RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

CERTIFYING THE SUPPLEMENT ENVIRONMENTAL IMPACT REPORT FOR AN AMENDMENT OF THE EL DORADO COUNTY GENERAL PLAN POLICY 2.2.1.5, TABLE 2-3 BUILDING INTENSITIES; ISSUING A STATEMENT OF OVERRIDING CONSIDERATIONS; AND MAKING FINDINGS OF FACT

WHEREAS, the County of El Dorado is mandated by the State of California to maintain an adequate and proper General Plan; and

WHEREAS, because of that mandate, El Dorado County's General Plan and the various elements thereof must be continually updated with current data, recommendations, and policies; and

WHEREAS, the Board of Supervisors adopted the General Plan on July 19, 2004, which identifies planned land uses and infrastructure for physical development in the unincorporated areas of the County of El Dorado; and

WHEREAS, the El Dorado County Board of Supervisors initiated an amendment to the General Plan on April 18, 2006, with the approval of a Resolution of Intention to amend the General Plan Policy 2.2.1.5 and directed the preparation of a supplemental environmental review of the potential impacts of the proposed change to the policy ("the Project"); and

WHEREAS, a Supplement to the El Dorado County General Plan(SCH #2001082030)(the "SEIR") has been prepared pursuant to the California Environmental Quality Act to analyze the environmental impacts of the amendment to the General Plan, pertaining to Floor Area Ratios (FAR); and

WHEREAS, the County commenced the environmental review process on May 5, 2006, with issuance of a CEQA Notice of Preparation (NOP) soliciting written comments regarding the scope of the Environmental Impact Report for the proposed General Plan Amendment; and

WHEREAS, on May 25, 2006, the Planning Commission held a hearing to receive oral comments on the NOP; and

WHEREAS, the Draft Supplemental Impact Report (SCH#2001082030)(DSEIR) was released for public review on January 2, 2007 for a 45 day review period ending on February 15, 2007; and

WHEREAS, on February 8, 2007, the Planning Commission held a hearing to receive oral comments on the DSEIR; and

WHEREAS, a Final Supplement Environmental Impact Report (FSEIR) was prepared and released for public review on April 5, 2007; and

WHEREAS, the Planning Commission reviewed the FSEIR, staff report, and public comments on May 10, 2007, and recommended that the Board of Supervisors certify the Supplemental Environmental Impact Report for an amendment of the El Dorado County General Plan, Policy 2.2.1.5, Table 2-3 Building Intensities, and recommended approval of said amendment to Policy 2.2.1.5; and

WHEREAS, the Board of Supervisors independently reviewed the conclusions in the FSEIR, the staff report (dated _____), public comments; and the Planning Commission's recommendation on May 24, 2007; and

WHEREAS, the FSEIR identifies certain significant and potentially significant adverse effects on the environment caused by the Project; and

WHEREAS, the Board of Supervisors desires, in accordance with CEQA, to declare that, despite the occurrence of significant environmental effects that can not be substantially lessened or avoided through the adoption of feasible mitigation measures or feasible alternatives, there exist certain overriding economic, social, and other considerations for approving the Project that the Board believes justifies the occurrence of those impacts; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of El Dorado as follows:

1. Pursuant to Section 15090 of the CEQA Guidelines, the Board of Supervisors hereby certifies that: a) the Final SEIR has been completed in compliance with CEQA; b) the Final SEIR was presented to the Board, and the Board reviewed and considered the information contained in the Final SEIR prior to taking action on the General Plan; and c) the Final SEIR reflects the independent judgment and analysis of the Board of Supervisors of County of El Dorado.

2. As set forth in Section 15403 of the CEQA Guidelines a public agency may approve a project even though the project would cause a significant effect on the environment if the agency makes a fully

informed and publicly disclosed decision that: (a) there is no feasible way to lessen or avoid the significant effect and (b) specifically identified expected benefits from the project outweigh the policy of reducing or avoiding significant environmental impacts of the project. The Board of Supervisors hereby makes that decision as set forth more fully in Exhibits A and B hereto.

