

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



Agenda of: September 25, 2008

Item No.: 7.b

Staff: Jonathan Fong

REZONE/PLANNED DEVELOPMENT/TENTATIVE PARCEL MAP

FILE NUMBER: Z07-0028/ P07-0030/ PD07-0027

APPLICANT: Clarksville Professional Business Park, LLC

REQUEST: Request for a Rezone, Planned Development and Parcel Map.

The Rezone would change the parcel zoning from One-Acre Residential (R1A) to Commercial- Planned Development (C-PD).

The Planned Development would allow the construction of ten commercial buildings totaling 98,992 square feet. Each building would range in size from 5,100 to 44,992 square feet.

The Parcel Map would create ten parcels ranging in size from 0.37 to 2.26 acres. Each of the proposed buildings would be located on a separate parcel.

One Design Waiver has been requested to allow the following:

1) To limit the sidewalk improvements to one side of Road 1.

LOCATION: The project site is located on the north side of White Rock Road, 1,400 feet west of the intersection with White Rock Road/ Joerger Cutoff Road, in the El Dorado Hills Area, Supervisorial District II. (Exhibit A)

APN: 121-280-03

ACREAGE: 9.52-acres

GENERAL PLAN: Commercial (C) (Exhibit B)

ZONING: One- Acre Residential (R1A) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration

SUMMARY RECOMMENDATION: Recommend conditional approval

BACKGROUND: The project application was submitted on June 18, 2007 and included a Rezone and Parcel Map request. Following the TAC Meeting on August 13, 2007 Planning Services staff recommended that the Planned Development application be included to allow for a comprehensive review of the project and to allow flexibility in the Development Standards of the Commercial Zone District.

The original project submittal included a proposed looped road system through the Lakehills Community Convent Church to provide access to White Rock Road. The applicant submitted revised plans in March 2008 with a revised access proposing a connection to the existing Joerger Cutoff Road and a new road onto White Rock Road.

The Department of Transportation requested an alternative design for the connection to Joerger Cutoff Road due to a proposed roadway design that would be 15% in slope and would be inconsistent with Standard Plan 101A which establishes a maximum roadway grade of 12%. On July 31, 2008 the applicant and DOT agreed to an alternative design utilizing the existing 20 foot wide Road and Public Utilities Easement as secondary access for the project.

ISSUES: The primary issue regarding the project is the adjacency to the Clarksville Cemetery. The project parcel is located directly adjacent to the Clarksville Cemetery which is an active, privately maintained cemetery. The cemetery currently receives access via a 20 foot Road and Public Utilities Easement which crosses the project parcel providing access to Joerger Cutoff Road.

The cemetery site is directly south of the project site and located at a relative high point in the project vicinity. The preliminary grading plan indicates that a new access road would be constructed to provide access to the cemetery from the proposed parking area.

Letters of from the El Dorado County General Services Department and the Pioneer Cemeteries Association have been submitted questioning the potential impacts of the project on the cemetery and requesting that protective measures and conditions be placed on the project to protect the cemetery. Both correspondences have been included as attachments of the staff report.

The applicant has submitted a Ground Penetrating Radar (GPR) survey with the application which did not identify any interred remains that would be affected by the project. The applicant has contacted the manager of the Clarksville Cemetery to review the proposed impacts to the cemetery site. No letter to the file has been submitted by the cemetery manager; however, the applicant has indicated the manager of the Cemetery would produce evidence of acceptance of the proposed modifications at the Planning Commission Hearing.

STAFF ANALYSIS: Staff has reviewed the project for compliance with the County's regulations and requirements. An analysis of the permit request and issues for Planning Commission consideration are provided in the following analysis:

Project Description:

The application request is for a Rezone, Planned Development and Parcel Map.

Rezone: The Rezone would change the parcel zoning from One-Acre Residential (R1A) to Commercial (C) and would include the Planned Development Zoning Overlay to change the parcel zoning to (C-PD). The Rezone request would be consistent with the Commercial (C) General Plan Land Use Designation.

Planned Development: The Planned Development would allow for the construction of ten commercial buildings totaling 98,992 square feet.

Parcel Map: The commercial parcel map would create ten parcels ranging in size from 0.37-acres to 2.26-acres. Each of the proposed buildings would be located on a separate parcel. A table is included in Attachment 1 of the staff report which includes a tabulation of the proposed buildings, sizes, and proposed parcel acreages.

Building Number	Building Area (sq. ft.)	Parcel Number	Parcel Area (acreage)
A	44,992	1	1.27
B	6,720	2	0.42
C	6,720	3	0.37
D	6,720	4	0.86
E	6,720	5	0.81
F	6,720	6	1.39
G	5,100	7	0.60
H	5,100	8	1.09
J	5,100	9	0.47
K	5,100	10	2.26
Total Buildings: 10	Total Building Area: 98,992 s.f.	Total Parcels: 10	Total Parcel Area: 9.52 acres

Road Improvements: The project would require off-site improvements to provide two points of access from the project site to White Rock Road. Off-site improvements would include the construction of a new access road (Road 1) which would extend from the project site southeast to White Rock Road. The existing Joerger Cutoff Road would be improved to 20 feet to provide for a secondary access point onto White Rock Road. Road improvements to Joerger Cutoff Road would require road widening of the entire length of the road from the intersection at White Rock Road and across the northern portion of the PG&E substation. Joerger Cutoff Road is a County Maintained Road from the intersection with White Rock Road to the existing PG&E access onto Joerger Cutoff Road. The applicant has obtained recorded roadway access easements across the parcel to the west to allow the construction of Road 1 as proposed.

Site Description: The project site is located directly south of U.S. Highway within the El Dorado Hills Community Region. The project site has been previously developed with a single family residence and accessory buildings. Vegetation on-site is limited to non-native landscaping and native grasslands. Slopes on-site are hilly with varied slopes. The project request would also involve the construction of an off-site roadway utilizing undeveloped lands to the east and the widening of the existing Joerger Cutoff Road. Separate biological resources evaluations were performed for the off-site impacts which identified wetlands, riparian channels, and suitable habitat for protected animal species. As discussed in greater detail below, the project would include Mitigation Measures to reduce the impacts to biological resources.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	R1A	C	Existing Single Family Residence
North	TC	AP	U.S. Highway 50
South	CG/ R1A	AP/C	Lakehills Covenant Community Church/ Clarksville Cemetery
East	AE	R&D	Undeveloped
West	CG	AP	Undeveloped (Town Center East)

General Plan: The General Plan designates the subject site as Commercial (C). The proposed office and medical office project would be consistent within the C land use designation.

Policy 2.2.1.3 establishes a maximum Floor Area Ratio (FAR) of 85 percent within the C district. The maximum allowable FAR for the 9.52-acre parcel would be 8.09-acres (352,488 square feet). The development would construct 98,992 square feet of building space on the project parcel. This would yield a FAR of 24 percent which would be consistent with Policy 2.2.1.3

Policy 2.8.1.1 directs that nighttime light and glare from parking area lighting, signage, and buildings be reduced while combined with related design features, namely directional shielding for parking lot and outside building lighting, that could reduce effects from nighttime lighting. The project would include outdoor lighting for the proposed parking areas. The submitted photometric plan indicates that the proposed lighting would include shielding and other glare reducing measures to reduce the nighttime impacts of the proposed lighting.

The project site is located adjacent to agriculture-zoned lands to the east. As required by **General Plan Policy 8.1.4.1** the project was reviewed by the Agricultural Commission to evaluate the potential impacts of the project on the AE-zoned parcel to the east. The AG Commission recommended approval of the project subject to the 200-foot agricultural setback pursuant to **General Plan Policy 8.1.3.2**.

Pursuant to the **Interim Interpretative Guidelines for General Plan Policy 8.1.3.2** adopted June 22, 2006 and amended on September 28, 2006, the project would not be required to maintain the 200 setback. The parcel is not located within an Agricultural District and is less than 10-acres which in accordance with the Interim Guidelines Application Questionnaire, does not require the 200-foot setback.

As required by **General Plan 2.2.5.3** future rezoning shall be evaluated based on the General Plan's direction as to minimum parcel size or maximum density and to assess whether changes in conditions would support a higher density. Specific Criteria to be considered include, but are not limited to, the following:

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

The project would be required to connect to EID public water and sewer services. The District determined that the project site is currently located outside of the District boundaries and would require annexation prior to obtaining service. The District determined that adequate water and sewer services would be available for the project upon annexation. The project would require LAFCO approval for annexation prior to receiving service.

2. Availability and capacity of public treated water system;

See #1 above.

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

See #1 above.

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

The project site is located within the Buckeye Union School District. The District was distributed the project during the initial 30-day review and did not provide comment. The commercial development would not affect the existing capacity of schools within the District.

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

The project area would receive emergency service from the El Dorado Hills Fire Department. The Department reviewed the project and determined that the proposed roadway improvements and additional fire protection measures would allow for adequate emergency services for the project.

6. Distance to nearest Community Region or Rural Center;

The project site is located within the Cameron Park Community Region.

7. Erosion hazard;

All grading activities are subject to the provisions of the El Dorado County Grading, Erosion, and Sediment Control Ordinance which would reduce potential erosion hazards to a less than significant level.

8. Septic and leach field capability;

The project would be served by EID public water and sewer facilities. No septic systems or leach fields are proposed.

9. Groundwater capability to support wells;

The project would be served by EID public water and sewer facilities. No well systems are proposed.

10. Critical flora and fauna habitat areas;

The biological resources evaluation conducted on the project site determined that no special status plant or animal species are located on the project site. A separate evaluation conducted for the off-site improvements which identified suitable habitat for animals protected by federal and state law. The project would include Mitigation Measures for pre-construction surveys to be conducted prior to issuance of any grading permits and protective measures to be implemented during project construction.

11. Important timber production areas;

The project site is not located within or adjacent to important timber production, agricultural or mineral resource areas.

12. Important agricultural areas;

See #11 above.

13. Important mineral resource areas;

See #11 above.

14. Capacity of the transportation system serving the area;

The project would be required to perform road improvements as conditions of approval for the project. The existing Joerger Cutoff Road would be widened to 20 feet along the entire length of the road from White Rock Road to the project site. A new off-site road would be constructed and would be built to the requirements of Standard Plan 101A. The Department of Transportation has reviewed the Traffic Impact Study prepared for the

project and determined that the road improvements and payment of Traffic Impact Mitigation Fees at building permit issuance would mitigate potential traffic impacts in the area.

15. Existing land use pattern;

The project site is surrounded by undeveloped land within the El Dorado Hills Community Region. The Commercially designated land to the west is located within Town Center East.

16. Proximity to perennial water course;

The biological resources study that was performed on the project site determined that no perennial water courses or other riparian features on-site would be impacted. The project would require off-site road improvements to the existing Joerger Cutoff Road which currently crosses an existing intermittent stream and wetlands areas.

A separate biological resources evaluation was required to address the impacts of the off-site road impacts. The evaluation determined that wetlands and intermittent streams would be potentially impacted as part of the required road improvements. The project includes Mitigation Measures which would require the project obtain permits from State and Federal agencies prior to issuance of any grading permits for the road improvements.

17. Important historical/ archeological sites;

The cultural resources study performed on the project site determined that no important historical sites are located on the project site. The site is located directly adjacent to the Clarksville Cemetery which is an active, operating Cemetery. The application submittal included a geophysical survey which included an analysis of the project site for the presence of any interred human remains outside of the Cemetery boundaries. The study determined that no human remains are located on the project site. Standard conditions of approval would be applicable to the project which would require implementation of protective measures upon the accidental discovery of important historical or archeological resources during project construction.

18. Seismic hazards and present active faults.

The project site is not located in an area known to be exposed to seismic hazards or located near active faults.

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

The site does not currently have any CC&R's. The project would be required to record CC&R's in order to maintain the onsite parking areas and landscaping. All CC&R's would be subject to review and approval by the El Dorado Hills CSD.

The project has been reviewed in accordance with applicable General Plan policies and it has been determined that the project is consistent with the General Plan. Findings of consistency with the General Plan are provided in Attachment 2.

Zoning/ Planned Development: The project request includes a Planned Development Application. The PD would allow flexibility in the Development Standards of the Commercial (C) Zone District. The proposed Office and Medical uses would be consistent with the permitted uses of the C Zone District.

Section 17.32.030 A through E of the Zoning Ordinance establishes development standards for projects within the Commercial Zone District. Below is an analysis of those standards.

A. Minimum lot area, five thousand square feet;

The project would create ten commercial parcels. The minimum lot size would be 0.37-acres (16,117 square feet). The proposed parcels would be consistent with the minimum lot size of the C Zone District.

B. Maximum building coverage, sixty percent of the lot;

The project would construct ten commercial buildings resulting in a building coverage of 76,496 square feet. On the 9.52-acre site, the project would result in a building coverage of 18% which would be consistent with the coverage requirements of the C Zone District.

C. Minimum lot width, fifty feet;

Lot 9 would be the narrowest width of 68 feet. All proposed parcels would be consistent with the lot width requirements of the C Zone District.

D. Minimum yard: front, ten feet; sides and rear, five feet, or zero feet and fireproof wall without opening; provided, however, that all hotels, motels or multifamily dwellings shall have at least five feet side and rear yards;

The proposed buildings would be located on individual parcels. The buildings have been sited to comply with the setback requirements of the C Zone District.

E. Maximum building height, fifty feet. (Prior code §9413(c))

The project would construct ten commercial buildings from three building plans. Building A would be a split-level design with a maximum height of 39 feet 8 inches. Buildings B and G would be a single-level design with a maximum height of 24 feet 9 inches. The proposed building designs would be consistent with the maximum height requirement of the C Zone District.

Planned Development Permit Request:

Parking: The project proposed to allow a mix of office and medical uses. As shown on the Site Plan, the project would construct 98,992 square feet of commercial space. Approximately 30% of the site would be for medical uses and approximately 70% would be for office use.

The Zoning Ordinance requires a parking ratio of 1 space per 150 square feet of space for medical use. The proposed 29,698 square feet of medical space would require 198 parking spaces. Office space would require 1 space per 250 square feet of office space. The proposed 69,294 square feet of office space would require 277 parking spaces.

The project would require 475 parking spaces and has provided 485 spaces on the site. The project would be consistent with the off-street parking requirements of the Commercial Zone District.

Signage: The project request would include one monument sign at the entrance to the site located at the northwest corner of the project parcel (Exhibit J). Individual signs would comply with the sign requirements for the C Zone District.

Infrastructure: The project would be served by public water and sewer. The El Dorado Irrigation District has determined that adequate services exist within the El Dorado Hills Business Park to serve the project. No new utilities or services would be required to provide service for the project.

Design Waivers: One Design Waiver has been requested for the following:

- 1) To limit the sidewalk improvements to one side of Road 1.

The Department of Transportation has reviewed the request to limit sidewalk to one side of the road only had recommended approval. The proposed roadway would be located on parcel which has the potential to be developed in the future with similar commercial development. All future development would be conditioned to construct additional sidewalk improvements on the opposite side of the road. Findings of Approval for the requested Design Waiver have been included in Attachment 2 of the Staff Report.

ENVIRONMENTAL REVIEW:

Based on the Initial Study prepared by Planning Services, staff finds that the project could have a significant effect on air quality, biological resources, cultural resources, air quality, noise and transportation. However, the project has been modified to incorporate the mitigation measures identified in the Initial Study which will reduce the impacts to a level considered to be less than significant. Therefore, a Mitigated Negative Declaration has been prepared.

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

Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$1,926.75 after approval, but prior to the County filing the Notice of Determination on the project. This fee, less a \$50.00 recording fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$1,876.75 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.

RECOMMENDATION: Staff recommends that the Planning Commission forward a recommendation that the Board of Supervisors take the following actions:

1. Adopt the Mitigated Negative Declaration based on the Initial Study reviewed by staff;
2. Adopt the mitigation monitoring program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the conditions of approval and mitigation measures in Attachment 1;
3. Approve Rezone Z07-0028 based on the findings in Attachment 2;
4. Approve Planned Development Application PD07-0027 and Tentative Parcel Map Application P07-0030, adopting the development plan as the official development plan, subject to the conditions in Attachment 1, based on the findings in Attachment 2; and
5. Approve the following Design Waiver since appropriate findings have been made as noted in Attachment 2:
 - 1) To limit the sidewalk improvements to one side of Road 1.

