

b & c) The El Dorado County Air Quality Management District (AQMD) reviewed the project and determined that potential air quality impacts would be less than significant as no grading is proposed.

d) The El Dorado County AQMD reviewed the project and identified that no sensitive receptors exist in the area and would not be affected by this project. As such, the proposed project would not expose sensitive receptors to substantial pollutant concentrations. Impacts would be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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e) Residential development is not classified as an odor generating facility within Table 3.1 of the El Dorado County Air Quality Management District CEQA Guide. The proposed parcel map would not result in significant impacts resulting from odors. Impacts would be less than significant.

FINDING: It was determined that a less than significant impact would result from the project in that no sensitive receptors would be adversely impacted, no objectionable odors would be created and the project would not obstruct the implementation of the El Dorado County California Clean Air Act Plan. As such, no significant adverse environmental effects would result from the project.

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

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.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- a) The project proposes no impacts to 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. "According to the U.S. Forest Service and U.S. Fish and Wildlife Service, there are no threatened or endangered plants or animal species within the plan boundary." (*Harris Non-Industrial Timber Management Plan, Robert W. Allen, November 1, 1999*) Impacts would be less than significant.
- b) The project proposes no impacts to 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. Impacts would be less than significant.
- c) The project does not propose impacts to 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 as no such water resources are located on the project site. Although no development is proposed at this time, any future development would be subject to a 50-foot setback from the intermittent streams at the subject site. No impacts would occur.
- d) Review of the Planning Services GIS *Deer Ranges Map* (January 2002) indicates that there are no mapped deer migration corridors within the project site. Impacts would be less than significant.
- e) The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. No oak tree removal is proposed. Impacts would be less than significant.
- f) The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or state habitat conservation plan. Impacts would be less than significant.

FINDING: There would be no significant impacts to biological resources because no development is proposed at this time. As such, the impacts in the 'Biological Resources' category would be less than significant for this project.

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

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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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 & b)

No development is proposed as part of the project. However, in the event sub-surface historical, cultural or archeological sites or materials are disturbed during earth disturbances and grading activities on the site, standard conditions of approval are included within Attachment 1 of the staff report to reduce any potential impacts to a less than significant level.

- c) A unique paleontological site would include a known area of fossil bearing rock strata. The project site does not contain any known paleontological sites or know fossil locales. Impacts would be less than significant.
- d) Due to the size and scope of the project, there is a potential to discover human remains outside of a dedicated cemetery. In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the standard conditions of approval within Attachment 1 shall be implemented immediately.

FINDING: Although the project has the potential to impact sub-surface cultural or historic resources, or disturb human remains located outside of a designated cemetery, the application of the standard conditions of approval identified in Attachment 1 of the staff report address such impacts. Established thresholds of significance would not be exceeded within the "Cultural Resources" category.

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:			X	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b. Result in substantial soil erosion or the loss of topsoil?			X	

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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VI. GEOLOGY AND SOILS. Would the project:			
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) According to the Fault Activity Map of California and Adjacent Areas (Jennings, 1994) and the Peak Acceleration from Maximum Credible Earthquakes in California (CDMG, 1992), no active faults or Earthquake Fault Zones (Special Studies Zones) are located on the project site. The impacts from fault ruptures, seismically induced ground shaking, or seismic ground failure or liquefaction are considered to be less than significant. Any potential impact caused by locating structures in the project area would be offset by compliance with the Uniform Building Code earthquake standards. The project is not located in an area with significant topographic variation in slope. Therefore, the potential for mudslides or landslides is less than significant.

b) No project grading or parcel development is proposed. All future grading for individual parcel development must be in compliance with the El Dorado County Grading, Erosion, and Sediment Control Ordinance which would reduce any potentially significant impact to a less than significant level.

c) As stated in the *Soil Survey of El Dorado Area, California, 1974*, the soil on the project site is comprised of CmC, Cohasset loam, nine to 15 percent slopes, CmD, Cohasset loam, 15 to 30 percent slopes, JtC, Josephine silt loam, five to 15 percent slopes, JuE, Josephine very rocky silt loam, nine to 50 percent slopes, and SkD, Sites loam, 15 to 30 percent slopes. All grading must be in compliance with the El Dorado County Grading, Erosion, and Sediment Control Ordinance which would reduce any potentially significant impact to a less than significant level.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- d) According to the *Soil Survey of El Dorado Area, California, 1974*, surface runoff and erosion hazards issues would be moderate. Based upon this information, the impact from expansive soils would be less than significant.
- e) No development would be permitted on the proposed 25 acre parcel pursuant to the proposed deed restriction. Further, development of the TPZ parcel would require a zone change or special use permit application with further environmental review. At that time, waste discharge area analysis would be completed and submitted to the El Dorado County Environmental Management Department – Environmental Health Division for review and approval. Impacts would be less than significant.