3. Exhibit A of this Resolution provides the findings required under Section 15043 and 15093 of the CEQA Guidelines relating to accepting adverse impacts of the project due to overriding considerations. The Board of Supervisors has balanced the economic, legal, social, technological, and other benefits of the project against the unavoidable environmental risks that may result, and finds that the specific economic, legal, social, technological, and other benefits outweigh the unavoidable adverse environmental effects. The Board of Supervisors, therefore, finds the adverse environmental effects of the project to be "acceptable". The Board of Supervisors hereby adopts the Statement of Overriding Considerations attached hereto as Exhibit A (Statement of Overriding Considerations).

4. Exhibit B of this Resolution provides findings of fact required under Section 15043 and 15091 of the CEQA Guidelines for significant effects of the project, feasibility of mitigation measures, and feasibility of alternatives. The Board of Supervisors hereby adopts these various findings of fact attached hereto as Exhibit B (Supplemental CEQA Findings of FACTS).

5. The Board of Supervisors has considered three alternatives for the General Plan amendment, and has concluded based on substantial evidence in the record that the amendment that the Board of Supervisors is approving as set for in Resolution No. _____ as reviewed in the SEIR can be feasibly implemented in light of economic, legal, social, technological, and other reasons, as discussed herein.

6. After considering the SEIR and in conjunction with making these findings, the Board of Supervisors hereby finds that pursuant to Section 15092 of the CEQA Guidelines that approval of the amendment to General Plan Policy 2.2.1.5, Table 2-3, Building Intensities, will result in significant effects on the environment, however, the County has eliminated or substantially lessened these significant effects where feasible, and as set forth in Exhibits A and B has determined that remaining significant effects are found to be unavoidable under Section 15091 and acceptable under Section 15093.

BE IT FURTHER RESOLVED, the Board of hereby adopts the findings made at such time as this Board stated their intention to make the above listed amendment (A06-0002) to the General Plan and incorporate said findings herein by reference.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the _____ day of _____, 200__, by the following vote of said Board:

Attest:
Cindy Keck
Clerk of the Board of Supervisors

Ayes:

Noes:
Absent:

By:_____
Deputy Clerk

_____
Chairman, Board of Supervisors

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

DATE: _____

Attest: CINDY KECK, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By: _____

EL DORADO COUNTY GENERAL PLAN

GENERAL PLAN FLOOR AREA RATIO AMENDMENT

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO CERTIFYING THE GENERAL PLAN FLOOR AREA RATIO AMENDMENT (A06-0002) SUPPLEMENT TO THE 2004 GENERAL PLAN ENVIRONMENTAL IMPACT REPORT

EXHIBIT A

SUPPLEMENTAL STATEMENT OF OVERRIDING CONSIDERATIONS

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SECTION A. INTRODUCTION AND SIGNIFICANT AND UNAVOIDABLE IMPACTS

INTRODUCTION

In approving the Floor Area Ratio (FAR) Amendment (A06-0002) to the El Dorado County General Plan project which is evaluated in the Final Supplement to the 2004 El Dorado County General Plan Environmental Impact Report (Final Supplement), the County makes the following Supplemental Statement of Overriding Considerations in support of its findings regarding the General Plan FAR Amendment (A06-0002) pursuant to the California Environmental Quality Act (CEQA). The Board of Supervisors has considered the information contained in the Final Supplement which was prepared to document the variation in impacts identified as a result of analysis of the General Plan FAR Amendment (A06-0002) as compared to the impacts identified in the 2004 El Dorado County General Plan Environmental Impact Report (General Plan EIR), and has fully reviewed and considered the public testimony and record in this proceeding.

The Board of Supervisors has carefully balanced the benefits of adoption of the General Plan FAR Amendment (A06-0002) against the increase in severity of two significant and unavoidable impacts projected under 2025 conditions and 26 significant unavoidable adverse impacts projected beyond 2025 associated with development, as identified in the General Plan EIR. Notwithstanding the disclosure of the increase in severity of the impacts identified in the Final Supplement which have not been eliminated or mitigated to a less-than-significant level, the Board of Supervisors, acting pursuant to Section 15093 of the State CEQA Guidelines, hereby determines that the benefits of the General Plan FAR Amendment (A06-0002) outweigh the significant unmitigated adverse environmental impacts.