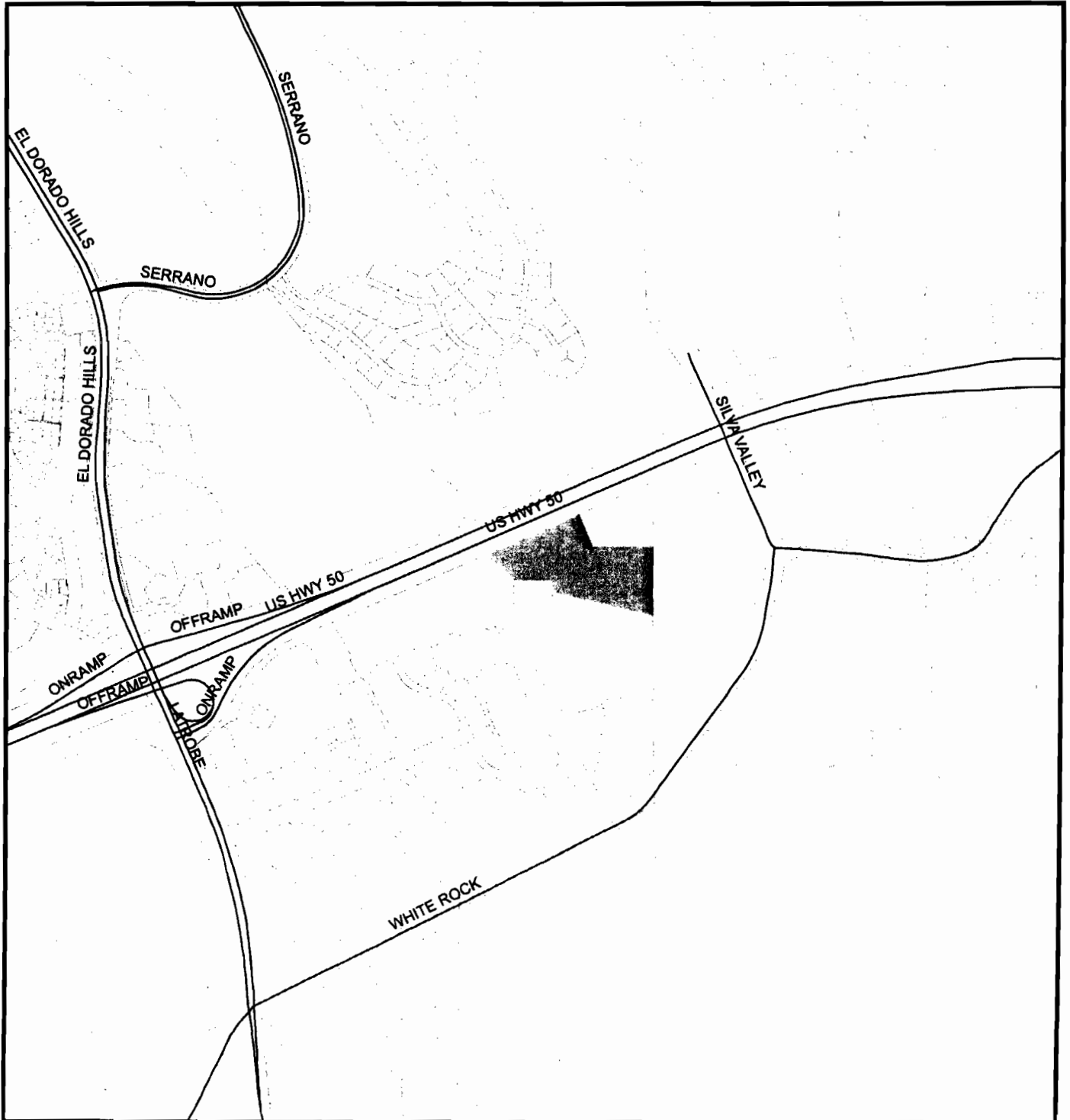
SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1Conditions of Approval
Attachment 2Findings

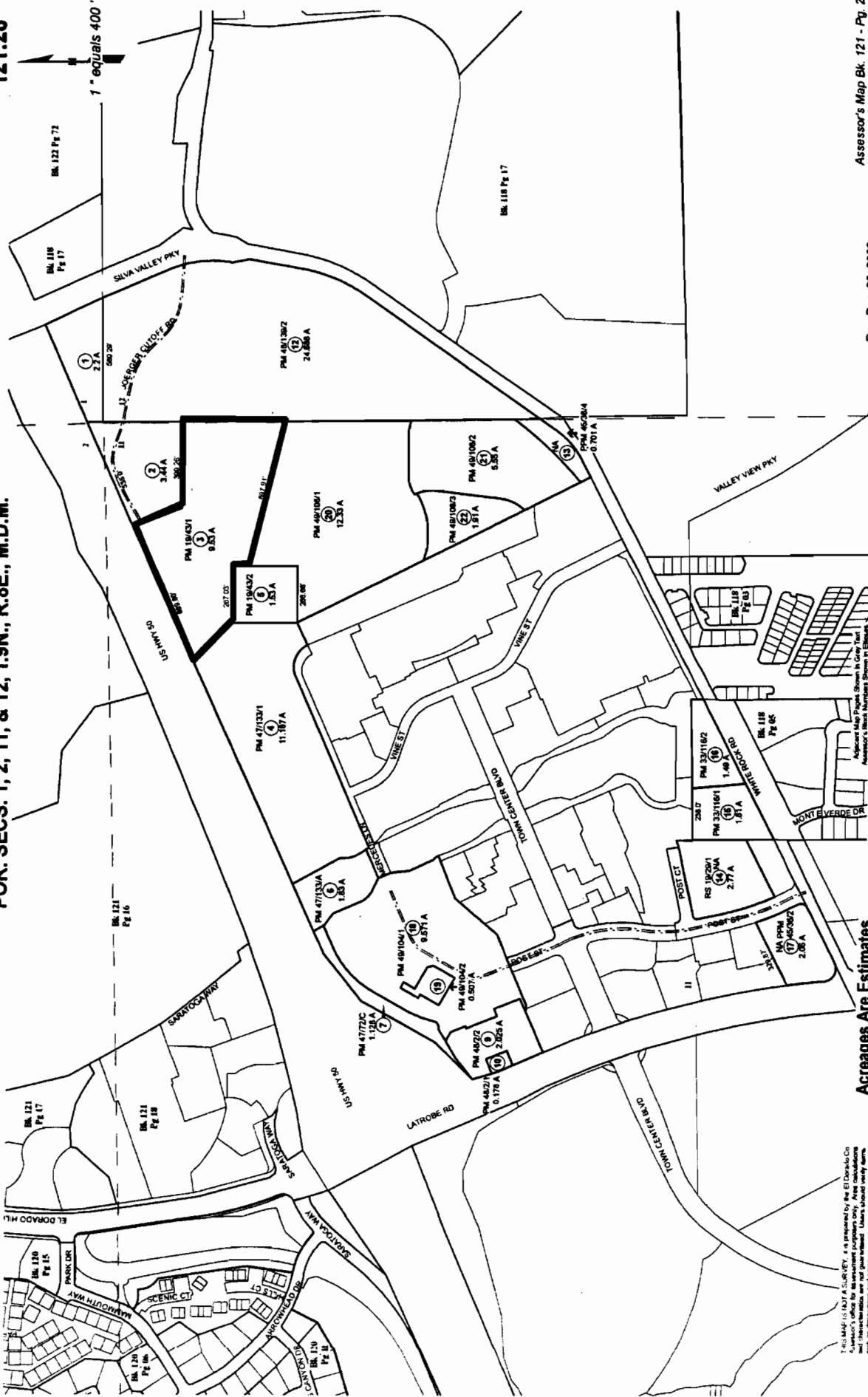
Exhibit A.....Vicinity Map
Exhibit BAssessor’s Parcel Map
Exhibit CGeneral Plan Land Use Map
Exhibit D.....Zoning Map
Exhibit ESite Plan
Exhibit F.....Tentative Parcel Map
Exhibit G.....Landscaping Plan
Exhibit H.....Elevations (typical)
Exhibit I.....Signage Elevations
Exhibit J..... Letter from General Services
Exhibit K.....Letter from Pioneer Cemeteries Association
Exhibit L.....Letter from Clarksville Cemetery Manager
Exhibit MSilva Valley/ US 50 Improvements
Exhibit N.....Biological Constraints Map
Exhibit OEnvironmental Checklist

**Clarksville Professional Business Park
Z07-0028/ P07-0030/ PD07-0027
Vicinity Map**



121:28

POR. SECS. 1, 2, 11, & 12, T.9N., R.8E., M.D.M.



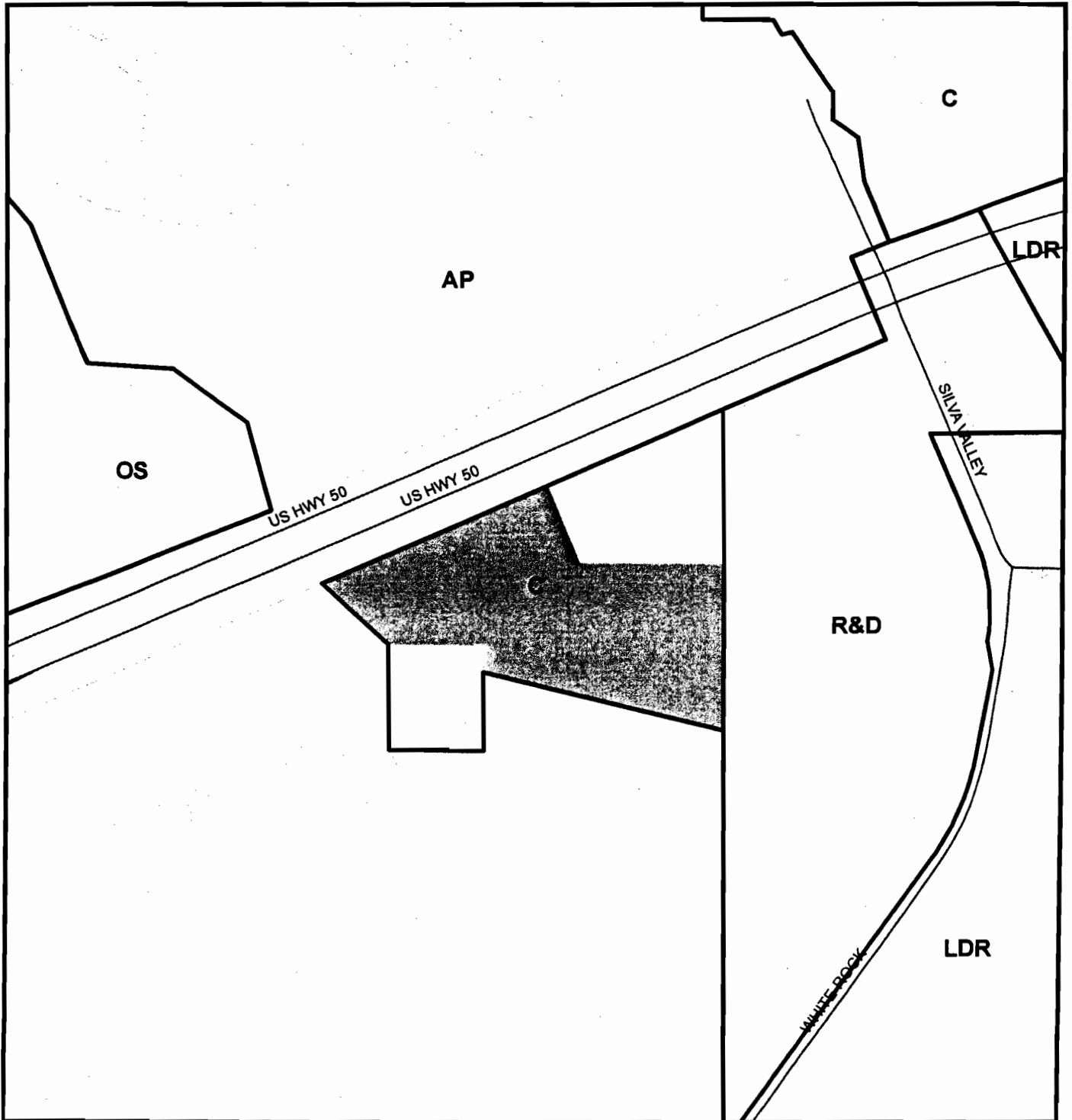
THIS MAP IS A SURVEY. It is prepared by the El Dorado Co. Assessor's Office. The boundaries shown on this map are based on the information provided to the Assessor's Office. The Assessor's Office is not responsible for any errors or omissions and accepts no liability for any such errors or omissions.

Acres are Estimates

Assessor's Map Bk. 121 - Pg. 28
County of El Dorado, CA

Rev. Dec. 20, 2006

**Clarksville Professional Business Park
Z07-0028/ P07-0030/ PD07-0027
General Plan Land Use Map**



**Clarksville Professional Business Park
Z07-0028/ P07-0030/ PD07-0027
Zoning Map**

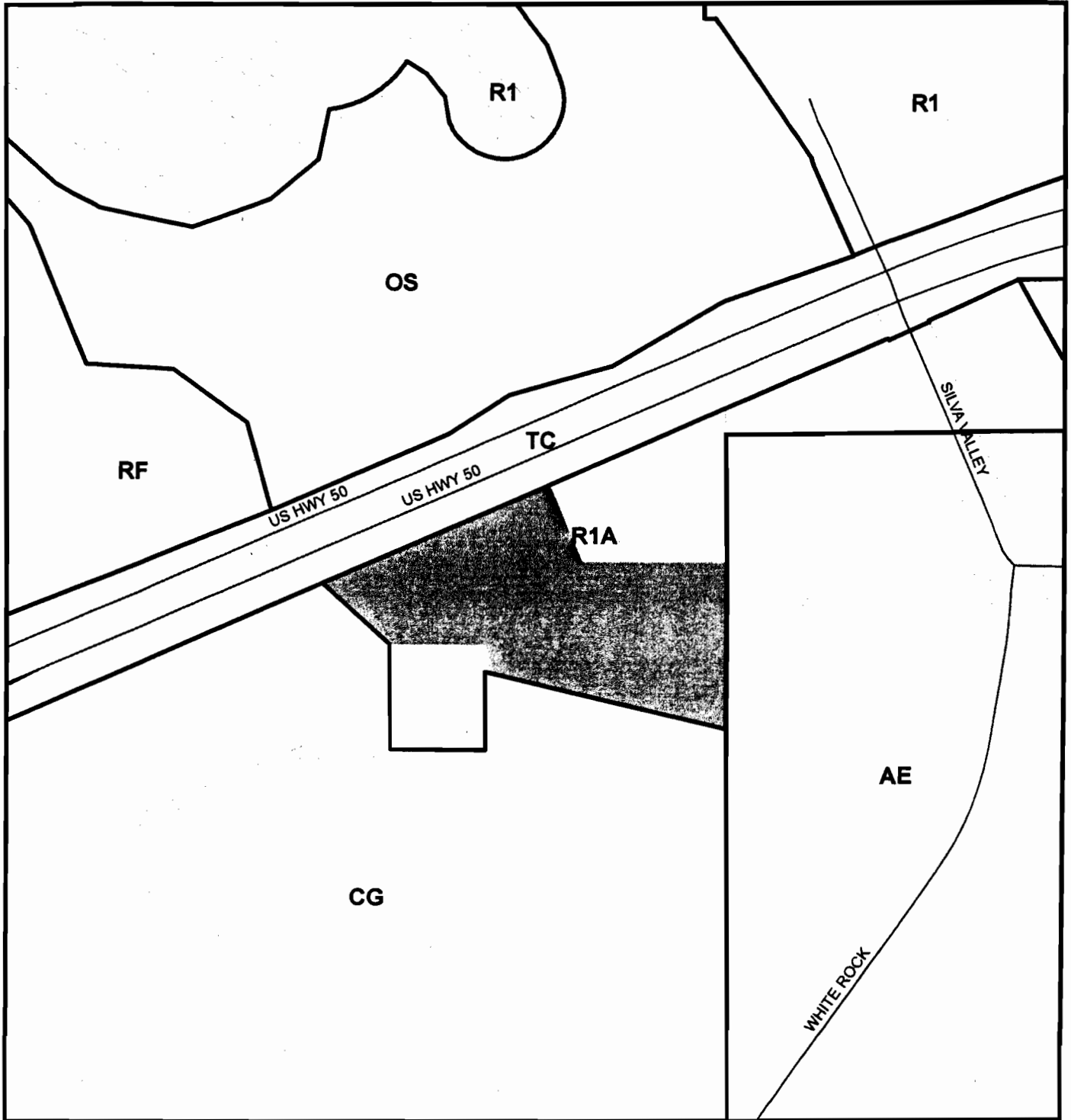


EXHIBIT E

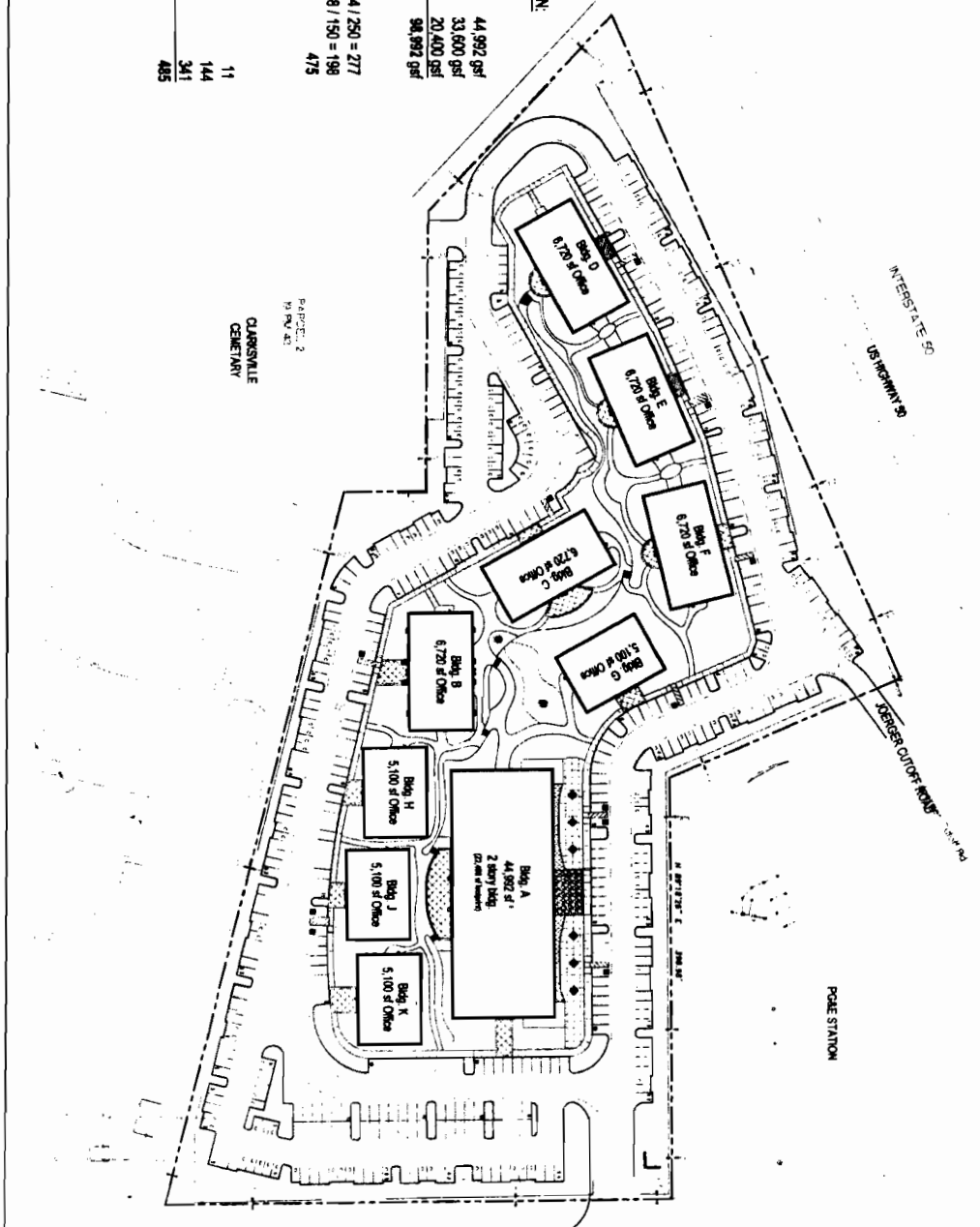
SITE INFORMATION:

BUILDING			
1 @ 44,992 sf =	44,992 gsf		
5 @ 6,720 sf =	33,600 gsf		
4 @ 5,100 sf =	20,400 gsf		
TOTAL gsf	98,992 gsf		

PARKING		
Required:	69,294 / 250 = 277	
Total Req'd:	29,698 / 150 = 198	475

Total Stalls Shown:	
HC Stalls	11
Compact Stalls	144
Standard Stalls	341
Total	495

© GENERAL CONTRACTOR



Clarksville Professional Business Park
 El Dorado Hills, CA

SITE PLAN

plus
 architects inc.