FINDING: No significant impacts would result from geological or seismological anomalies on the project site. The site does not contain expansive soils or other characteristics that would result in significant impacts. For the "Geology and Soils" category, established thresholds would not be exceeded by development of the project and no significant adverse environmental effects would result from the project.

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

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- 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) No significant amount of hazardous materials would be transported, used, or disposed of for the project. Impacts would be less than significant.
- b) No significant amount of hazardous materials would be utilized for the project. Current County records indicate the subject site is not located within the Asbestos Review Area. Impacts would be less than significant.
- c) 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.
- d) The project site is not identified on any list compiled pursuant to California Government Code 65962.5 identifying any hazardous material sites in the project vicinity. As such, there would be a less than significant impact from hazardous material sites.
- e) *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 public airport. As such, the project would not be subject to any land use limitations contained within any adopted Comprehensive Land Use Plan. There would be no impacts to the project site resulting from public airport operations and the over-flight of aircraft in the vicinity of the project.
- f) *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. As such, there is no significant safety hazard resulting from private airport operations and aircraft overflights in the vicinity of the project site. No impacts would occur.
- g) The proposed project would not physically interfere with the implementation of the County adopted emergency response and/or evacuation plan for the County. This is based upon the location of the nearest fire station, site access, availability of water for fire suppression, and provisions within the County emergency response plan. The County emergency response plan is located within the County Office of Emergency Services in the El Dorado County Government Center complex in Placerville. Impacts would be less than significant.
- h) The El Dorado County Fire Protection District reviewed the project proposal and concluded that the project would not 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 with the implementation of the conditions of approval included in Attachment 1 of the staff report. Impacts would be less than significant.

FINDING: The proposed project would not expose people and property to hazards associated with the use, storage, transport and disposal of hazardous materials, and expose people and property to risks associated with wild land fires. For this "Hazards and Hazardous Materials" category, the thresholds of significance would not be exceeded by the proposed project with the implementation of standard conditions of approval from the El Dorado County Fire Protection District.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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VIII. HYDROLOGY AND WATER QUALITY. Would the project:			
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;

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- Cause degradation of water quality (temperature, dissolved oxygen, turbidity and/or other typical stormwater pollutants) in the project area; or
- Cause degradation of groundwater quality in the vicinity of the project site.

a) No development would be permitted on the proposed 25 acre parcel pursuant to the proposed deed restriction. Further, development of the TPZ parcel would require a zone change or special use permit application with further environmental review. At that time, waste discharge area analysis would be completed and submitted to the El Dorado County Environmental Management Department – Environmental Health Division for review and approval. Impacts would be less than significant.

b) 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. No development would be permitted on the proposed 25 acre parcel pursuant to the proposed deed restriction. Further, development of the TPZ parcel would require a zone change or special use permit application with further environmental review. At that time, well testing data would be completed and submitted to the El Dorado County Environmental Management Department – Environmental Health Division for review and approval. Impacts would be less than significant.

c) Proposed grading and ground disturbances associated with the project would not substantially alter the existing drainage patterns on or off the site. The *Grading Erosion and Sediment Control Ordinance* contains specific requirements that limit the impacts to a drainage system (Section 15.14.440 & Section 15.14.590). The standards apply to this project. As such, impacts would be less than significant.

d & e)

No grading is proposed for the project. As such, there would be no impact on all storm water drainage in the immediate vicinity. Surface runoff and erosion hazard for the soils located at the subject site is moderate. Therefore, substantial drainage pattern alteration or runoff would not occur. Impacts would be less than significant.

f) The project would not result in substantial degradation of water quality in either surface or sub-surface water bodies in the vicinity of the project area. All stormwater and sediment control methods contained in the *Grading, Erosion and Sediment Control Ordinance* must be met during all construction activities, as well as the required development of any permanent storm drainage facilities and erosion control measures on the project site. The project would be served by public sewer service provided by the South Tahoe Public Utility District. As such, impacts would be less than significant.