SIGNIFICANT AND UNAVOIDABLE IMPACTS

The General Plan EIR identified 40 potentially adverse impacts which could not be mitigated to a less-than-significant level. The Board of Supervisors made findings and a statement of overriding considerations for each of the significant and unavoidable impacts.

The Final Supplement to the 2004 El Dorado County General Plan Environmental Impact Report identifies a projected increase under buildout conditions in the severity the following significant and unavoidable impacts shown below:

- Impact 5.1-2: Substantial alteration or degradation of land use character in the county or subareas
- Impact 5.2-2: Degradation of existing visual character or quality of the area or region
- Impact 5.3-1: Increase in daily and peak hour traffic
- Impact 5.3-2: Insufficient transit capacity
- Impact 5.4.1: Increase water demand and likelihood of surface water shortages
- Impact 5.4.2: Potential impacts associated with the development of new surface water supplies and related infrastructure

- Impact 5.4-3: Increase in groundwater demand and related impacts
- Impact 5.4-4: Increase in wastewater flows and related infrastructure impacts
- Impact 5.4-7: Increase in surface water pollutants from additional wastewater treatment plant discharges
- Impact 5.5-3: Potential noncompliance with state-mandated diversion rate
- Impact 5.5-5: Potential for land use incompatibility and other impacts of new and expanded solid waste and hazardous waste facilities
- Impact 5.5-6: Potential for land use incompatibility and other impacts of new and expanded energy supply infrastructure
- Impact 5.5-7: Potential for impacts associated with new and expanded communications infrastructure
- Impact 5.7-1: Exposure of sensitive receptors to construction noise
- Impact 5.7-2: Exposure of sensitive receptors to traffic noise
- Impact 5.7-3: Exposure of sensitive receptors to non-transportation noise
- Impact 5.7-4: Exposure of sensitive receptors to aircraft noise
- Impact 5.8-1: Short-term construction generated emissions of criteria air pollutants
- Impact 5.8-2: Long-term emissions of criteria air pollutants
- Impact 5.8-3: Long-term exposure of sensitive receptors to toxic air contaminants
- Impact 5.8-4: Contribution to near-term local mobile-source co concentrations
- Impact 5.8-5: Exposure of sensitive receptors to odorous emissions
- Impact 5.9-2: Increased risk of accidental release of hazardous materials
- Impact 5.9-5: Increased potential for fire incidents and fire hazards
- Impact 5.9-7: Risk of exposure to flood hazards inside dam inundation area
- Increase in the cumulative impacts to visual resources, transportation and circulation, water resources, utilities, air quality, noise and human health and safety, as addressed previously in this section.

The Final Supplement to the 2004 El Dorado County General Plan Environmental Impact Report identifies a projected increase in the severity of the two significant and unavoidable impacts under 2025 conditions shown below; the remaining 24 impacts of the 26 identified above would be less than significant under 2025 conditions.

- Impact 5.1-2: Substantial alteration or degradation of land use character in the county or subareas
- Impact 5.2-2: Degradation of existing visual character or quality of the area or region

The Board of Supervisors has amended the General Plan to include mitigation measures identified in Exhibit B (Findings of Fact) to reduce these impacts to the extent feasible. No additional feasible mitigation measures have been determined to be available to reduce these significant and unavoidable impacts to a level of less than significance. The Board of Supervisors finds that there are no other available feasible mitigation measures or alternatives that the Board could adopt at this time which would reduce these impacts to a less-than-significant level. To the extent that these adverse

impacts will not be eliminated or lessened to an acceptable (less-than-significant) level, the Board of Supervisors finds that specific economic, legal, social, technological, and other considerations identified herein support approval of the project despite these unavoidable impacts.

SECTION B. SPECIFIC FINDINGS

PROJECT CHANGES AND FINAL DISPOSITION OF MITIGATION MEASURES TO AVOID OR REDUCE IMPACTS

Changes or alterations have been made in the project that mitigate to the maximum degree feasible the significant environmental effects of the project, as identified in the Final Supplement and Exhibit B (Findings of Fact). The Board has made a number of changes to the adopted General Plan that will reduce the environmental impacts of the General Plan FAR Amendment (A06-0002), including development standards to address the compatibility of more intensive use and increased building mass in visually sensitive areas, limitation on glare-producing surfaces, development of a County-wide transit program, water use efficiency measures, requirement for waste diversion plans for non-residential uses, incorporate reduction measures for ozone precursors and other air pollutants into development projects, and review of development projects to reduce impacts associated with toxic air contaminants and odorous emissions. In addition, with the exceptions and modifications identified in Section K of Exhibit B, every applicable mitigation measure identified in the Final Supplement has been incorporated into the General Plan and is adopted by the Board as a part of their action to adopt the General Plan.