A0.1

EXHIBIT F

LEGEND

EXISTING

LOT LINE

ADJACENT

CONVEYANCE

STREET FRONT

STREET REAR

STREET SIDE

STREET CORNER

STREET CENTER

STREET SIDEWALK

STREET CURB

STREET GUTTER

STREET DRAINAGE

STREET LIGHT

STREET SIGN

STREET MARK

STREET NUMBER

STREET NAME

STREET ADDRESS

STREET DISTRICT

STREET ZONE

STREET TYPE

STREET CLASS

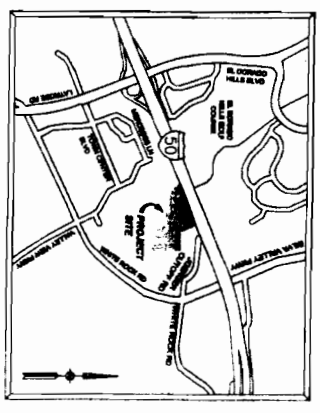
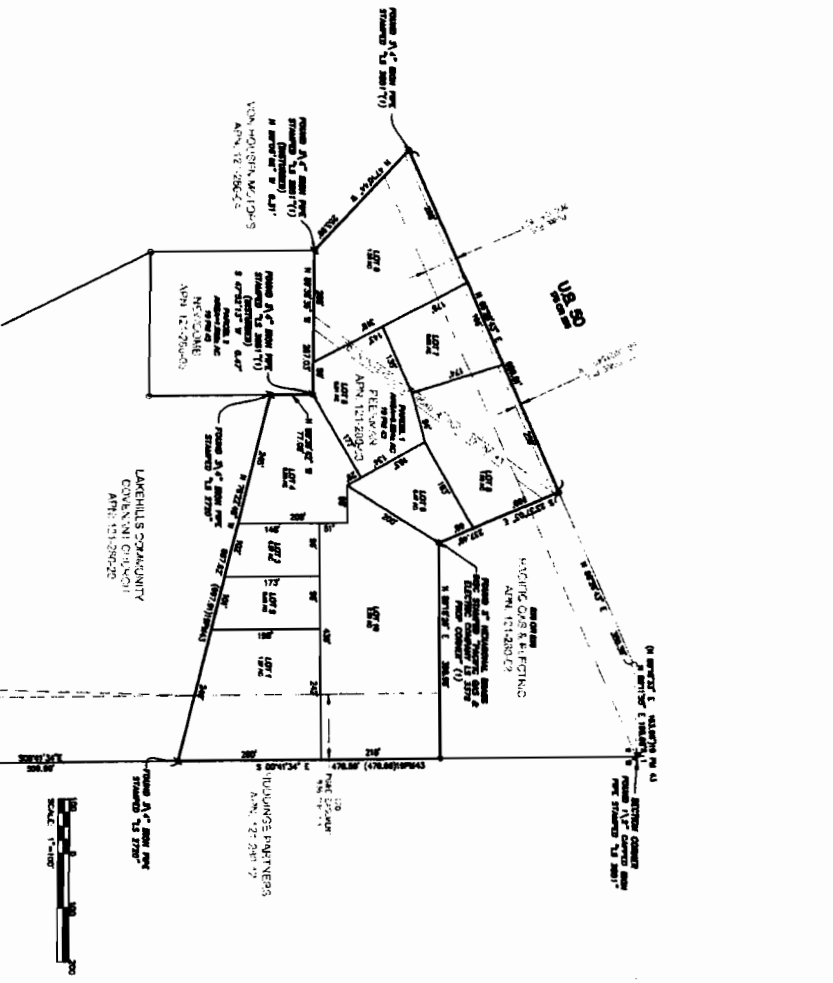
STREET CODE

STREET ID

STREET KEY

STREET VALUE

STREET INFO



OWNER OF RECORD: [Name]

SCALE: [Scale]

SOURCE OF TOPOGRAPHY: [Source]

APPLICANT: [Name]

PREPARER OF MAP: [Name]

SECTION, TOWNSHIP AND RANGE: [Section, Township, Range]

ASSESSORS PARCEL NUMBER: [Number]

TOTAL AREA: [Area]

TOTAL PROPOSED PARCEL S: [Number]

PROPOSED STRUCTURAL FIRE PROTECTION: [Type]

SEWER DISPOSAL: [Type]

WATER SUPPLY: [Type]

DRAINAGE: [Type]

DATE OF PREPARATION: [Date]

PROPOSED EASEMENTS: [List]

EXISTING EASEMENTS: [List]

TEMPORARY BENCHMARK: [Location]

PLANNING COMMISSION: [Name]

APPROVAL DENIAL DATE: [Date]

BOARD OF SUPERVISORS: [Name]

APPROVAL/DENIAL DATE: [Date]

DATE	REVISION	BY	CHKD	QUANTITY
	DESIGNED	AK	AK	
	DRAWN	AK	AK	
	CHECKED	AK	AK	

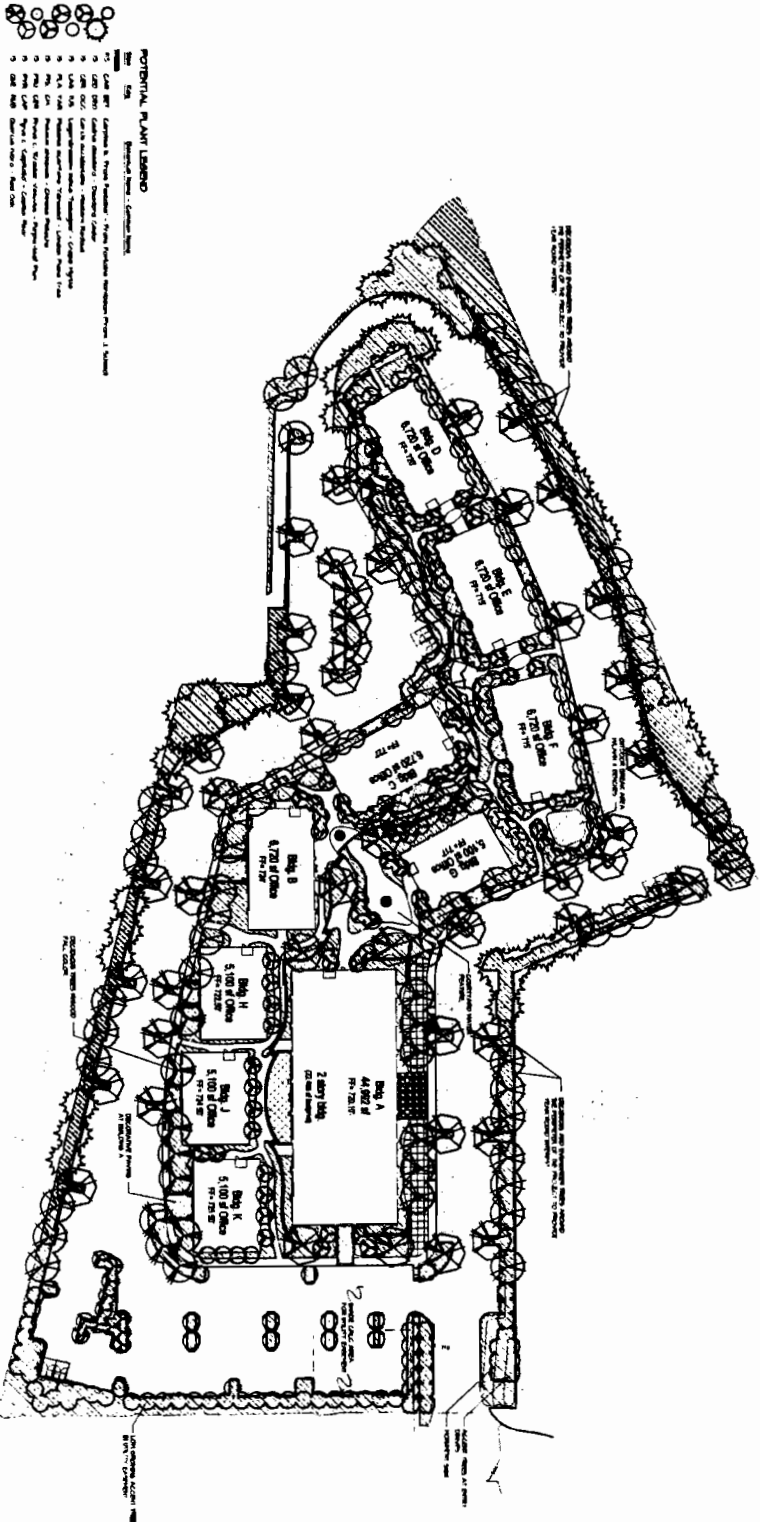


Clarksville Professional Business Park, LLC
405 SUTTER STREET
FOLSOM, CA 95630
PH: 916-908-1190

Clarksville Professional Business Park
1200 JOHNSON CLOVER
1200 JOHNSON CLOVER
TENTATIVE SUBDIVISION MAP

PROJECT	1200
DATE	7/24/11
BY	AK
CHKD	AK
DATE	7/24/11

EXHIBIT G



POTENTIAL PLANT LIST

1. Platanus
2. Quercus
3. Juniperus
4. Pinus
5. Thuja
6. Arbutus
7. Castanopsis
8. Salix
9. Populus
10. Alnus
11. Corylus
12. Fraxinus
13. Ulmus
14. Acer
15. Prunus

1. Platanus
2. Quercus
3. Juniperus
4. Pinus
5. Thuja
6. Arbutus
7. Castanopsis
8. Salix
9. Populus
10. Alnus
11. Corylus
12. Fraxinus
13. Ulmus
14. Acer
15. Prunus

PARKING LOT SHADE CALCULATION

Area	Area (sq ft)	Shade (%)	Shaded Area (sq ft)
Parking Lot A	10,000	10	1,000
Parking Lot B	15,000	15	2,250
Parking Lot C	20,000	20	4,000
Parking Lot D	25,000	25	6,250
Parking Lot E	30,000	30	9,000
Parking Lot F	35,000	35	12,250
Parking Lot G	40,000	40	16,000
Parking Lot H	45,000	45	20,250
Parking Lot I	50,000	50	25,000
Parking Lot J	55,000	55	30,250
Parking Lot K	60,000	60	36,000

PARKING LOT SHADE CALCULATION

Area	Area (sq ft)	Shade (%)	Shaded Area (sq ft)
Parking Lot A	10,000	10	1,000
Parking Lot B	15,000	15	2,250
Parking Lot C	20,000	20	4,000
Parking Lot D	25,000	25	6,250
Parking Lot E	30,000	30	9,000
Parking Lot F	35,000	35	12,250
Parking Lot G	40,000	40	16,000
Parking Lot H	45,000	45	20,250
Parking Lot I	50,000	50	25,000
Parking Lot J	55,000	55	30,250
Parking Lot K	60,000	60	36,000

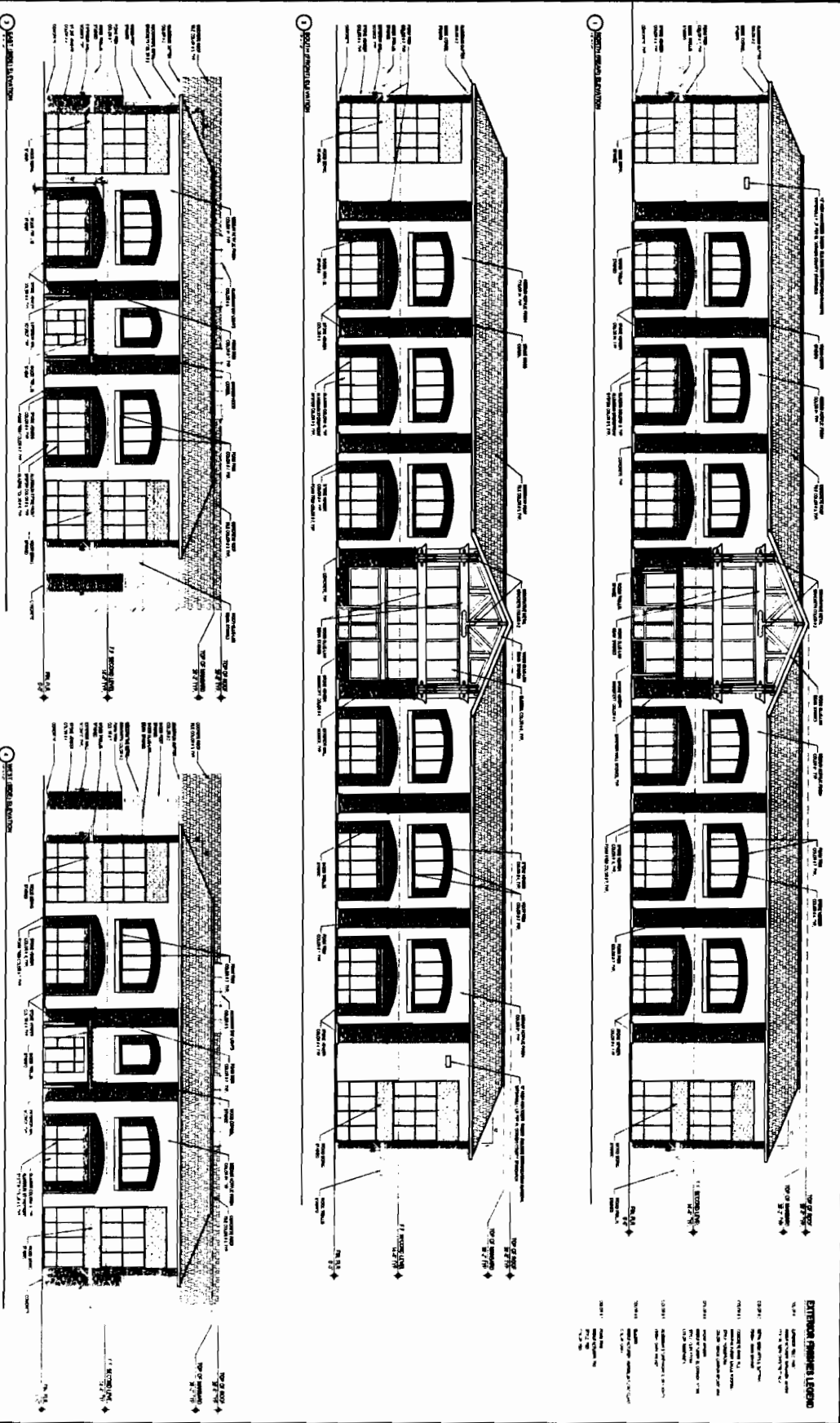


Clarksville Professional BusinessPark
El Dorado Hills, CA

PRELIMINARY LANDSCAPE PLAN



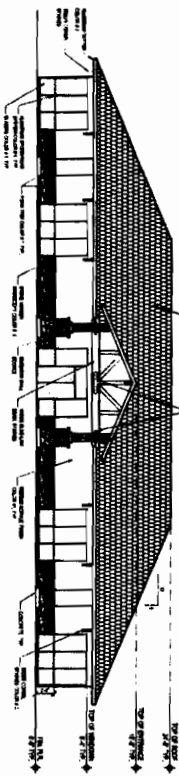
EXHIBIT H



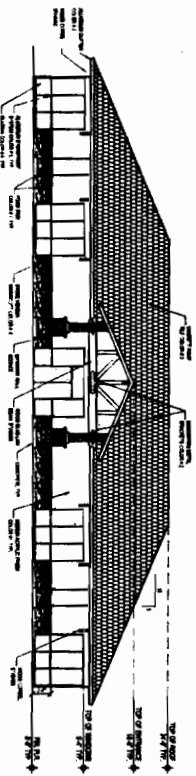
Clarksville Professional Business Park
El Dorado Hills, CA