g & h)

The Flood Insurance Rate Map (Panel 060040 0525B) for the project area establishes that the project site is not located within a mapped 100-year floodplain. No impact would occur.

i) The subject property within the Pollock Pines area is not located adjacent to or downstream from a dam or levee that has the potential to fail and inundate the project site with floodwaters. Impacts would be less than significant.

j) The proposed project is not located near a coastal area, and therefore, the project site would not be susceptible to tsunamis. No volcanoes or other active volcanic features are near the project site and, therefore, the project site would not be susceptible to mudflows. No impacts would occur.

FINDING: No significant hydrological impacts would result from development of the project. For the "Hydrology and Water Quality" section, it has been determined the project would not exceed the identified thresholds of significance and no significant adverse environmental effects would result from the project.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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IX. LAND USE PLANNING. Would the project:				
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) 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. Impacts would be less than significant.

b) As proposed, the project is consistent with specific, fundamental, and mandatory land use goals, objectives, and applicable policies of the 2004 General Plan. Based on the 10-year deed restriction that would be recorded prior to parcel map filing, the project is consistent with General Plan policies 8.3.2.1 and 8.4.2.1. The parcel map is consistent with the development standards contained within the El Dorado County Zoning Ordinance and local subdivision policies. Future development must meet the standards established by the AE and TPZ zone districts. This project meets the land use objectives established for the property. As no conflict exists between the project and applicable land use policies, potential environmental impacts would be considered to be less than significant.

c) The project site is not within the boundaries of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or any other conservation plan. This condition precludes the possibility of the proposed project conflicting with an adopted conservation plan. No impact would occur.

FINDING: For the “Land Use Planning” section, the project would not exceed the identified thresholds of significance.

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

Discussion:

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

- Result in obstruction of access to, and extraction of mineral resources classified MRZ-2x, or result in land use compatibility conflicts with mineral extraction operations.

a) The project site is not mapped as being within a Mineral Resource Zone (MRZ) by the State of California Division of Mines and Geology or in the El Dorado County General Plan. No impact would occur.

b) 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-2a contain discovered mineral deposits that have been measured or indicate reserves 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 the subject property does not contain any mineral resources of known local or statewide economic value. No impact would occur.

FINDING: No impacts to any known mineral resources would occur as a result of the project. Therefore, no mitigation is required. In the "Mineral Resources" section, the project would not exceed the identified thresholds of significance.

XI. NOISE. Would the project result in:				
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	

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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XI. NOISE. *Would the project result in:*

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 & c)

The project would not result in a substantial increase in existing ambient noise levels in the project vicinity. The project would not generate noise levels exceeding the performance standards contained in Table 6-1 and Table 6-2 within the General Plan as it involves the creation of one additional parcel and related residential noise. Other than temporary noise generated from construction equipment, no significant noise would be expected from the development of the project. As such, impacts would be less than significant.

b & d)

Persons adjacent to the project vicinity would not be subjected to long-term excessive ground borne noise or ground borne vibration as a result of minor grading and improvement activities or upon completion of the project. Impacts would be less than significant.

e) The proposed project is not located adjacent to or in the vicinity of a public airport and is not subject to any noise standards contained within a Comprehensive Land Use Plan. As such, the project would not be subjected to excessive noise from a public airport. No impacts would occur.

f) The proposed project is not located adjacent to or in the vicinity of a private airstrip. As such, the project would not be subjected to excessive noise from a private airport. No impacts would occur.

FINDING: For the "Noise" category, there are no significant effects that would be created with the approval of the tentative parcel map and the impacts within this category would remain at a less than significant level.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XII. POPULATION AND HOUSING. Would the project:

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) The proposed project has been determined to have a minimal growth-inducing impact as the project includes the creation of two parcels where one currently exists. No residential development is proposed with the parcel map and all future development would be required to meet established County development standards. Any future development must meet comprehensive County policies and regulations before building permits can be issued. The project does not include any school or large scale employment centers that would lead to indirect growth. Impacts would be less than significant.

b. No existing housing stock would be displaced by the proposed project. No impacts would occur.

c) No persons would be displaced necessitating the construction of replacement housing elsewhere. No impacts would occur.