Project Benefits Outweigh Unavoidable Impacts
The remaining unavoidable and irreversible impacts of the project are acceptable in light of the economic, legal, social, technological, and other considerations set forth herein because the benefits of the project, as described in Exhibit B (Findings of Fact), Section H (Project Benefits), outweigh any significant and unavoidable or irreversible adverse environmental impacts of the project.

Balance of Competing Goals
The Board finds that it is imperative to balance competing goals in approving the General Plan FAR Amendment (A06-0002). The adopted General Plan encourages a balance between population growth, economic development, and the need to protect the environment. The General Plan FAR Amendment (A06-0002) will expand employment choices for its citizens and promote a range of employment types, through expanding the potential for Commercial, Industrial and Research and Development uses. The General Plan FAR Amendment (A06-0002) will also provide for a wide range of retail services and business development, while not increasing acreage of areas designated for these uses thus conserving natural resources, open space, habitat, and recreation areas. Several significant environmental impacts have not been fully

mitigated because of the need to meet competing concerns, and/or the need to recognize economic, legal, social, technological, and other issues as factors in decision-making. Accordingly, the Board has chosen to accept significant adverse environmental impacts because to eliminate them would unduly compromise important economic, legal, social, technological, and other goals. The Board of Supervisors finds and determines, based on the General Plan EIR, the Environmental Assessments of Policy Modifications and Revisions to Mitigation Measures, the Findings of Fact for the certification of the General Plan EIR and adoption of the General Plan, the Statement of Overriding Considerations for the certification of the General Plan EIR and adoption of the General Plan, the Final Supplement, testimony from the hearings, and other supporting information in the record, that the General Plan FAR Amendment (A06-0002) will provide for a positive balance of the competing goals and that the benefits to be obtained by the project outweigh the adverse environmental impacts of the project.

SECTION D. OVERRIDING CONSIDERATIONS

The Board of Supervisors has made a number of specific determinations regarding the significant and unavoidable impacts that are relevant to the decision to approve the project:

FISCAL AND ECONOMIC CONSIDERATIONS

Substantial evidence in the record demonstrates various fiscal and economic benefits which the County will derive from the implementation of the General Plan FAR Amendment (A06-0002). Included among these are (in no relevant order):

- Provides the highest designation for job- and revenue-producing commercial, industrial, and research and development land uses. This capacity will allow for the most efficient, market-based allocation of commercial, industrial and research and development growth as population increases in the County.

- Plans for growth in a way designed to provide more employment options for the County's new and existing residents. The General Plan FAR Amendment (A06-0002) will increase the amount of square footage that can be developed on Commercial, Industrial and Research and Development parcels, complementing and advancing the County's efforts toward attracting new businesses, which can supply employment opportunities for County residents.

- Maintains continuity of economic development policies to provide stability and certainty to the El Dorado County business community, residents, and investors in El Dorado County businesses. The General Plan FAR Amendment (A06-0002) is consistent with the intent of these policies that are directed towards increasing employment opportunities and providing the planning framework appropriate in developing regional employment and retail centers.

- Establishes Floor Area Ratios which are competitive with communities in the region, including the City of Folsom, Placer County, the City of Roseville, Sacramento County, and Tuloumne County. The increase in FAR would give the County an opportunity to complete for the development of regional employment centers.

LEGAL AND REGULATORY CONSIDERATIONS

Substantial evidence in the record demonstrates various social benefits which the County would derive from the implementation of the General Plan FAR Amendment (A06-0002). Included among these are (in no relevant order):

- As discussed in Exhibit B (Findings of Fact), each of the alternatives to the General Plan FAR Amendment (A06-0002) is infeasible. Accordingly, the only option available to the County other than adopting the General Plan FAR Amendment (A06-0002) would be to take no action. The effects of this decision would generally be as described in the No Project Alternative.