BUILDING A ELEVATIONS

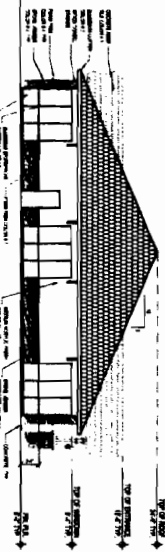
Opulus architects inc
A1.4



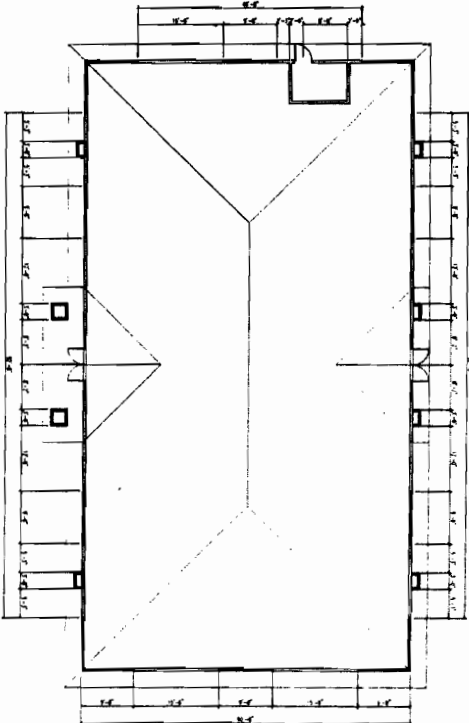
① FRONT ELEVATION



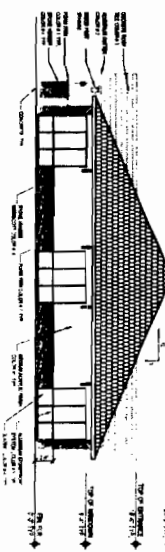
② SIDE ELEVATION



③ REAR ELEVATION



④ EXTERIOR FLOOR PLAN



⑤ OTHER SIDE ELEVATION

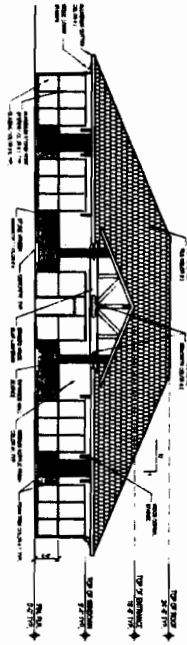
EXTERNAL MATERIAL LEGEND

01 0001 - EXTERIOR WALL
 02 0001 - ROOFING
 03 0001 - FINISH FLOORING
 04 0001 - FINISH CEILING
 05 0001 - EXTERIOR DOORS
 06 0001 - EXTERIOR WINDOWS
 07 0001 - EXTERIOR LIGHTING
 08 0001 - EXTERIOR SIGNAGE
 09 0001 - EXTERIOR LANDSCAPING
 10 0001 - EXTERIOR UTILITIES
 11 0001 - EXTERIOR STRUCTURE
 12 0001 - EXTERIOR MECHANICAL
 13 0001 - EXTERIOR ELECTRICAL
 14 0001 - EXTERIOR PAVING
 15 0001 - EXTERIOR FENCING
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 18 0001 - EXTERIOR STORAGE
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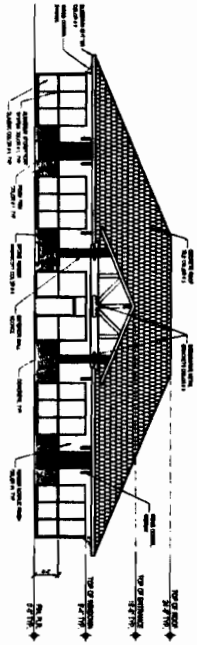
Clarksville Professional Business Park
 El Dorado Hills, CA

BUILDING B FLOOR PLAN & ELEVATIONS

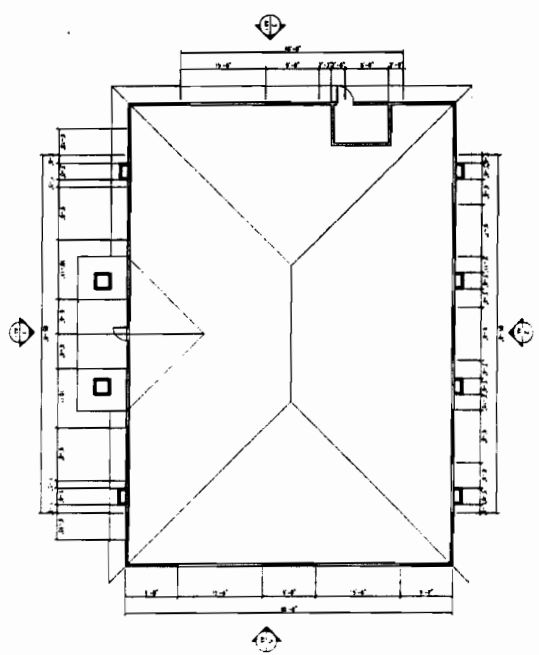

architects inc.
 A2.1



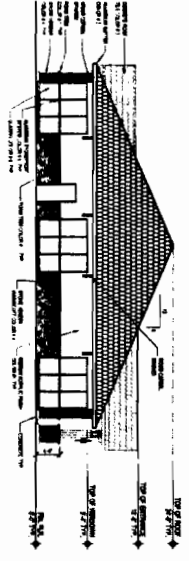
01 WEST ELEVATION



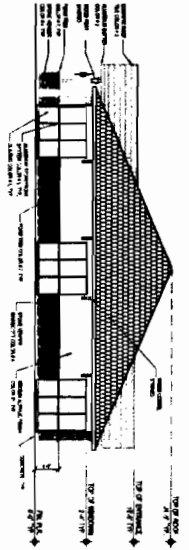
02 NORTH ELEVATION



03 GROUND FLOOR PLAN



04 EAST ELEVATION



05 SOUTH ELEVATION

EXTENSION FINISHES LEGEND

1.01	CONCRETE
1.02	CONCRETE WITH FORMWORK
1.03	CONCRETE WITH FORMWORK AND BRICK
1.04	CONCRETE WITH FORMWORK AND BRICK WITH STAIN
1.05	CONCRETE WITH FORMWORK AND BRICK WITH STAIN AND BRICK
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Clarksville Professional Business Park
El Dorado Hills, CA

BUILDING G FLOOR PLAN & ELEVATIONS

DATE: 04/11/18
SCALE: 1/8" = 1'-0"



 plus architects inc.

A3.1

- Austin (512) 343-1172
- Denver (303) 790-0780
- Fresno (559) 411-2700
- Las Vegas (702) 252-8273
- Lodi (209) 421-1300
- Phoenix (602) 444-5444
- Sacramento (916) 333-0222
- San Antonio (214) 633-5555
- San Diego (619) 444-4222
- Seattle (206) 252-8273
- South-ten Co (714) 522-2222

PROJECT

CLARKSVILLE PBP, LLC

CLIENT

CLARKSVILLE PROF

IDOW/PO#

550-17320-0GD

MO#

00102656

AE

HAILEY YOUNG

DESIGNER

JENNIFER LAWSON

ORIGINAL DATE

10-5-07

REVISIONS

SCALE

3/8" = 1' - 0"

MAC FILE NAME: (GD-6)

CLARKSVILLE MON OPT 1

LOGO/MARK IS PROCD. R: ADY

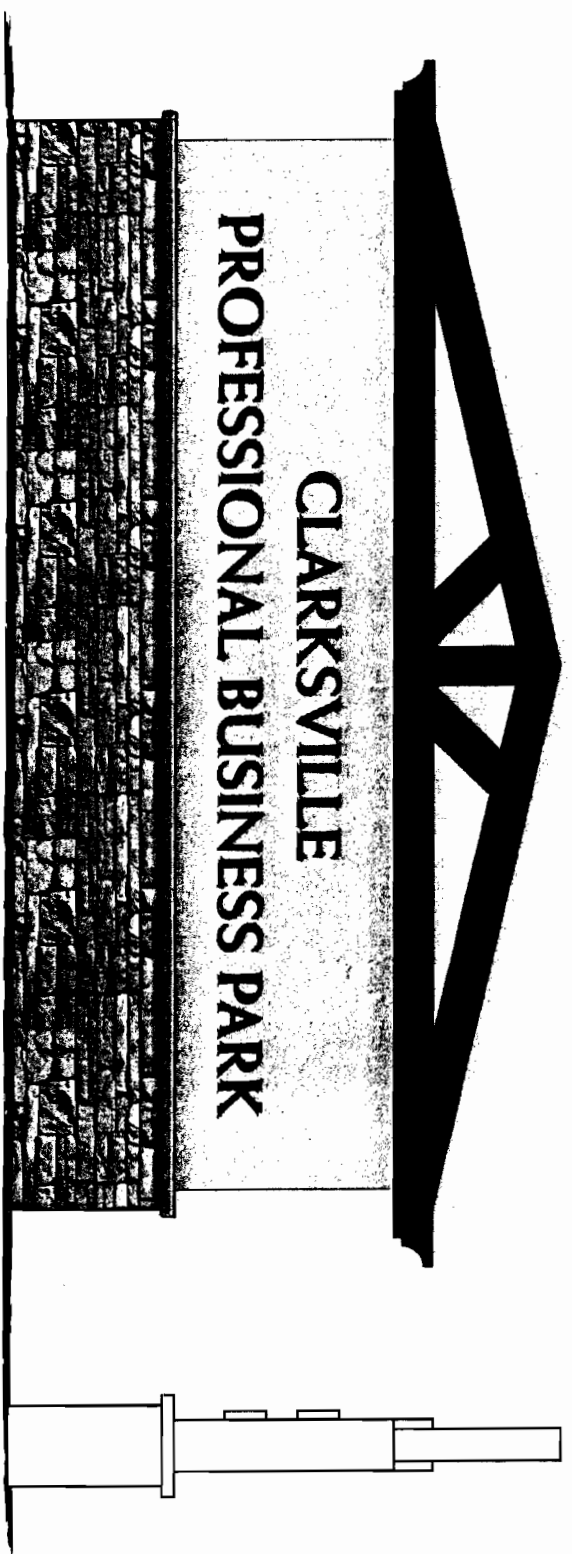
LOGO/TYPE IS PROD. READY

CLIENT APPROVAL:

As Is With revision(s)

Signature: _____ Date: _____

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MONUMENT OPT 1

• CONCEPT -- EXACT MANUFACTURING SPECIFICATIONS TO BE DETERMINED

EXHIBIT I



The County of El Dorado Department of General Services

Laura Gill, Acting Director

Support Services Division

Chuck Harrell, Support Services Manager

Phone (530) 621-6051 Fax (530) 295-2725

October 19, 2007

Jonathan Fong
Planning Services
2850 Fairlane Court
Placerville, CA 95667

Jonathan Fong, Assistant Planner
El Dorado County Development Services

RE: Clarksville Professional Business Park
Z 07-0028/PD 07-0027 & P 07-0030

1) There is a serious problem with the location of the newly proposed cemetery entrance in the development plans. There are several graves just on the other side of the fence at that location. Some even have a little fence around them. The entrance needs to be moved over (uphill) at least 20ft so that people and/or vehicles entering the cemetery will not be walking or driving over these graves. The map they included only shows one of the family plots. The entrance needs to be moved over to a point at which it will no longer impact the graves. (Why have they moved the entrance? I hope they are not going to remove the old historic gate and sign. That would not be acceptable. I can't imagine the Clarksville Historical Society would be pleased with that.)

2) The need to prevent vandalism is a new issue. In the past this cemetery has been protected by being landlocked on private property with the only one access through a locked gate on Joeger Cut Off Rd. The cemetery should be locked. State Law requires fencing and signage on all cemeteries. We would like to see any new fencing match that which has already been installed by the Church on the south and south-east sides of the cemetery. (Wrought Iron) The cemetery should also have some signage indicating who to call for information regarding the cemetery or in case of an emergency. It would also be nice if there was an informational sign with the history of the cemetery on it.

3) This is still an active cemetery with local people expecting to be buried in their family plots. Who will be taking care of the interments and maintenance of the cemetery?

Sincerely,

Bonnie Wurm
Cemetery Administrative Technician
(530)621-6540

EXHIBIT J

EL DORADO COUNTY
PIONEER CEMETERIES COMMISSION

2551 Deer Trail Lane
Cameron Park, CA 95682
(530) 677-8525

10/10/07

NOV 10 2007

10/10/07

October 9, 2007

VIA FACSIMILE

Jonathan Fong, Project Planner
El Dorado County Development Services Department
4950 Hillside Circle, Suite 100
El Dorado Hills, CA 95672

Re: Z 07-0028/PD 07-0027 & P 07-0030 – Clarksville Professional Business Park
Mormon Tavern (aka Clarksville) Cemetery

Dear Mr. Fong:

In response to the September 26, 2007 Redistribution notice regarding the above referenced project, the El Dorado County Pioneer Cemeteries Commission (EDCPCC) is pleased to provide the following background information on the project site and the Mormon Tavern (aka Clarksville) Cemetery. The purpose for providing this information is to assist your department in its evaluation of the site as a cultural and historical resource under CEQA guidelines.

The Mormon Tavern Cemetery is one of the oldest cemeteries in the region. The EDCPCC believes the present project proposal to be detrimental to the historic Mormon Tavern Cemetery. The project poses not only short term significant adverse impacts but also long term impacts that will be seen with cemetery vandalism and desecration. We believe it has only been because of the residence adjacent to the cemetery that has helped spare it from such a fate to this time.

Furthermore, the creation of a business park that will surround the remaining two open boundaries of the cemetery will further degrade and destroy its historic aesthetic, will disrupt future burials that will occur in the cemetery, deprive those using the cemetery from a sense of quiet solitude and privacy during burials and visitation, and will create a nightmare during funeral processions.

The tentative maps provided show the applicant placing parking stalls on the north and east boundaries of the cemetery without sufficient setback to prevent vandals from gaining access to the cemetery. It also depicts a new entrance to the grounds that will severely interfere with the historic entrance as evidenced by the present gate and will impact existing graves. It is wholly inconceivable to us that the applicant would believe this would best suit the cemetery, its occupants and the remaining families of those buried there. We strenuously object to the plans as presented and reject the notion that the applicant has any right to alter the present entrance or access to the cemetery. (We will discuss the easement acquired by the public later in this correspondence.)

We have spoken with some of the descendants of the Joseph Joerger family and have learned that they are also concerned about the plans given to them. They find it difficult to believe that this plan will in any way benefit the cemetery or their family's interest in it.

EXHIBIT K

Jonathan Fong, Project Planner

Re: Clarksville Professional Business Park and Mormon Tavern Cemetery

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Historical Background

The property on which the project is proposed was once the site of a long identified early roadhouse that served immigrants coming to California across the Great Plains on their route to Sacramento. The Mormon Tavern served as a public inn and respite for travelers from as early as 1848 and continued to operate as a public house into the 1870s, even after the flush of the gold rush had waned. It pre-dated the existence of the Sacramento to Placerville road (roughly the route of present White Rock Road). The hotel sat across present US Hwy-50 from the project site and the cemetery was established on a small hill overlooking the house.

The naming of the tavern is linked directly to the early occupation in California by members of the Mormon Church. Some of them had come to the state in 1847 as part of the Mormon Battalion during the Mexican War of 1846-1847. Others arrived at San Francisco on the Ship Brooklyn and others migrated overland from Salt Lake City. Many of the businesses that were established in the foothills above Sacramento were started by men of the Battalion as they waited to travel east to Salt Lake City to meet up with their families who had continued on to settle the new city after men had been conscripted in Iowa for the war.

A large number of the roadhouses that were established along the Sacramento to Coloma and Sacramento to Placerville roads were started by members of the Mormon Church. The Mormon Tavern was likely the first of these roadhouses to be opened on the western slope of El Dorado County. These places served as Mormon meeting houses and helped to create a link for church members to obtain information from family and friends in Salt Lake City.

Mormon Tavern Ownership - 1848 to 1860

It has been written in numerous histories that the Mormon Tavern roadhouse was first established by a man named Morgan in 1848-1849.¹ The Tax Assessment Roll of El Dorado County for 1850 includes an assessment of property owned by A.A. (Asahel A.) Lathrop and identified as the Mormon Tavern valued at \$5,000. Lathrop mortgaged the Mormon Tavern for \$10,000 in January of 1850 and satisfied the mortgage in January of 1851. At this same time, Lathrop described the property where he operated the Mormon Tavern in a preemption claim filed at the County Recorder's office as being "seven miles Southerly from Mormon Island." A second preemption claim was also filed for property referred to as "Smith's and Lathrop's House."²

Asahel A. Lathrop was among the first Mormons to open up a southern route to San Bernardino, California in 1847, as Brigham Young sent groups in pursuit of cattle and supplies to take back to provide for the new settlement at Salt Lake City, Utah. Traveling with the Hunt Party, Lathrop was a contemporary of the infamous Orrin Porter Rockwell, who has long been described as Brigham Young's bodyguard and avenging angel. In early October, during the taking of the federal census of 1850, Lathrop and family were enumerated by the census taker. The family consisted of his wife Jane and four children. His residence is noted to be a Hotel.