FINDING: The project would not displace any existing or proposed housing. The project would not directly or indirectly induce significant growth by extending or expanding infrastructure to support such growth. For the "Population and Housing" section, the thresholds of significance have not been exceeded and no significant environmental impacts would result from the project.

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

a. Fire protection?			X	
b. Police protection?			X	
c. Schools?			X	

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

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 currently provides fire protection services to the project area. Development of the project would result in a minor increase in the demand for fire protection services, but would not prevent the Fire District from meeting its response times for the project or its designated service area. The El Dorado County Protection District would review the project improvement plans and final map filing submittal for condition conformance prior to approval. Impacts would be less than significant.

b) **Police Protection:** The project site would be served by the El Dorado County Sheriff's Department with a response time depending on the location of the nearest patrol vehicle. The minimum Sheriff's Department service standard is an 8-minute response to 80% of the population within Community Regions. No specific minimum level of service or response time was established for Rural Centers and Rural Regions. The Sheriff's Department stated goal is to achieve a ratio of one sworn officer per 1,000 residents. The addition of one residential parcel would not significantly impact current response times to the project area. Impacts would be less than significant.

c) **Schools:** The project site is located within the Pollock Pines School District. The affected school district was contacted as part of the initial consultation process and no specific comments or mitigation measures were received. Impacts would be less than significant.

d) **Parks:** The proposed project would not substantially increase the local population necessitating the development of new park facilities. Section 16.12.090 of County Code establishes the method to calculate the required amount of land for dedication for parkland or the in-lieu fee amount for residential projects. In this case, the tentative parcel map would be conditioned to require the payment of a \$150 flat park fee consistent with the procedures outlined within Section 16.12.090. Impacts would be less than significant.

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e) No other public facilities or services would be substantially impacted by the project. Impacts would be less than significant.

FINDING: Adequate public services are available to serve the project. Therefore, there is no potential for a significant impact due to the creation of one additional residential parcel at the subject site, either directly or indirectly. No significant public service impacts are expected. For this "Public Services" category, the thresholds of significance have not been exceeded.

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 five 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) Because the project would only include the creation of one additional residential parcel, it would not substantially increase the use of neighborhood or regional parks in the area such that substantial physical deterioration of the facility would occur. Impacts would be less than significant.

b) The project does not propose any on-site recreation facilities and would not be required to construct any new facilities or expand any existing recreation facilities with the scope of this project. No impacts would occur.

FINDING: No significant impacts to recreation or open space will result from the project. For this "Recreation" section, the thresholds of significance have not been exceeded.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XV. TRANSPORTATION/TRAFFIC. Would the project:

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 & b)

The Department of Transportation (DOT) reviewed the proposed project and determined it would not trip the traffic impact threshold within the General Plan. Proposed project access would be via Blair Road and Badger Hill Road. Impacts would be less than significant.

The 2004 General Plan Policies TC-Xe and TX-Xf (which incorporate Measure Y) require that projects that “worsen” traffic by 2%, 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 reviewed the proposed project and determined that it would not trigger the threshold described above because of its limited size.

c) The project would 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.

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- d) Prior to parcel development, the project would be required to make on-site access improvements consistent with the conditions of approval provided by DOT and included within Attachment 1 of the staff report. As such, the proposed project would not include any design features, such as sharp curves or dangerous intersections, or incompatible uses that would substantially increase hazards. No traffic hazards would result from the project design. Impacts would be less than significant.
- e) 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) Future development would be required to meet on-site parking requirements identified by use within the Zoning Ordinance. Future requests for building permits would be reviewed for conformance with parking standards during the review process. Parking requirements for conventional single-family detached homes are two spaces not in tandem. Sufficient space is available on each proposed parcel to accommodate this parking requirement. Impacts would be less than significant.
- g) The proposed project does not conflict with the adopted General Plan policies, and adopted plans, or programs supporting alternative transportation. No impacts would occur.

FINDING: No significant traffic impacts are expected for the project and mitigation is not required. For the "Transportation/Traffic" category, the identified thresholds of significance have not been exceeded.