SOCIAL CONSIDERATIONS

Substantial evidence in the record demonstrates various social benefits which the County would derive from the implementation of the General Plan FAR Amendment (A06-0002). Included among these are (in no relevant order):

- Best reflects the community's expressions of quality of life and community values and guides the County's growth through 2025 in a manner consistent with the community's vision. The General Plan FAR Amendment (A06-0002) encourages a balance between population growth, economic development, and the need to protect the environment.

- Best maintains the County's rural character and provides opportunities for residents desiring a rural lifestyle by not designating additional lands for employment-generating uses, but rather increasing the development potential of lands already designated for Commercial, Industrial and Research and Development uses.

ENVIRONMENTAL CONSIDERATIONS

Substantial evidence in the record demonstrates various social benefits which the County would derive from the implementation of the General Plan FAR Amendment (A06-0002). Included among these are (in no relevant order):

- Increase in opportunity for employment choices for the County's citizens while not increasing the acreage of lands designated for development. The General

Plan FAR Amendment (A06-0002) will provide for a wide range of retail services and business development.

The Board of Supervisors has balanced the fiscal, economic, legal, regulatory, social, and environmental considerations against the unavoidable and irreversible environmental risks identified in the EIR and has concluded that those impacts are outweighed by these considerations, among others. Upon balancing the environmental risks and countervailing benefits of each of the individual considerations identified above, the Board of Supervisors has concluded that the benefits that the County will derive from the implementation of the General Plan outweigh those environmental risks.

SECTION E. CONCLUSION

The General Plan FAR Amendment (A06-0002) Final Supplement was prepared pursuant to the CEQA Guidelines. The Board of Supervisors independently determined that the Final Supplement fully and adequately addresses the impacts that would occur as a result of implementing the General Plan FAR Amendment (A06-0002).

The alternatives identified and considered in the General Plan FAR Amendment (A06-0002) Final Supplement met the test of "reasonable" analysis and provided the Board with important information from which to make an informed decision.

Public hearings were held before the Planning Commission and the Board of Supervisors. Substantial evidence in the record from those meetings and other sources demonstrates various benefits and considerations including economic, legal (regulatory), social, technological, environmental, and other benefits which the County would achieve from the implementation of the General Plan FAR Amendment (A06-0002).

The Board of Supervisors has balanced the benefits of the General Plan FAR Amendment (A06-0002) against the increase in the severity of significant and unavoidable impacts identified in the Final Supplement and has concluded that this increase in the severity of impacts is outweighed by the benefit of implementing the General Plan FAR Amendment (A06-0002). Upon balancing the environmental risks and countervailing benefits, the Board of Supervisors has concluded that the benefits that the County will derive from the implementation of the General Plan FAR Amendment (A06-0002), as compared to the analysis presented in the General Plan EIR, outweigh the increase in severity of the environmental impacts.

The Board of Supervisors has determined that the benefits of adopting the General Plan FAR Amendment (A06-0002), override the significant, unavoidable and irreversible increase in the severity of the environmental impacts identified through the General Plan FAR Amendment (A06-0002) analysis.

In conclusion, the Board of Supervisors finds that any remaining (residual) effects on the environment attributable to the General Plan FAR Amendment (A06-0002), which are found to be unavoidable in the preceding Findings of Fact, are acceptable due to the overriding concerns set forth in Exhibit B (Findings of Fact) and Exhibit 1 (Overriding Considerations) of this.

The Board concludes that the General Plan FAR Amendment (A06-0002) should be adopted.

EL DORADO COUNTY GENERAL PLAN

GENERAL PLAN FLOOR AREA RATIO AMENDMENT

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO CERTIFYING THE GENERAL PLAN FLOOR AREA RATIO AMENDMENT SUPPLEMENT TO THE 2004 GENERAL PLAN ENVIRONMENTAL IMPACT REPORT