Lathrop owned the Mormon Tavern for only a short time thereafter, and appears to have run into financial troubles. He made out an assignment of interest and power of attorney at the end of January 1851 after which the property title eventually came into the hands of William Buckholder and A.D. Patterson (later a

¹ Early Inns of California..., Ralph Herbert Cross, 1954, p. 207.

² 1850 Tax Assessments, EDC Museum, Placerville; Old Record Book A, p. 239, 1/31/1850, EDC Recorder's Office; Preemption Claim Book AB, p. 13, 1/2/1851, EDC Recorder's Office; Old Record Book A, p. 241, 1/1/1851, EDC Recorder's Office; Preemption Claim Book AB, p. 3, 1/2/1851, EDC Recorder's Office.

well known figure in the history of Folsom, Sacramento County) in March of 1851. In 1852, William Buckholder was issued a saloon license at the Mormon Tavern. Buckholder did acquire title to the Mormon Tavern through a Sheriff's Sale to satisfy a legal judgment in the case of Joseph J. Gray vs. William Jones and P.C. Tyler, who had once mortgaged the tavern for Lathrop.³

By 1854, Buckholder himself had run into financial difficulties and lost the property to a suit filed against him by a man named Neil. Philo C. Sheldon purchased the Mormon Tavern property at the resulting Sheriff's Sale in May of 1854, and continued to hold and operate the Mormon Tavern until he sold it in July of 1856, to Mrs. Polly Winchell, wife of Franklin F. Winchell.⁴ Philo C. Sheldon died at Clarksville in October 1864 and is probably buried in the Mormon Tavern Cemetery.⁵ Both Sheldon and Winchell were members of the State Wagon Road convention in May of 1857 that was tasked to select the route and raise funds for the building of the highway between El Dorado County and the Carson Valley in Nevada.

Mormon Tavern Ownership – 1861 to 1878

After her acquisition of the Mormon Tavern from Philo Sheldon, Polly Winchell's husband Franklin also purchased land from Sheldon. As a result, these properties were combined as the total parcel that comprised the Mormon Tavern land holdings.⁶ By 1867, the couple had acquired a vast holding of land in the area and sold 500 acres of it to their son Charles P. Winchell. Five months later Charles was married to the daughter of local rancher Dennis Bence, at the Mormon Tavern.⁷

At the same time that Franklin and Polly sold property to their son, they also sold the Mormon Tavern property to Reverend John Beaver for \$2,300. Rev. Beaver had been enumerated on the South Fork of the American River in the 1850 federal census and was later listed in the Great Register of El Dorado County of 1867. Beaver may have leased out the Mormon Tavern as it appears that it was being operated in 1870 by Mrs. Frances (nee Ralston) Page, wife of John R. Page, an early settler in the Salmon Falls area.⁸

In January and February of 1872, John Beaver and his wife Helenday, sold the Mormon Tavern property to William Dayley (also spelled Dayley) and Patrick Hughes. The deeds reference that the properties sold were "known as Winchell's Mormon Tavern" and also as "John Beaver's house and lot." Later deeds identify that the property containing John Beaver's "house and lot" was located in the Northwest corner of Section 11, in Township 9 North Range 8 East, a short distance west of the location of the Mormon Tavern roadhouse.⁹ Hughes and Dayley may have given Beaver a mortgage for the property as Beaver again transferred interest in the property to Dayley in 1876.¹⁰

³ Old Record Book A, p. 394, 3/27/1851, EDC Recorder's Office; 1852 EDC Licenses, p. 17, EDC Museum; Deed Book A, p. 22, 9/1/1851, EDC Recorder's Office.

⁴ Deed Book B, p. 283, 5/18/1854, EDC Recorder's Office; Deed Book C, p. 33, 7/11/1856, EDC Recorder's Office.

⁵ Sheldon's daughter Florence Isadore, almost 5 years old, died in Placerville in June of 1857, and was referred to as the adopted daughter of F.F. Winchell.

⁶ It was to Franklin F. Winchell that the federal land patent issued on December 1, 1860, as a cash sale entry. The land covered by this patent is identified to be the East half of the Northeast Quarter of Section 11, Township 9 North Range 8 East.

⁷ Deed Book K, p. 551, 2/12/1867, EDC Recorder's Office; Sacramento Daily Union, 7/4/1867; marriage of Charles P. Winchell and Effie B. Bence.

⁸ Deed Book K, p. 552, 2/12/1867, EDC Recorder's Office; Folsom Telegraph, 4/16/1870 re: ball to be held by Mrs. Page at the Mormon Tavern.

⁹ Deed Book N, p. 295, 1/23/1872 and p. 296, 2/14/1872; Deed Book N, p. 552, 5/13/1872; EDC Recorder's Office.

¹⁰ Deed Book U, p. 369, 4/6/1876, EDC Recorder's Office.

Jonathan Fong, Project Planner

Re: Clarksville Professional Business Park and Mormon Tavern Cemetery

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In 1878, Wm. Dailey transferred the Mormon Tavern property described in the 1872 deeds from Beaver, to Michael R. Bannon, who owned the marble quarry at Marble Valley. Ten months later Bannon sold the Mormon Tavern to Joseph "Jerger" (sic=Joerger) for \$4,750.¹¹ Joseph Joerger and his family retained the Mormon Tavern property until 1960, when three of the family's ranches were sold for the development of El Dorado Hills.

Burials in Mormon Tavern Cemetery

Two of the first deaths and burials documented to have occurred at the Mormon Tavern and its cemetery, were a result of the great cholera epidemic in the fall of 1850. Their burials were documented by Dr. Israel Shipman Pelton Lord in his diaries written while in the area of Sacramento.¹² Dr. Lord's diary entry for Tuesday, October 29, 1850, imparted the following information:

"At one p.m. word came down that Dr. Torrey had the cholera at Mormon Tavern, 33 miles out on the Hangtown road, where he had gone to see Wm. Root, of Elgin, sick of dysentery. At quarter past one, I left to see him, and am now "en route" up to the American River.

"Mormon Tavern, six o'clock p.m. Dr. Torrey died at one o'clock today. I have hardly spirit left to write it, and I have been here more than an hour. Oh! What an amount of misery, suffering, anguish, heart-breaking and crime this California humbug poured upon the world! It is a deluge of moral and physical evil...."

"I find Root convalescent. A. Root, Hiram Cutting, Wm. Thompson, Isaac Wanzer, and Wm. J. Root of Elgin and Wm. Jones of Naperville are here. Jones was the doctor's nurse though Mr. Goodwin, of Will co., was with him part of the time. Jones, Wanzer, Thompson and Wm. J. Root, were present and assisted at his [Dr. Torrey's] burial. Cutting is sick. Thompson unwell. Cloudy and cool all day." [p. 306-307]

Two days later, Dr. Lord, at Sacramento, wrote more in his diary about the effect of the cholera sickness during his stay at the Mormon Tavern. On October 31, 1850, Dr. Lord wrote:

"Very foggy this morning. The cholera does not abate yet, though half the population [at Sacramento] is gone. On the 19th inst. Levi C. Caldrige of DuPage Co., died at Hangtown, and James Johnson, of Naperville, at Mormon Tavern. He and Dr. Torrey are buried side by side." [page 308]

No gravestones mark the graves of James Johnson and Dr. Torrey in the Mormon Tavern Cemetery today, nor has either grave been identified as having been marked in any earlier recording of the tombstones in the cemetery. Because these deaths occurred as the result of a contagious disease, it is not likely the remains of these men were recovered at a later date.

Between 1850 and 1860, two other Clarksville area residents were buried at the Mormon Tavern Cemetery. They were 40 year old William H. Sherman who died November 12, 1854, and James T. Smith, aged 22 years, who died at Clarksville September 4, 1858.¹³ The graves of these men also are not marked.

From 1861 to the time of Joseph Joerger's purchase of the Mormon Tavern in 1878, twenty-six burials occurred in the Mormon Tavern Cemetery.¹⁴ Others died at or near Clarksville and were undoubtedly

¹¹ Deed Book U, p. 371, 1/8/1878, and Deed Book V, p. 215, 11/1/1878; EDC Recorder's Office.

¹² A Doctor's Gold Rush Journey to California, Israel Shipman Pelton Lord, edited by Necia Dixon Liles, 1995, McFarland & Company Publishers, Jefferson, NC; pages 306 and 308.

¹³ Mormon Tavern (aka Clarksville) Cemetery Interment Identification Listing, EDCPCC (1998-1999), unpublished.

¹⁴ Burials documented by extant tombstones recorded previously or presently in place or burials documented by newspaper or other records.

Jonathan Fong, Project Planner

Re: Clarksville Professional Business Park and Mormon Tavern Cemetery

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buried there, but without a documented record of burial it is difficult to say if burial occurred in the Mormon Tavern Cemetery or the cemetery at the Railroad House closer to the townsite.¹⁵

According to the Mountain Democrat of October 9, 1875, the man for whom the town of Clarksville was named was buried in the Mormon Tavern Cemetery. In part, the Democrat published:

"A Pioneer Gone. - G.S. Tong writes from Clarksville, under date of Oct. 4th, to report the death and burial of Luther Brown Clark, who died in that place on the 1st, and on the 2nd was followed by a large concourse of friends to his last resting place in the old Mormon Tavern Cemetery. He was one of the first settlers in Clarksville, the town being thus named, in the Spring of 1853, by a majority vote of miners and citizens, as a tribute of respect for the name and standing of Mr. Clark."

A year later, another old pioneer of El Dorado County, Lewis Holdridge who owned and operated the Duroc House roadhouse (located at what is present Cameron Park) in 1857, was also buried at the Mormon Tavern Cemetery.¹⁶ Neither the grave of Luther Clark nor Lewis Holdridge is marked in the cemetery and no earlier tombstone record has ever identified that markers ever existed.

In addition to being the burial place of Luther Brown Clark for whom the town of Clarksville was named, another significant person in history is also buried there. Samuel Elliott Kyburz, a Civil War veteran from California, was buried in 1917 in the Kyburz family plot in this cemetery. He was the son of Samuel and Rebecca Kyburz who were at Sutter's Fort in 1848 and 1849 at the time gold was discovered and the world rushed in to California.

The Kyburz family, including six year old Samuel Elliott, came west across the plains and were in the train of wagons in which the ill fated Donner Party was a part. At Salt Lake City, the Donner's and others changed routes. While the Kyburz family made their way to Sacramento before the cold of winter, the Donner party found its way into the annals of California's history. Rebecca Kyburz was a witness in the slander trial commenced by Louis Kezeberg, one of the Donner Party who had been accused not just of cannibalism, but of murdering little George Foster and keeping pots of human blood in his cabin.

Patriarch Samuel Kyburz's experience in California also made the pages of history. It was his testimony as to the discovery of gold by James Marshall at Coloma in January of 1848 that was used to help determine the actual date of Marshall's discovery. While probably not with his father at the time that Coloma was selected as the place for John Sutter's sawmill, Samuel Elliott Kyburz's boyhood eyes were witness to it all - the building of the mill and the discovery of gold.

Mormon Tavern (aka Clarksville) Cemetery Ownership

As discussed, between October 1850 and 1878 when Joseph Joerger acquired the Mormon Tavern and ranch, at least 30 burials took place in the cemetery. This number represents burials that have been unequivocally documented to have occurred. The number of other potential or probable burials that occurred during that time is uncounted and unknown. Given that the Mormon Tavern serviced the traveling public in the earliest years of the county - those years in which thousands of tired and sick immigrants came to California across the plains - it may never be known how many other early graves were made in the cemetery.

¹⁵ The Railroad House Cemetery, in which first owner Calvin Rose was buried in 1856, is now called the Tong Family or Joerger-Tong cemetery.

¹⁶ Mountain Democrat, 1/15/1876; Episcopal Death Record (C.C. Peirce).

Jonathan Fong, Project Planner

Re: Clarksville Professional Business Park and Mormon Tavern Cemetery

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It is known, however, that even after Joerger purchased the Mormon Tavern the people of Clarksville and its vicinity used the cemetery known as the Mormon Tavern Cemetery and, now, the Clarksville Cemetery.

Joseph Joerger recognized that the cemetery was the community cemetery and not his family's cemetery. In evidence of this, on March 5, 1889, he deeded to local residents Thomas B. Everett, George C. Fitch, and John York, two acres of land described as being located in the Northeast quarter of the Northeast quarter of Section 11, in Township 9 North Range 8 East, "embracing all that tract of land known as the Clarksville Cemetery."¹⁷ After this transfer, Joerger no longer held title to the land on which the cemetery was located. The record title to the cemetery has never been transferred by a subsequent grant deed to any other person or entity.¹⁸

The El Dorado Hills Community Services District in its May 25, 1967 meeting, heard an offer from the Joerger family which would have turned over to the community services district "the Clarksville cemetery as a historical site, plus land adjacent to it as a possible park, all told between 12 and 14 acres." The family also offered cash money to the district for the upkeep of the cemetery and the park. The only condition to the bequest was the "requirement that some of the old families will continue to use the cemetery as a burial ground."¹⁹

It doesn't appear this offer was accepted, as the present record of the El Dorado County Tax Assessor names several descendant family members of Joseph Joerger as owners of the cemetery parcel. In that Joerger held no record interest in the cemetery at the time of his death, no interest in it ever transferred through the probate of his estate.

The question of the legal ownership of the cemetery is an issue that we have been advised by General Services staff will not be addressed by the County of El Dorado. In 1872 the state legislature enacted the Political Code of the state which provided that the title to lands used as public cemeteries by the inhabitants of any city, town or village, vested in the people. This same law provided that for such public cemeteries located in the unincorporated territory of the county, the board of supervisors became the legal authority for their management and control.²⁰

The public had used the Mormon Tavern Cemetery from as early as 1850, continuing to 1878 when Joerger acquired the Mormon Tavern. By the time of Joerger's purchase, the public had used the Mormon Tavern Cemetery as the public cemetery of Clarksville for the prescriptive period set forth in the law enacted in 1872. Between January 1, 1873 and January 1, 1878, nine burials occurred in the cemetery. In short, it is our opinion the people already owned the cemetery through operation of law at the time Joerger came into possession of the ranch.

In addition to acquiring its legal title, the public had also acquired a prescriptive easement across Joerger's land, in order to go to and from the cemetery for purposes of continuing burials and visitation. The easement route to the cemetery was the route of what is now known as Joerger Cutoff Road which originally led from the town of Clarksville and White Rock Road. This route may be seen in an aerial photo taken in

¹⁷ Deed Book 36, p. 225-226, 3/5/1889; EDC County Recorder's Office.

¹⁸ Of the three men who accept the 1889 deed from Joseph Joerger, we know the following: George C. Fitch died at his home near Clarksville in 1904, and was buried in the Mormon Tavern (aka Clarksville) Cemetery; John York died at his residence at White Rock, Sacramento County, in 1897 and was buried in the Mormon Tavern Cemetery next to his wife Emily York; Thomas B. Everett, husband of Addie Fitch Everett who is buried in the Mormon Tavern Cemetery, died in Sacramento in 1934 and was buried in the Sacramento City Cemetery.

¹⁹ Mountain Democrat, 6/1/1967.

²⁰ California Statutes, 1872, Political Code §§ 3105-3111.

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the 1940s by the U.S. Soils Conservation Service. The road led up the hill to the location of the old Joerger barn and corral and proceeded southwesterly from the west end of the corral to the cemetery.

This easement, acquired long before Joerger became owner of the Mormon Tavern and used long after Joerger took residence, cannot be extinguished or taken from the public through any means. The proposed project will fully and completely obscure the public's easement and will prevent the future use of the easement by families and the public.

Concerns and Recommendations

As previously stated, several areas of the present proposal are of great concern to us. The project and the completed business park will promote vandalism, disrupt use of the cemetery for burials and visitation, has the potential to obscure the public's prescriptive easement/access, and will otherwise destroy the historic setting once held by the cemetery and enjoyed by its users. The proposed new entrance is unacceptable. In addition to severely impacting the Miller brothers and McFadden graves in the northwest corner where the new entrance is depicted on the map, it will unnecessarily alter the historic setting of the cemetery.

The loss of open space around the perimeter and placement of parking spaces in close proximity to the cemetery's fence line, is devastating. We have heard the applicant proposes to provide irrigation to the cemetery and we believe this will also alter the historic aesthetic associated with the cemetery and will likely disturb unmarked graves during installation of such irrigation lines.

As a means to protect the cemetery, its residents, and the families who use the cemetery from impacts associated with the project, we recommend the applicant consider the following:

1. Remove the parking areas shown immediately adjacent to the cemetery on the north and east boundaries and replace those areas with open space. Restrict all parking spaces to at least 40 feet from any line of the cemetery.
2. The entrance gate shall remain in place.
3. Erect fencing on the west, north and east lines of the cemetery in fence material that matches the fence already erected on the lines adjacent to the church property to the south. The west and east fence line should extend about three feet beyond the north line of the existing north fence line leaving the present gate and entrance intact and interior to the new fencing. A gate to match the new fence will need to be installed at the present entrance so that the cemetery may be securely locked to prevent unwanted intrusion.
4. Create a route of entrance to the cemetery from Joerger Cutoff Road that will, at the very least, mimic the original easement/access road long used by the families and the public; one that will not require funeral processions to navigate and wind through the parking lot. A more direct route will help ensure that processions are not unnecessarily impeded or interfered with and that business patrons are not inconvenienced.
5. Place signs along the route to be used for funeral processions and cemetery visitation advising patrons that the area is subject to use for funeral processions. On the day that a funeral is scheduled to occur, make provision for notification of proprietors along the route.
6. No irrigation lines to be installed within the cemetery grounds.