XVI. UTILITIES AND SERVICE SYSTEMS. Would the project:				
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	
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	

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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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) No development would be permitted on the proposed 25 acre parcel pursuant to the proposed deed restriction. Further, development of the TPZ parcel would require a zone change or special use permit application with further environmental review. At that time, waste discharge area analysis would be completed and submitted to the El Dorado County Environmental Management Department – Environmental Health Division for review and approval. Therefore, the proposed project would not exceed water quality standards. Impacts would be less than significant.

b) No development would be permitted on the proposed 25 acre parcel pursuant to the proposed deed restriction. Further, development of the TPZ parcel would require a zone change or special use permit application with further environmental review. At that time, waste discharge area analysis and well testing data would be completed and submitted to the El Dorado County Environmental Management Department – Environmental Health Division for review and approval. Therefore, no new or expanded off-site water or wastewater facilities would be necessary to serve the proposed project. Impacts would be less than significant.

c) The proposed minimal grading for project fire safe improvements and future parcel development would have a minimal impact on all storm water drainage in the immediate vicinity. Surface runoff and the erosion hazard for the soils located at the subject site are moderate. Therefore, substantial drainage pattern alteration or runoff would not occur. Impacts would be less than significant.

d) No development would be permitted on the proposed 25 acre parcel pursuant to the proposed deed restriction. Further, development of the TPZ parcel would require a zone change or special use permit application with further environmental review. At that time, well testing data would be completed and submitted to the El Dorado County Environmental Management Department – Environmental Health Division for review and approval. Impacts would be less than significant.

e) As stated above, no development would be permitted on the proposed 25 acre parcel pursuant to the proposed deed restriction. Further, development of the TPZ parcel would require a zone change or special use permit application with further environmental review. At that time, waste discharge area analysis would be completed and submitted to the El Dorado County Environmental Management Department – Environmental Health Division for review and approval. Impacts would be less than significant.

f) In December of 1996, direct public disposal into the Union Mine Disposal Site was discontinued and the Material Recovery Facility/Transfer Station was opened. Only certain inert waste materials (e.g., concrete, asphalt, etc.) may be dumped at the Union Mine Waste Disposal Site. All other materials that cannot be recycled are exported to the Lockwood Regional Landfill near Sparks, Nevada. In 1997, El Dorado County signed a 30-year contract with the

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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) County Ordinance No. 4319 requires that new development provide areas for adequate, accessible, and convenient storing, collecting, and loading of solid waste and recyclables. On-site solid waste collection for the proposed parcels would be handled through the local waste management contractor. Adequate space would be available at the site for solid waste collection. Impacts would be less than significant.

FINDING: No significant impacts would result to utility and service systems from development of the project. For the "Utilities and Service Systems" section, the thresholds of significance have not been exceeded and no significant environmental effects would result from the project.

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) Subsurface earthwork activities may expose previously undiscovered buried resources. Standard construction cultural resource conditions of approval are incorporated into the project as conditions of approval within Attachment 1 of the staff report. This would ensure that impacts on cultural resources are less than significant. In summary, all potentially significant effects on cultural resources can be reduced to a level of less than significant.

b) All cumulative impacts related to air quality, biological resources, and transportation/traffic are less than significant and do not require mitigation. Therefore, the proposed project would not result in cumulatively considerable impacts on these areas. Impacts are less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- c) All impacts identified in this Negative Declaration are less than significant and do not require mitigation. Therefore, the proposed project would not result in environmental effects that cause substantial adverse effects on human beings either directly or indirectly. Impacts would be less than significant.

SUPPORTING INFORMATION SOURCE LIST

The following documents are available at El Dorado County Development Services Department, Planning Services in Placerville:

2004 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.

El Dorado County General Plan Draft Environmental Impact Report
Volume I - Comments on Draft Environmental Impact Report
Volume II - Response to Comment on DEIR
Volume III - Comments on Supplement to DEIR
Volume IV - Responses to Comments on Supplement to DEIR
Volume V - Appendices

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

El Dorado County General Plan - Volume II - Background Information

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

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

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

County of El Dorado Grading, Erosion and Sediment Control Ordinance (Ordinance No. 3883, amended Ordinance Nos. 4061, 4167, 4170, 4719)

El Dorado County Design and Improvement Standards

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

Soil Survey of Tahoe Basin Area, California and Nevada

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.)

PROJECT SPECIFIC REPORTS AND SUPPORTING INFORMATION

Harris Non-Industrial Timber Management Plan. Robert W. Allen. November 1, 1999.