EXHIBIT B

SUPPLEMENTAL CEQA FINDINGS OF FACT

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SECTION A. INTRODUCTION

The purpose of these supplemental findings of fact is to satisfy the requirements of Sections 15091, 15092, and 15093 of the California Environmental Quality Act (CEQA) Guidelines, associated with adoption of the General Plan Floor Area Ratio Amendment (A06-0002) (hereafter known as the "General Plan FAR Amendment") to implement Resolution of Intention 111-2006. When a supplement to a previous EIR is prepared, CEQA Guidelines Section 15163 require that when an agency decides whether to approve the project the decision-making body shall consider the previous EIR as revised by the supplemental EIR. A finding under Section 15091 shall be made for each significant effect shown in the previous EIR as revised. In its certification of the General Plan EIR, the El Dorado County Board of Supervisors identified significant and unavoidable impacts that would occur with the adoption of the final General Plan. The General Plan CEQA Findings of Fact and Statement of Overriding Considerations (Exhibits A and B of the Board's Resolution Certifying the General Plan EIR) document these decisions by the Board of Supervisors.

To implement Resolution of Intention 111-2006, the County has developed the General Plan FAR Amendment. As a result of the environmental analysis for the General Plan FAR Amendment, the County determined that impacts associated with land use, visual resources, traffic and circulation, water resources, utilities, public services, noise, air quality, and human health and safety are projected to vary from those presented in the General Plan EIR, CEQA Findings of Fact and Statement of Overriding Considerations for the General Plan adoption. The County decided to prepare a Supplement to the General Plan EIR to document the projected variation in impacts from those disclosed in the General Plan EIR. During the Notice of Preparation (NOP) and initial review process conducted for the supplemental EIR, it was determined that Agriculture and Forestry, Biological Resources, Cultural Resources, Geology and Soils, Land Use (Housing), and Public Services (School Facilities, Library Facilities, and Parks and Recreation) would not be adversely affected by the FAR Amendment to the General Plan and therefore were not analyzed in the supplemental EIR (page 1.0-13 of Draft Supplemental EIR). No adverse affect would occur due to the fact that under the FAR Amendment to the General Plan, no changes are made to the sites identified for Commercial, Industrial, and Research and development on the Land Use Map, and thus no additional areas of land would be disturbed in comparison with areas assumed for disturbance in the General Plan EIR.

This Supplement to the General Plan CEQA Findings of Fact has therefore been prepared as required for the Board of Supervisors to certify the General Plan FAR Amendment Supplement to the General Plan EIR. During its evaluation of the proposed General Plan FAR Amendment, the County's review of other resource issues addressed in the General Plan EIR determined that the General Plan FAR Amendment would not cause any new impacts, but would contribute to the severity of 26 significant and unavoidable impacts previously identified in the General Plan EIR. Each of these impacts is described in Section K. See Section I for findings regarding growth inducement, cumulative impacts, and significant and irreversible effects.

SECTION B. PROJECT LOCATION AND DESCRIPTION

PROJECT LOCATION
The General Plan FAR Amendment applies to all areas within unincorporated El Dorado County.

PROJECT OBJECTIVES AND DESCRIPTION
The General Plan FAR Amendment implements Resolution of Intention 111-2006. The Resolution of Intention proposes that the County examine revised Floor Area Ratios (FARs) of 0.85 for Commercial and Industrial land use designations and 0.50 for Research and Development designations, and permanent elimination of the FAR applicable to Agricultural Lands and the County consider for a new Mixed-Use Development (MUD) designation (and related policies) to implement "Smart Growth" principles. The Resolution further proposes to examine eliminating or modifying the specific restrictions applicable to the El Dorado Hills Business Park limiting the FAR to 0.30. In addition, in order to maintain internal General Plan consistency, amendments to Policies 2.1.1.3, 2.2.1.1, Table 2-1, Policies 2.2.1.2, 2.2.1.3, Table 2-2, Policy 2.2.1.5, Table 2-3 and Table 2-4, and Implementation Measure LU-A, and, a new Objective 2.5.3, Mixed-Use Development with implementing policies are proposed. The SEIR evaluates the environmental effects associated with the proposed Commercial, Industrial, and Research and Development FARs as part of General Plan Amendment A06-0002 (General Plan FAR Amendment). Elimination of FARs for Agricultural land use designations was previously addressed by the County. It is noted that the proposed revisions related to the MUD land use designation will be addressed separately and are not covered by the SEIR or these Findings of Fact.