Jonathan Fong, Project Planner

Re: Clarksville Professional Business Park and Mormon Tavern Cemetery

October 9, 2007

Page 8

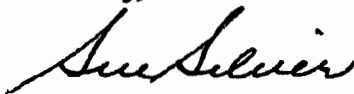
7. No grading within 40 feet of the cemetery unless there is a qualified archaeologist on the premises at all times during grading activities.
8. Erect an appropriate monument at the entrance to the cemetery to recognize the historic importance of the Mormon Tavern, the cemetery and the many people and families buried there who contributed to the history of the region and the county. We recommend a granite rock base with heavy bronze plate plaque attached using approved methods that prevent the plaque from being stolen.
9. Night security patrols will be necessary to ensure that vandalism does not increase as a result of the project, such security to continue in perpetuity.
10. Provide a photographic archive to the El Dorado County Historical Museum in Placerville of all phases of the project. The photographic archive should provide views of the cemetery and adjoining property prior to the onset of construction and be accompanied by a full copy of the project's environmental review documentation.

We believe these measures will only slightly diminish the adverse impacts we think this project will create for the Mormon Tavern Cemetery. Although the prior use of the property of this project was altered somewhat by the current residential dwelling, this use was more consistent with the aesthetic to which the cemetery was historically associated. A commercial and professional business park is not.

Thank you for this opportunity to comment on this plan. We are saddened to see yet another historic era cemetery so adversely impacted. We hope we are wrong that this cemetery will suffer greatly as a result, but we don't believe we are. Only time will tell.

Please ensure that we are provided with copies of future correspondence and discussion of this project and its review.

Sincerely,



SUE SILVER, Past President

cc: Helen Baumann, Supervisor, District II
Clarksville Region Historical Society
Mary Cory, El Dorado County Historical Museum
El Dorado County Historical Society
Marilyn Ferguson, El Dorado County Heritage Association
Chuck Harrell, General Services Dept.
Bonnie Wurm, General Services Dept.



7/15/08

To: Jonathon Fong
El Dorado County Planning Department
CC: Doug Scalzi – Sac Properties

FILE COPY

Re: Clarksville Cemetery Agreement

Dear Jonathon,

I have been asked to send you a letter acknowledging the agreements between Sac Commercial Properties and the Joerger Family regarding the mitigation measures that Sac Properties is willing to take to reduce the impact of their development on the existing Clarksville Cemetery. Over the past several months we have worked with Doug Scalzi, of Sac Properties, to reduce the impacts of the neighboring development and enhance the existing appearance and security of the cemetery. We have come to agreement on the following points:

- 1) Fence the remainder of the cemetery with the same type of wrought iron fencing and remove the old 3 strand barbed wire fence.
- 2) Replace the existing main entrance gate with a wrought iron double gate that has an arch design.
- 3) Provide deeded access per new proposed map.
- 4) Replace the old Clarksville Cemetery sign with a new sign and add a historical plaque.
- 5) Make parking spaces available for our use and the use of anyone visiting the cemetery.
- 6) Landscape the front and provide water to irrigate plantings.
- 7) Provide steps leading to the main gate from the parking lot area.
- 8) Install a second lower gate for large vehicle access along the lower side of the front fence line.

We are in the process of finalizing these points with a written contract and expect to have that completed shortly. We believe these points summarize not only our concerns but also the concerns of many of the interested parties that have contacted us. I will update you as to the status of the contract once it has been ratified. I hope this letter is sufficient to allow Doug's project to proceed as we believe he is operating in good faith with us and the Cemetery.

Sincerely,

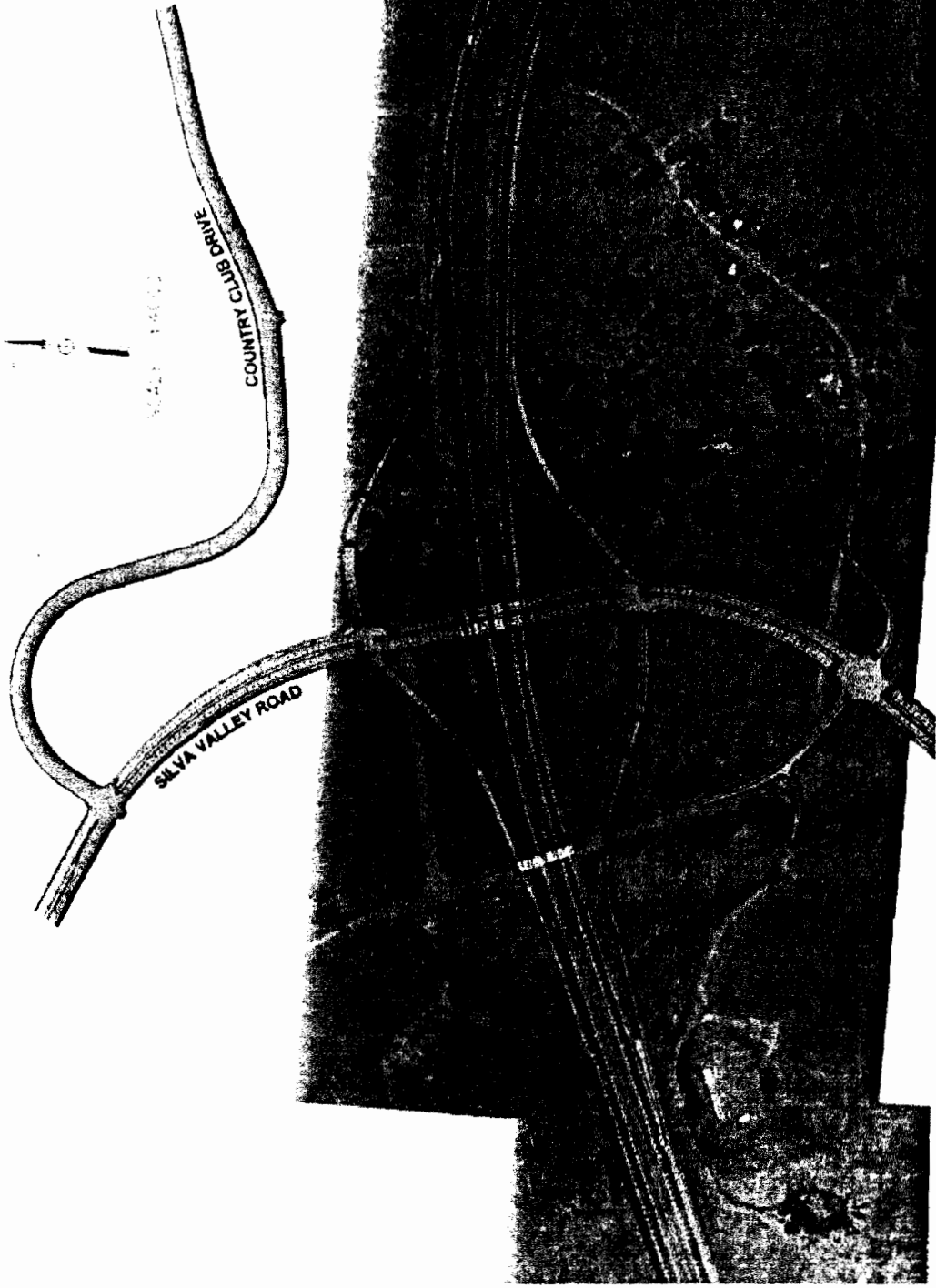
John Renwick
Manager Joerger Assoc.


EXHIBIT L



LEGEND:

- 1. PAVED SURFACE
- 2. UNPAVED SURFACE
- 3. DRIVEWAY
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EL DORADO COUNTY
 U.S. 50 CORRIDOR
 IMPROVEMENT PLAN
11/10/08



- Biological Features**
- Blue Elderberry Shrubs
 - Native Trees
 - Intermittent Drainage
 - Riparian Wetland
 - Seasonal Marsh
- Other Features**
- Limit of Study

BIOLOGICAL CONSTRAINTS

FOOTHILL ASSOCIATES
 ENVIRONMENTAL CONSULTING • PLANNING • LANDSCAPE ARCHITECTURE

UNCS, Sacramento Urban Area 0.3 m Resolution Ortho Imagery, May 2002.
 Digital base data provided by RFE Engineering, Inc.



Drawn By: BF
 Date: 02/14/08

FIGURE 4

EXHIBIT N



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

**ENVIRONMENTAL CHECKLIST FORM
AND DISCUSSION OF IMPACTS**

Project Title: Z07-0028/ P07-0030/ PD07-0027 Clarksville Professional Business Park

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

Contact Person: Jonathan Fong, Planning Services

Phone Number: (530) 621-5355

Property Owner's Name and Address: Clarksville Professional Business Park, LLC. El Dorado Hills CA, 95762.

Project Applicant's Name and Address: Clarksville Professional Business Park, LLC.
406 Sutter Street, Folsom CA, 95630.

Project Agent's Name and Address: Carson Creek Park, LLC, 5110 Hillsdale Circle, Suite 300
El Dorado Hills, CA 95762

Project Engineer's / Architect's Name and Address: RFE Engineering, Inc. 8680 Greenback Lane, Suite 107,
Orangevale CA, 95662.

Project Location: The project site is located on the north side of White Rock Road 1,400 feet west of the intersection with White Rock Road/ Joerger Cutoff Road in the El Dorado Hills Area.

Assessor's Parcel No: 121-280-03

Zoning: One-acre Residential (R1A)

Section: 1/2/11/12 **T:** 9N **R:** 8E

General Plan Designation: Commercial (C)

Description of Project: The project would include a Rezone, Planned Development, and Parcel Map. The Rezone would change the parcel zoning from One-Acre Residential (R1A) to Commercial- Planned Development (C-PD). The Planned Development would allow the construction of ten commercial buildings totaling 98,992 square feet. The buildings would range in size from 5,100 to 44,992 square feet. The Parcel Map would create ten parcels ranging in size from 0.37 to 2.26 acres. Each of the proposed buildings would be located on a separate parcel. One Design Waivers has been requested to allow the following: 1) to allow sidewalk on one side of Road 1.

Surrounding Land Uses and Setting:

	<u>Zoning</u>	<u>General Plan</u>	<u>Land Use</u> (e.g., Single Family Residences, Grazing, Park, School)
Site:	R1A	C	Single-family residence
North:	R1A/ TC	AP	PG&E station/ U.S. Highway 50
East:	AE	R&D	Undeveloped
South:	CG	AP	Clarksville Cemetery/ Lakehills Church
West:	CG	AP	Undeveloped

Briefly Describe the environmental setting: The project site is located directly adjacent to U.S. Highway 50 and has been previously developed with an existing residence and accessory buildings. Vegetation on-site is comprised of native grasslands and non-native trees. The terrain is varying with a relative high point near the southwest of the site and general slopes to the east.

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

1. El Dorado County Building Department: building permits
2. El Dorado County Department of Transportation: grading permits, encroachment permits
3. El Dorado County Air Quality Management District: Fugitive Dust Plan
4. El Dorado County Planning Services Department: Payment of Oak Conservation In-Lieu Fee.
5. California Department of Fish and Game: Streambed Alteration Agreement
6. US Army Corps of Engineers: 404 permit

7. State Regional Quality Control Board: 401 permit
8. LAFCO: Approval for EID annexation

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

	Aesthetics		Agriculture Resources	<input checked="" type="checkbox"/>	Air Quality
<input checked="" type="checkbox"/>	Biological Resources	<input checked="" type="checkbox"/>	Cultural Resources		Geology / Soils
	Hazards & Hazardous Materials	<input checked="" type="checkbox"/>	Hydrology / Water Quality		Land Use / Planning
	Mineral Resources		Noise		Population / Housing
	Public Services		Recreation	<input checked="" type="checkbox"/>	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** would be prepared.
- I find that although the proposed project could have a significant effect on the environment, there would 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** would be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and 2) has been addressed by mitigation measures based on the earlier analysis as described in attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects: a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION**, pursuant to applicable standards; and b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: _____ Date: _____

Printed Name: Jonathan Fong For: El Dorado County

Signature: _____ Date: _____

Printed Name: Gina Hunter For: El Dorado County

PROJECT DESCRIPTION

Introduction

This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts resulting from construction of a commercial project to be located at 1250 Joerger Cutoff Road in the community of El Dorado Hills (proposed project).

Project Location and Surrounding Land Uses

The project is located directly south of U.S. Highway 50. The project site is bounded to the south and west by undeveloped lands within the El Dorado Hills Community Region. To the south and east is an existing cemetery and church. The site is bordered to the north and west by an existing PG&E sub-station. The surrounding lands are all designated Commercial by the 2004 El Dorado County General Plan.

Project Characteristics

1. Transportation/Circulation/Parking

The project site would be accessed from White Rock Road via a new access road and improvements to the existing Joerger Cutoff Road. Parking would be limited to on-site parking areas which would be constructed as part of the development. The proposed parking would be compliant with the parking requirements for the proposed commercial and medical uses as established by the Zoning Ordinance.

2. Utilities and Infrastructure

The project requires public water and sewer. The El Dorado Irrigation District (EID) would provide water and sewer facilities. The project site is currently located outside of the District boundaries and would require LAFCO approval for annexation into the service district prior to receiving services. The District has indicated that adequate water and sewer services would be available to serve the project.

3. Visual Elements and Landscaping

The project site is located directly adjacent to U.S. Highway 50. The existing land uses on the project site are primarily residential. The project would construct a commercial business project which would include substantial landscaping along the project boundaries and throughout the development. The project would not result in the removal or degradation of any existing visual elements. Landscaping elements include water features and design elements that would improve the visual impacts of the project.

4. Population

The project would require the demolition of the existing residence on the project site. The removal of the single-family residence would not substantially alter the population or the housing stock in the project area.

5. Construction Considerations

Construction of the project would involve the completion of grading under an approved grading permit, construction of the remaining buildings, and improvement of access encroachments.

Project Schedule and Approvals

This Initial Study is being circulated for public and agency review for a 30-day period. Written comments on the Initial Study should be submitted to the project planner indicated in the Summary section, above.

Following the close of the written comment period, the Initial Study would be considered by the Lead Agency in a public meeting and would be certified if it is determined to be in compliance with CEQA. The Lead Agency would also determine whether to approve the project.

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 would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is a fair argument that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. the significance criteria or threshold, if any, used to evaluate each question; and
 - b. the mitigation measure identified, if any, to reduce the impact to less than significant.

ENVIRONMENTAL IMPACTS

I. AESTHETICS. <i>Would the project:</i>				
a. Have a substantial adverse effect on a scenic vista?				X
b. Substantially damage scenic resources, including, but not limited to, trees, rock 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. The project is for a new approximately 100,000 square foot commercial development within the El Dorado Hills Community Region.

- a. **Scenic Vista.** The project site and vicinity is not identified by the County as a scenic view or resource.¹ There would be no impact as a result of development of the proposed project.
- b. **Scenic Resources.** The project site is located adjacent to U.S. Highway 50; however the area is not designated as a State Scenic Highway. There are no trees or historic buildings that have been identified by the County as contributing to exceptional aesthetic value at the project site.² There would be no impact to scenic resources as a result of development of the proposed project.
- c. **Visual Character.** The proposed project is proposed in a developed portion of the County. The project site is currently developed with residential uses. The proposed commercial development would not substantially alter the visual character of the site. The impact to the visual character of the area would be less than significant.
- d. **Light and Glare.** All outdoor lighting shall conform to Section 17.14.170 of the County Code and be fully shielded pursuant to the Illumination Engineering Society of North America (IESNA) full cut-off designation so as to minimize impacts from glare to less than significant. The lighting would have no impact on nighttime views in the area as it has been determined that no scenic views exist from the site that would affect the views at night. The project would include outdoor parking lighting which would be required to downward facing and shielded to prevent additional sources of glare. The project would be conditioned to demonstrate that all proposed lighting conforms to the Zoning Ordinance standards for outdoor lighting. Therefore, the impacts of light and glare from this proposed project would be less than significant.

Finding

No impacts to views and viewsheds are expected with the development of project either directly or indirectly. The project is compatible with the surrounding neighborhood. For this "Aesthetics" category, impacts would be less than significant.

¹ El Dorado County Planning Department, El Dorado County General Plan Draft EIR (SCH #2001082030), May 2003, Exhibit 5.3-1 and Table 5.3-1.

² California Department of Transportation, California Scenic Highway Program, Officially Designated State Scenic Highways, p.2 (<http://www.dot.ca.gov/hq/LandArch/scenic/schwy1.html>).

II. AGRICULTURE RESOURCES. <i>Would the project:</i>				
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Locally Important Farmland (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?				X
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X

Discussion:

A substantial adverse effect to Agricultural Resources would occur if:

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

- a. **Conversion of Prime Farmland.** El Dorado County has established the Agricultural (A) General Plan land use overlay district 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 the project site is not considered to be “Prime Farmland” nor is there 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 nonagricultural uses and there would be no loss of productive agricultural land or conflict with agricultural uses. There would be no impact.
- b. **Williamson Act Contract.** The project would not conflict with existing zoning for agricultural use, and would not affect any properties under a Williamson Act Contract because the site is not designated for residential or agricultural use. There would be no impact.
- c. **Non-Agricultural Use.** The project site is located adjacent to Exclusive Agriculture (AE) zoned land to the east. The agriculture-zoned parcel is currently undeveloped. Due to the location adjacent to agriculture-zoned lands, the project was reviewed the by the Agricultural Commission. At the October 19, 2007 Agriculture Commission, the Commission recommended approval of the project subject to application of the 200 foot setback pursuant the General Plan. However, Interpretative Guidelines for General Plan Policies related to agriculture compatibility exempts the project from adherence to these setbacks. There would be no impact.

Finding

No impacts to agricultural land are expected with the development of the project either directly or indirectly. The project is compatible with the surrounding neighborhood. For this “Agriculture” category, there would be no impact.

III. AIR QUALITY. <i>Would the project:</i>				
a. Conflict with or obstruct implementation of the applicable air quality plan?				X
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	

III. AIR QUALITY. <i>Would the project:</i>				
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, would 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 toxic air contaminants cause cancer risk greater than 1 in 1 million (10 in 1 million if best available control technology for toxics is used) or a non-cancer Hazard Index greater than 1. In addition, the project must demonstrate compliance with all applicable District, State and U.S. EPA regulations governing toxic and hazardous emissions.

a. **Air Quality Plan.** The El Dorado County/California Clean Air Act Plan has set a schedule for implementing and funding Transportation Control Measures to limit mobile source emissions. The proposed project would not conflict with or obstruct the implementation of this plan. There would be no impact.

b-c.

Currently, El Dorado County is classed as being in "severe non-attainment" status for Federal and State ambient air quality standards for ozone (O3). Additionally, the County is classified as being in "non-attainment" status for particulate matter (PM10) under the State's standards. The California Clean Air Act of 1988 requires the County's air pollution control program to meet the State's ambient air quality standards. The El Dorado County Air Pollution Control District (EDCAPCD) administers standard practices for stationary and point source air pollution control. Projected related air quality impacts are divided into two categories:

- Short-term impacts related to construction activities; and
- Long-term impacts related to the project operation.

Short-term minor grading and excavation activities associated with the construction of the building and parking lot could result in wind erosion and the introduction of particulate matter (dust) into the atmosphere and adjacent surface water resources. Odors from the construction activities may impact adjacent parcels but would be temporary in nature and therefore, less than significant. The applicant would be required to comply with the El Dorado County Air Pollution Control District's permitting process requiring adherence to District Rule #223 for fugitive dust emissions. Additionally, a Fugitive Dust Prevention and Control Plan shall be submitted prior to any grading.

Mobile emission sources such as automobiles, trucks, buses, and other internal combustion vehicles are responsible for more than 70 percent of the air pollution within the County, and more than one-half of California's air pollution. In addition to pollution generated by mobile emissions sources, additional vehicle emission pollutants are carried into the western slope portion of El Dorado County from the greater Sacramento metropolitan area by prevailing winds. Adherence to the District rules and the Fugitive Dust Plan during project construction would reduce potentially significant impacts to a less than significant level.

d-e.

Sensitive Receptors and Objectionable Odors. The proposed project would not include any features that would be a source of substantial pollutant emissions that could affect sensitive receptors or generate objectionable odors. There would be no impact.

Finding

A significant air quality impact is defined as any violation of an ambient air quality standard, any substantial contribution to an existing or projected air quality violation, or any exposure of sensitive receptors to substantial pollutant concentrations. As discussed above, inclusion of standard conditions of approval would reduce impacts to a less than significant level. For this "Air Quality" category, impacts would be less than significant.

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.

- a. **Special Status Species.** The project would consist of development of a commercial business park. Off-site improvements would include improving the existing access from Joerger Cutoff Road to provide for secondary access to the site.

The biological survey prepared for the project site did not identify any special status plant or animal species on the project site (Miriam Green & Associates June 2007). There would be no impact to special status species as a result of the development on the site.

The separate biological resources analysis was prepared for the require off-site improvements to Joerger Cutoff Road. The biological survey identify the presence of elderberry shrubs which are suitable habitat for the Valley Elderberry Longhorn Beetle which is a protected animal species. The potential of construction impacts to affect these shrubs would be a potentially significant impact unless the following Mitigation Measure is implemented to reduce impacts to a less than significant level:

Mitigation Measure BIO-1: Prior to the issuance of a grading permit, the following Mitigation Measures shall be implemented to protect Valley Longhorn Beetle Habitat on-site:

- a. *Fence and flag all areas to be avoided. Provide a minimum setback of twenty (20) feet from the drip line of each elderberry plant, surrounded by a 100-foot buffer.*
- b. *The contractors for the project shall be advised by the applicant on the need to avoid damaging the elderberry plants and the penalties for not complying with these regulations.*
- c. *The applicant shall require the contractors to put up signs every 50 feet along the edge if the avoidance areas with the following information: "This area is habitat of the Valley Elderberry Longhorn Beetle, a threatened species and must not be disturbed. Violators are subject to prosecution, fines, and imprisonment." The signs shall be clearly visible from a distance of 20 feet during duration of construction.*
- d. *Applicant is to instruct construction crews about the status of the beetle and the need to protect its elderberry host plant.*
- e. *Transplant elderberry plants that cannot be avoided. Planning Services shall inspect the project site for the location of elderberry plants which will be impacted due to construction.*
- f. *Plant additional elderberry plant seedlings or cuttings, adjacent to the native species; outside the proposed development areas.*

MONITORING: The project biologist shall provide to Planning Services written verification that all protection measures including replanting and transplantation, have been satisfied prior to issuance of a grading permit.

Foothill Associates performed a field study to determine the presence of special status animal species on the project site. The study determined that the onsite woodland habit and existing vegetation would provide a suitable habitat for nesting raptors and other birds protected by the Migratory Bird Treaty Act (MBTA). The project construction impacts to suitable habitat onsite would be a potentially significant impact unless the following Mitigation Measure is implemented to reduce impacts to a less than significant level:

Mitigation Measure BIO-2: Prior to any construction activities during the nesting season (February 1- August 31), a pre-construction survey is required to determine if active nests are present on-site. The survey shall be completed no more than 30 days prior to the commencement of construction activities. If nests are found and considered active, construction activities shall not occur within 500 feet of the active nest until the young have fledged or until a biologist determines that the nest is no longer active. The survey result shall be submitted to the California Department of Fish and Game and Planning Services prior to issuance of a grading permit.

MONITORING: The applicant shall provide Planning Services with a letter from the project biologist verifying compliance prior to issuance of a grading permit.

Implementation of the mitigation measures identified above would avoid construction-related impacts to special status species within the project site area. These mitigation measures would reduce potentially significant impacts to a level of insignificance.

- b. **Riparian habitat.** The Biological Resource Assessment prepared for the project identified 0.05-acres of potentially jurisdictional waters of the U.S. comprised of Riverine Riparian Wetlands, Riverine Seasonal Marshes, and Intermittent Drainage (Foothill Associates, February 2008). The project would require the modification of these riparian habitats as part of road improvements required for the project. This would be a potentially significant impact unless the following Mitigation Measure is implemented to reduce impacts to a less than significant level:

Mitigation Measure BIO-3: *The applicant shall obtain a Streambed Alteration Agreement from the California Department of Fish and Game for each stream crossing or any activities affecting the onsite riparian vegetation. The agreement shall be submitted to Planning Services for review prior to issuance of a grading permit.*

MONITORING: Planning Services shall verify the agreement has been obtained and necessary mitigation measures incorporated on the plans prior to issuance of a grading permit.

- c. **Wetlands.** As discussed in Section (c) above, the Biological Assessment and Jurisdictional Evaluation prepared for the project site identified wetlands subject to Section 404 of the Clean Water Act. The project would fill portions of the wetlands as part of the project. This would be a potentially significant impact unless the following Mitigation Measure is implemented to reduce impacts to a less than significant level:

Mitigation Measure BIO-4: *Prior to issuance of a grading permit, the applicant shall obtain a Section 404 permit from the U.S. Army Corps of Engineers and a 401 Water Quality Certification from the Central Valley RWQCB. The project applicant shall incorporate all conditions attached to the permit and certification into the project.*

MONITORING: Planning Services shall verify the required permit and certification has been obtained prior to issuance of a grading permit.

- d. **Migration Corridors.** The Biological Resource Assessment performed for the project site determined that the habitat onsite would not be suitable for a migration corridor. The ability of wildlife to move across the site would not be unique to the other undeveloped areas in the project area. Impacts would be less than significant.

- e. **Local Policies.** The project would require development on the project site for the construction of the proposed buildings, parking areas, and infrastructure improvements. As determined by the Tree Evaluation Report prepared by Props Tree Car June 2007, 28 trees would be removed on the project site as part of development. One of the trees proposed to be removed is a Valley Oak. General Plan Policy 7.4.4.4 establishes retention and replacement requirements for oak canopy impacted as a result of development. Due to the limited extent of oak canopy on the project site, the removal of the Valley Oak would be exempted from any mitigation required from Policy 7.4.4.4. There would be no impact to local policies related to the on-site impacts of the project.

The project would require off-site impacts in order to improve the existing Joerger Cutoff Road. The presence of oak canopy along Joerger Cutoff Road was determined through a separate biological resources evaluation prepared by Foothill Associates February 2008. The analysis determined that oak canopy is present along Joerger Cutoff Road and would potentially be impacted as a result of road improvements in the area. This would be a potentially significant impact unless the following Mitigation Measure is implemented to reduce impacts to a less than significant level:

Mitigation Measure BIO-5: *The applicant shall pay the mitigation in-lieu fee for all oak canopy removed as part of road and infrastructure improvements. The mitigation fee shall be paid at a 2:1 ratio as required by the Oak Woodland Conservation Ordinance and shall be based on the fee established by the Board of Supervisors. The applicant shall provide to Planning Services a final*

arborist report and proof of payment of the mitigation in-lieu fee prior to issuance of a grading permit or removal of any oak trees.

MONITORING: Planning Services shall receive proof of payment of the mitigation in-lieu fee prior to issuance of a grading permit.

- f. **Habitat Conservation Plan.** The project would not conflict with any established HCP's within the County. There would be no impact.

FINDING: Potentially significant impacts relating to Biological Resources include impacts to riparian areas, impacts to protected animal species, and removal of oak woodland habitat. Mitigation Measure **BIO-1** would require protective measures to avoid impacts to suitable habitat for special status animal species. Implementation of Mitigation Measure **BIO-2** would require pre-construction surveys to reduce impacts to protected animal species. Implementation of Mitigation Measures **BIO-3** and **BIO-4** would require the project to obtain permits for the filling onsite wetlands and modification to the existing drainage channels. Implementation of Mitigation Measure **BIO-5** would reduce impacts to oak canopy consistent with General Plan Policy 7.4.4.4. For this 'Biological Resources' category, the above Mitigation Measures would be required to reduce potentially significant impacts to a less than significant level.

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

Discussion:

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

- 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.

Discussion:

- a-b. **Historic or Archeological Resources.** A Cultural Resource Study was performed on the project site which did not identify the presence of historic or cultural resources on the project site. The project site is located adjacent to the Clarksville Cemetery which is an active, operating cemetery. A geophysical survey was performed to identify the presence of an remains located outside the cemetery boundaries. The survey did not identify any remains on the project site. The project would include standard conditions of approval requiring protective measures to be implemented that would address discovery of historic or archeological resources during project construction. Adherence to these standard conditions of approval would reduce potentially significant impacts to a less than significant level.

- c. **Paleontological Resource.** The site does not contain any known paleontological sites or known fossil strata. No such resources were identified in the Cultural Resource Study. Impacts would be less than significant.
- d. **Human Remains.** Due to the project location directly adjacent to Clarksville Cemetery there would be a potential to discover human remains on the project site. As discussed in (a-b) above, a geophysical survey was conducted on the project site which concluded that no human remains are present on the project site. Standard conditions of approval would be required which would address the discovery of any human remains during project construction. Adherence to these standards would reduce potentially significant impacts to a less than significant level.

Finding

Based upon the cultural resource study prepared for the site and the geophysical survey prepared, it is determined that standard conditions have been incorporated in the project to reduce impacts on cultural resources to a level of insignificance. For this "Cultural Resources" category, standard conditions would reduce potentially significant impacts to a less than significant level.

VI. GEOLOGY AND SOILS. <i>Would the project:</i>				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b. Result in substantial soil erosion or the loss of topsoil?			X	
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) creating substantial risks to life or property?			X	
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. **Seismicity, subsidence and liquefaction.** There are no Earthquake Fault Zones subject to the Alquist-Priolo Earthquake Fault Zoning Act (formerly Special Studies Zone Act) in El Dorado County.³ No other active or potentially active faults have been mapped at or adjacent to the project site where near-field effects could occur.⁴ There would be no impact related to fault rupture. There are no known faults on the project site; however, the project site is located in a region of the Sierra Nevada foothills where numerous faults have been mapped. The project site is situated west of the Melones fault zone and east of the East Bear Mountains fault zone. The East Bear Mountains fault zone is associated with the Foothills fault system, previously considered inactive but re-classified to potentially active after a Richter magnitude earthquake measuring 5.7 occurred near Oroville in 1975. All other faults in the County, including those closest to the project site are considered inactive.⁵

Earthquake activity on the closest active faults (Dunnigan Hills, approximately 50 miles to the west and Tahoe, approximately 50 miles to the east) and larger fault systems to the west (San Andreas) could result in groundshaking at the project site. However, the probability of strong groundshaking in the western County where the project site is located is very low, based on probabilistic seismic hazards assessment modeling results published by the California Geological Survey.⁶ While strong groundshaking is not anticipated, the site could be subject to low to moderate groundshaking from activity on regional faults.

No portion of El Dorado County is located in a Seismic Hazard Zone (i.e., a regulatory zone classification established by the California Geological Survey that identifies areas subject to liquefaction and earthquake-induced landslides). Lateral spreading, which is typically associated with liquefaction hazard, subsidence, or other unstable soil/geologic conditions do not present a substantial risk in the western County where the project site is located.⁷ The project site is flat. There would be no risk of landslide. There would be no impact.

Development of the project would result in office and medical uses in an area subject to low to moderate groundshaking effects. The proposed project would not include uses that would pose any unusual risk of environmental damage either through the use of hazardous materials or processes or through structural design that could be subject to groundshaking hazard. There would be no significant impacts that could not be mitigated through proper building design, as enforced through the County building permit process, which requires compliance with the Uniform Building Code, as modified for California seismic conditions. There would be no impact.

- b & c. **Soil Erosion and loss of topsoil.** The site has been disturbed under a previously approved grading permit. Adherence to the approved grading permit would reduce impacts to less than significant.
- d. **Expansive soils** are those that greatly increase in volume when they absorb water and shrink when they dry out. The central half of the County has a moderate expansiveness rating while the eastern and western

³ El Dorado County Planning Department, *El Dorado County General Plan Draft EIR (SCH #2001082030) May 2003, p.5.9-29.*

⁴ California Department of Conservation, California Geological Survey, *Mineral Land Classification of El Dorado County, California, CGS Open-File Report 2000-03, 2001, Plate 1.*

⁵ El Dorado County Planning Department, *El Dorado County General Plan Draft EIR (SCH #2001082030), May 2003, p.5.9-5.*

⁶ California Department of Conservation, California Geological Survey, *Probabilistic Seismic Hazards Assessment, Interactive Probabilistic Seismic Hazards Map, 2002.*
(<http://www.consrv.ca.gov/cgs/rghm/psha>)

⁷ El Dorado County Planning Department, *El Dorado County General Plan Draft EIR (SCH #2001082030), May 2003, pages.5.9-6 to 5.9-9.*

portions are rated low. These boundaries are very similar to those indicating erosion potential. When buildings are placed on expansive soils, foundations may rise each wet season and fall each dry season. This movement may result in cracking foundations, distortion of structures, and warping of doors and windows. Pursuant to the U.S.D.A. Soil Report for El Dorado County, the site has Argonaut gravelly loam (AkC) soils. These soils are listed as having low to moderate shrink-swell potential. Table 18-1-B of the Uniform Building Code establishes a numerical expansion index for soil types ranging from very low to very high. The applicant has submitted a site-specific geotechnical study and would be subject to review and approval prior to obtaining a building permits for the commercial units. The results of the site-specific geotechnical study would be used to ensure that any site-specific conditions related to shrink-swell potential are identified and reflected in project design to minimize the risk to property and people. Impacts would be less than significant.

- e. **Septic Systems:** There would be no impact related to septic systems because no septic system use is necessary for the project. The project is to be served public water and sewer. There would be no impact.

Finding

No significant geophysical impacts are expected from the project either directly or indirectly. For this "Geology and Soils" category, impacts would be less than significant.

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

Discussion:

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

- Expose people and property to hazards associated with the use, storage, transport, and disposal of hazardous materials where the risk of such exposure could not be reduced through implementation of Federal, State, and local laws and regulations;

- Expose people and property to risks associated with wildland fires where such risks could not be reduced through implementation of proper fuel management techniques, buffers and landscape setbacks, structural design features, and emergency access; or
 - Expose people to safety hazards as a result of former on-site mining operations.
- a. **Hazardous Substances.** No hazardous substances would be involved with the project. Temporary use of heavy equipment for onsite construct may be required. A diesel fuel storage tank may be located on site for the heavy equipment. The potential storage and transport of diesel fuel in such quantities that would create a hazard to people or the environment would require an approved hazardous material business plan issued from the El Dorado County Environmental Management Department. Said hazardous material business plan would identify potential impacts to the environment and require mitigation measures to reduce any potential impacts. Based on the amount of grading required and the duration of heavy equipment on site and off site to complete the required improvements, and fuel storage would most likely not occur, impacts would be less than significant. Impacts related to diesel fuel spillage would be less than significant with an approved hazardous materials business plan.
 - b. **Creation of Hazards.** The project would result in a mixture of office and medical uses which would not likely involve the use of hazardous materials. Prior to storage or use of any hazardous materials, A hazardous materials plan would be subject to review and approval by the Environmental Management Department. Because uses of hazardous materials is remote, impacts would be less than significant.
 - c. **Hazardous Emissions.** There are no schools within the project area. The proposed project would not be likely to include any operations that would use acutely hazardous materials or generate hazardous air emissions. Any potential sources of hazardous emissions would be subject to a hazardous materials plan. Impacts would be less than significant.
 - d. **Hazardous Materials Sites.** The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.⁸ No activities that could have resulted in a release of hazardous materials to soil or groundwater at the proposed project site are known to have occurred. There would be no impact.
 - e. **Public Airport Hazards.** The project is not located near or within any Safety Zones of a public airport. There would be no impact.
 - f. **Private Airstrip Hazards.** The project is not within the vicinity of any private airstrips. There would be no impact.
 - g. **Emergency Response Plan.** Construction and occupation of the proposed commercial facilities would involve negligible or no disruption of emergency access to and from occupied uses along White Rock Road. There would be no impact related to emergency response or evacuation plans.
 - h. **Fire Hazards.** The map of El Dorado County Fire Hazard Zones (V-4-2, El Dorado County General Plan Environmental Impact Report December 1994) identifies the project site as being located in an area of "Moderate Fire Hazard". Any potential development activity would be subject to SRA Fire Safe Regulations, which provide standards for basic emergency access and perimeter wildfire protection. The proposed development has been designed in compliance with state and local fire district regulations would reduce the risks associated with wildland fires to a less than significant level. Electrical equipment would be enclosed, and the project would not include any operations (e.g., use of hazardous materials or processes) that would substantially increase fire hazard risk. Emergency response access to the site and surrounding development would not be adversely affected, as discussed above. Impacts related to wildland fire hazard would be less than significant.

⁸

California Department of Toxic Substances Control, Hazardous Waste and Substances Site List, <http://www.dtsc.ca.gov/database/Calsites/>,

Finding

No Hazards or Hazardous conditions are expected with the development of the project either directly or indirectly. For this "Hazards" category, impacts would be less than significant.

VIII. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i>				
a. Violate any water quality standards or waste discharge requirements?			X	
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or -off-site?			X	
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f. Otherwise substantially degrade water quality?			X	
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j. Inundation by seiche, tsunami, or mudflow?				X

Discussion:

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

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

- a & f. **Water Quality Standards.** There are drainage features off-site which may be impacted as part of the project. As discussed in the 'Biological Resources' category above, the project would require Mitigation Measures to obtain appropriate permits from the U.S. Army Corps of Engineers and the Department of Fish and Game for the filling of any wetlands or altering of the drainages. Additionally, all project related construction activities would be required to adhere to the El Dorado County Grading, Erosion Control and Sediment Ordinance which would require Best Management Practices (BMP's) to minimize degradation of water quality during construction. Impacts would be less than significant.

Operation of the proposed project would not involve any uses that would generate a significant increase in wastewater. Control Board. Therefore, no water quality standards would be violated, and no impact would occur.

- b. **Groundwater.** El Dorado County lies within the Central Sierra Nevada geomorphic province. There are 357 defined groundwater basins in California, but no designated basins are defined in El Dorado County. There would be no impact.
- c. **Siltation and Run-Off.** The project would result in additional run-off that would be directed to an existing drainage system via a new underground drainage system constructed on-site. The project would not substantially increase the existing siltation or run-off in the area. Impacts would be less than significant.
- d. **Existing Drainage Pattern.** The parcel on which the proposed project is to be situated is 9.53 acres. The project site is developed with an existing residence and accessory buildings. Stormwater is naturally discharged from the site. With the implementation of approved Drainage, Erosion Control and Grading Plans, as required by the Department of Transportation, the rate of surface runoff from the project site would be minimized. Impacts would be less than significant.
- e. **Stormwater Run-off.** The project site is located approximately 400 feet west of Carson Creek. The Land Capability Report prepared for the project determined that the project would result in an increase of run-off from the site. The project would include a new underground drainage system to divert increased run-off into an existing drainage pipe to the east of the site. With the implementation of approved Drainage, Erosion Control and Grading Plans, as required by the Department of Transportation, the rate of stormwater runoff from the project site would be minimized. Impacts would be less than significant.
- f. **Water quality.** The project site is located within the vicinity of Carson Creek. The project would be served by public water and would be subject to the implementation of approved Drainage, Erosion Control and Grading Plans, as required by the Department of Transportation. Adherence to the approved plans would reduce impacts to a less than significant level.
- g,-j. **Flooding.** The level project site is situated in an area of undulating terrain at an elevation of approximately 700 feet above sea level. There are no 100-year flood hazard areas at or adjacent to the site. The site is not in an area subject to seiche, tsunami, or mudflow. The site is not in an area subject to flooding as a result of levee or dam failure. There would be no impact.

FIRM. The Flood Insurance Rate Map (Panel No. 06004007D) for the project area establishes that the project site is not within a mapped 100-year floodplain.

Finding

The proposed project would require a site improvement and grading permit through the El Dorado County Building Department that would address erosion and sediment control. No significant hydrological impacts are expected with the development of the project either directly or indirectly. For this "Hydrology" category, impacts would be less than significant.

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

Discussion:

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

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

- a. **Established Community.** The project site is located within the El Dorado Hills Community Region. The project site is located adjacent to an existing church and undeveloped land. The proposed commercial development would be consistent with the General Plan land use designation and existing development in the area. There would be no impact.
- b. **Land Use Plan.** The project Land Use Designation is Commercial (C). The proposed rezone from One-Acre Residential (R1A) to Commercial-Planned Development (C-PD) would be consistent with the existing (C) land use designation. The proposed use would not conflict with the adopted General Plan land use designation for the site Commercial or adjacent uses. The applicant has designed the project in compliance with County regulations, addressing aesthetics and health and safety concerns. There would be no impact.
- c. **Habitat Conservation Plan.** As noted in Item IV (Biological Resources), the project would not conflict with any Habitat Conservation Plans. There would be no impact.

Finding

The proposed use of the land would be consistent with the General Plan land use designation. There would be no significant impact from the project due to a conflict with the General Plan or zoning designations for use of the property. No significant impacts are expected. For this "Land Use" category, impacts would be less than significant.

X. MINERAL RESOURCES. <i>Would the project:</i>				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b. Result in the loss of availability of a locally-important mineral resource 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 & b. **Mineral Resources.** The project site is not in an area where mineral resources classified as MRZ-2a or MRZ-2b by the State Geologist is present.⁹ There are no MRZ-2-classified areas within or adjacent to the project site¹⁰, and the project site has not been delineated in the General Plan or in a specific plan as a locally important mineral resource recovery site.¹¹ There are no mining activities adjacent to or in the vicinity of the project site that could affect proposed uses or be affected by project development. There would be no impact.

Finding

No impacts to energy and mineral resources are expected with the project either directly or indirectly. For this “Mineral Resources” category, there would be no impact.

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	
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.

⁹ California Department of Conservation, California Geological Survey, Mineral Land Classification of El Dorado County, California, CGS Open-File Report 2000-03, 2001.

¹⁰ California Department of Conservation, California Geological Survey, Mineral Land Classification of El Dorado County, California, CGS Open-File Report 2000-03, 2001.

¹¹ El Dorado County Planning Department, El Dorado County General Plan Draft EIR (SCH #2001082030), May 2003, Exhibits 5.9-6 and 5.9-7.

a-b. Noise Standards. The project would not result in a substantial increase in existing ambient noise levels in the project vicinity. The project site is located directly adjacent to U.S. Highway 50 and is not located near any existing sensitive receptors. The project would not generate noise levels exceeding the performance standards contained in Table 6-1 and Table 6-2. Uses associated with the project would be office and medical uses.

Potential short-term noise impacts would be generated through project construction. Project construction would be limited to 7:00am- 7:00pm Monday through Friday and 8:00am- 5:00pm on weekends and holidays as established by the General Plan. Adherence to these limitations would ensure that noise impacts would not exceed established thresholds. Impacts would be less than significant.

c-d. Ambient Noise: Short-term noise impacts may be associated with excavation, grading, and construction activities in the project vicinity. El Dorado County requires that all construction vehicles and equipment, fixed or mobile, be equipped with properly maintained and function mufflers. All construction and grading operations are required to comply with noise performance standards contained in the General Plan. Impacts would be less than significant.

e. Airport noise exposure. The project is not located in the vicinity of any public airports, there would be no impact.

f. Private airstrip. The project is not within the vicinity of any private airstrip. There would be no impact.

Finding

No impacts to excessive noise are expected with the development of the project either directly or indirectly. For this “Noise” category, the thresholds of significance have not been exceeded.

XII. POPULATION AND HOUSING. <i>Would the project:</i>				
a. Induce substantial population growth in an area, either directly (i.e., by proposing new homes and businesses) or indirectly (i.e., through extension of roads or other infrastructure)?				X
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Discussion:

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

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

a-c. Population Growth. The project would construct a commercial development designated for office and medical uses. The existing single-family residence would be demolished. The removal of the residence would not significantly alter the existing residential patterns in the project area. No residential development would occur as a result of the project. There would be no impact.

Finding

The project would not displace housing. There is no potential for a significant impact due to substantial growth with project either directly or indirectly. For this “Population and Housing” category, there would be no impact.

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

Discussion:

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

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

- a. **Fire Protection.** The El Dorado Hills Fire Department currently provides fire protection services to the project area. Development of the project would result in a minor increase in demand for fire protection services. However, it has been determined by the Fire Department that the level of service would not fall below the minimum requirements, as a result of the project. The Fire Department would review building permit plans to determine compliance with their fire standards including but not limited to: location of fire hydrants, accessibility around buildings, turning radii within parking lots, fire sprinklers within buildings, building identification and project phasing. Fire Districts have been granted the authority by the State Legislature to collect impact fees at the time a building permit is secured. Impacts on fire protection services 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 of 8 minutes to 80% of the population located in the Community Regions. For the rural areas, there is no standard minimum level of service or response time. The project site is located within the El Dorado Hills Community Region. The addition of the proposed development would not significantly impact current responses times to the project area.
- c. **Schools.** The state allows school districts to directly levy fees on new residential and commercial/ industrial development. These fees are collected at the time of building permit submittal and are designed to provide funds to acquire and construct additional facility space within impacted school districts. The project site is located within the Buckeye School District. The affected school districts were contacted as part of the initial consultation and no specific comments or mitigation measures were provided. No other public facilities or services would be substantially impacted by the project. The impacts would be less than significant.
- d. **Parks.** The commercial development would not be required to pay park in-lieu fees. There would be no impact.

- e. **Public Facilities.** No other public facilities or services would be substantially impacted by the project. Adequate emergency services and public utility services are available to serve the project. Impacts would be less than significant.

Finding:

As discussed above, no significant impacts are expected to public services with the project either directly or indirectly. For this “Public Services” category, impacts would be less than significant.

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

Discussion:

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

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

- a. **Parks.** The project would not require the increase in need for parks in the project area. The commercial project would not require the payment of park fees. There would be no impact.
- b. **Recreational Facilities.** The project proposal does not include the provision of on-site recreation facilities. There would be no impact.

Finding: No significant impacts to recreation and open space resources are expected with the project either directly or indirectly. For this “Recreation” category, there would be no impact.

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

XV. TRANSPORTATION/TRAFFIC. <i>Would the project:</i>				
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. Capacity and Level of Service.

c. Air Traffic Patterns. The project is not located within the one-mile of any public or private airports. There would be no impact.

d. Hazards.

e. Emergency Access. The project would include two points of access onto White Rock Road. The El Dorado Hills Fire Department reviewed the proposed circulation plan and determined that adequate emergency access would be provided. Impacts would be less than significant.

f. Parking. The proposed development would construct approximately 100,000 square feet of commercial buildings providing for office and medical uses. The proposed development would require 475 parking spaces based on the EL Dorado County Zoning Ordinance. The project would include 485 parking spaces on-site. The project would comply with local parking requirements. There would be no impact.

g. Alternative Transportation. The proposed project does not conflict with the adopted General Plan policies, and adopted plans, or programs supporting alternative transportation. The El Dorado County Transit Authority reviewed the proposal and had no comments. No bus turnouts would be required for this tentative map. The project would not result in the removal of a bikeway/bike lane or prohibition of implantation of the facilities identified in the plan. There would be no impact.

Finding

As discussed above, no significant traffic impacts are expected with the project either directly or indirectly. For this “Transportation/Traffic” category, the thresholds of significance have not been exceeded.

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

XVI. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i>				
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	
h. Result in demand for expansion of power or telecommunications service facilities without also including provisions to adequately accommodate the increased or expanded demand.			X	

Discussion:

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

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

a. **Wastewater.** The project would not involve discharges of untreated domestic wastewater that would violate water quality control board requirements. The project would be required to connect to EID public water and wastewater systems. The project site is currently located outside of the EID service boundaries and would require annexation prior to receiving services. The Facilities Improvement Letter from EID dated February 2007 indicated that a 21-inch sewer line is located at the intersection of White Rock Road and Joerger Cutoff Road with adequate capacity to serve the project. Extension of wastewater service to the project site would not exceed current wastewater quality requirements. Impacts would be less than significant.

b,,d,,e. **New Facilities** The project would be served by EID public water and sewer services. The FIL prepared by EID for the project determined that upon annexation into the service district, adequate water and wastewater services would be available to serve the project. Impacts would be less than significant.

c. **Stormwater Drainage.** All required drainage facilities for the project shall be built in conformance with the standards contained in the "County of El Dorado Drainage Manual," as determined by the Department of Transportation. The project would be conditioned to comply with the County requirements. The Land Capability Report submitted with the project did not identify additional off-site improvements that would be necessary for the project. Impacts would be less than significant.

f & g. **Solid Waste.** In December of 1996, direct public disposal into the Union Mine Disposal Site was discontinued and the Material Recovery Facility/Transfer Station was opened. Only certain inert waste materials (e.g., concrete, asphalt, etc.) may be dumped at the Union Mine Waste Disposal Site. All other materials that cannot be recycled are exported to the Lockwood Regional Landfill near Sparks, Nevada. In 1997, El Dorado County signed a 30-year contract with the Lockwood Landfill Facility for continued waste disposal services. The Lockwood Landfill has a remaining capacity of 43 million tons over the 655-acre site. Approximately six million tons of waste was deposited between 1979 and 1993. This equates to approximately 46,000 tons of waste per year for this period.

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

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 lots 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.

h. **Power.** Power and telecommunication facilities are available at the project site. The power demands of the project would be accommodated through connection to existing lines, which are available at the parcel. Impacts would be less than significant.

Finding

No significant utility and service system impacts are expected with the commercial project either directly or indirectly. The project would require annexation into the EID service area prior to receiving services. This would not result in significant impacts. For this "Utilities and Service Systems" category, impacts would be less than significant.

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

Discussion:

a. The project would have the potential to significantly impact fish or wildlife species as part of the project. The project would require oak woodland habitat removal and the modifications of onsite riparian features. The project would include Mitigation Measures requiring the replanting of impacted oak canopy, acquisition of permits for the modifications to the riparian areas, and surveys to reduce impacts to protected animal species during project construction. Implementation of these Mitigation Measures would reduce potentially significant impacts to less than significant.

- b. The project would not result in significant cumulative impacts. The project would connect to existing public water and sewer services and would not require the extension infrastructure or utilities outside of the Community Region. The project would be consistent with the existing General Plan Land Use Designation and the surrounding land use pattern. Impacts would be less than significant.
- c. Based on the discussion contained in this document, potentially significant impacts to human beings would occur with respect to Air Quality and Noise. The project would include standard conditions of approval required by the Air Quality Management District which would apply to project construction. Adherence to these standard conditions would reduce potential impacts to less than significant. The adherence to limitations on hours of construction would limit the potential of noise impacts to exceed the thresholds established by the General Plan. Implementation of standard conditions of approval and would reduce potentially significant impacts to a less than significant level.

SUPPORTING INFORMATION SOURCE LIST

The following documents are available at the El Dorado County Planning Department in Placerville.

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)

El Dorado County Design and Improvement Standards

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

Soil Survey of El Dorado Area, California

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

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

PROJECT SPECIFIC REFERENCE MATERIAL

Biological Resources Assessment for the +/- 0.5-Acre Joerger Cutoff Road Site, El Dorado County, California. Foothill Associates, February 2008.

Cultural Resource Assessment for the Clarksville Professional Business Park, El Dorado Hills, El Dorado County, California. Peak Associates, Inc. June 2007.

Delineation of Waters of the United States and Rapanos Analysis +/- 0.5-Acre Joerger Cutoff Road. El Dorado County, California. Foothill Associated February 2008.

Facilities Improvement Letter, Joerger Cutoff. El Dorado Irrigation District. February 2007.

Geophysical Survey Findings at the Proposed Clarksville Professional Business Park for Potential Unmarked Graves Adjacent to the Clarksville Cemetery, El Dorado Hills, California,. Earth Imaging Geologic Services. June 2007.

Land Capability Report. RFE Engineering, Inc. May 2007.

Phase 1 Environmental Site Assessment for Clarksville Professional Business Park APN 107-130-07 1250 Joerger Cutoff Road El Dorado Hills, El Dorado County, California. Youngdahl Consulting Group, Inc. May 2007.

Preliminary Drainage Study for Clarksville Professional Business Park, El Dorado Hills, El Dorado County, California. RFE Engineering, Inc. June 2007.

Results of Biological Surveys, Clarksville Business Park (APN 121-280-03), El Dorado County, California. Miriam Green Associates. June 2007.

Silva Valley Interchange Wetland Delineation. Foothill Associates. September 2006.

Tree Evaluation Report, Clarksville Professional Business Park. El Dorado Hills, CA APN 121-280-03. Props Tree Care. June 2007.

UREBEMIS Run for Clarksville APN 121-280-03. HDR, The Hoyt Company. June 2007.