The text of the proposed amendments to Policy 2.2.1.5 of the General Plan and associated Table 2-3 is shown below (deletions in ~~strikethrough~~, new text in underline):

Policy 2.2.1.5

The General Plan shall provide for the following building intensities in each land use designation as shown in **Table 2-3**, Building Intensities.

General Plan Table 2-3
Building Intensities

Land Use Designation	Floor Area Ratio*	
	Community Regions	*Rural Centers/Rural Regions*
Multifamily Residential		
High-Density Residential		
Medium-Density Residential		
Low-Density Residential		
Rural Residential		
Natural Resource		
Commercial	~~.25~~ – 0.85	.25
Research & Development	~~.25~~ - 0.50** (delete **)	.25
Industrial	~~.25~~ - 0.85	.25
Open Space		
Public Facilities		
Tourist Recreational		

**Ratio of allowable floor area (square footage) to site area (square footage). The FAR can be calculated over an entire integrated development rather than on a project-by-project basis under the following circumstances: 1) the aggregate average FAR within applicable land use designations does not exceed the General Plan maximum; or 2) satisfactory evidence is provided that demonstrates on a site-specific basis that measures will be imposed to keep traffic at levels associated with the applicable FAR threshold.*

*~~**Shall not exceed 0.30 for the El Dorado Hills Business Park based on limitations established on employees in Policy TC-1y. In order to document overall compliance with the purposes of both the FAR limitation herein and the employee cap in Policy TC-1y, all projects within the Business Park that would individually exceed 0.25 FAR must undergo review and approval by the County.~~*

SECTION C. DOCUMENTS AND RECORD FOR THE SUPPLEMENT TO GENERAL PLAN FINAL EIR

The General Plan FAR Amendment Supplement to the General Plan EIR includes:

1) General Plan FAR Amendment Draft Supplement to the El Dorado County General Plan EIR (SCH #2001082030), dated December 2006.

2) General Plan FAR Amendment Final Supplement to the El Dorado County General Plan EIR, dated April 2007.

The Final EIR for the General Plan includes the following items:

1) Draft EIR (SCH #2001082030), three volumes, dated May 2003.

2) Response to Comments on the Draft EIR and Draft General Plan, six volumes, dated January 2004.

3) Environmental Assessment of General Plan Policy Modifications, dated June, 2004, and Environmental Assessment of Revisions to Mitigation Measures, dated June, 2004.

4) Traffic Impact Mitigation Fee Program General Plan Amendment Supplemental EIR and Supplemental Findings.

THE RECORD
For the purposes of CEQA and the supplemental findings hereinafter set forth, the administrative record consists of those items listed in Section 21167.6(e) of the Public Resources Code. Pursuant to the requirements of CEQA Guidelines Section 15091(e) the location and custodian of the documents and other materials which constitute the record of proceedings upon which these decisions are based is as follows:

Development Services Director
El Dorado County Development Services Department
2850 Fairlane Court
Placerville, CA 95667
(530) 621-5355

SECTION D. DISCRETIONARY ACTIONS

The discretionary actions for approval of this project are identified as follows:

1) Adoption of the General Plan FAR Amendment.

2) Adoption of Mitigation Monitoring Plan.

3) Direction to staff to take actions necessary to implement the adopted General Plan FAR Amendment.

SECTION E. TERMINOLOGY OF FINDINGS

For purposes of these findings, the term "mitigation measures" shall constitute the "changes or alterations" discussed in the Introduction. The term "avoid or substantially lessen" will refer to the effectiveness of one or more of the mitigation measures or alternatives to reduce an otherwise significant environmental effect to a less than significant level. When an impact remains significant or potentially significant assuming implementation of the mitigation, the findings will generally find that the impact is "significant and unavoidable." In the process of adopting mitigation, the Board of Supervisors has also made a determination regarding whether the mitigation proposed in the supplemental EIR is "feasible." Pursuant to the CEQA Guidelines, "feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and

technological factors. In some cases, modifications were made in the supplemental DEIR and to proposed mitigations in the supplemental DEIR to update, clarify, streamline, correct, or revise the measure. In the process of considering the EIR for certification, the Board has recognized that impact avoidance is not possible in some instances. To the extent that significant adverse environmental impacts will not be reduced to a less than significant level with the adopted mitigation, the Board of Supervisors has found that specific economic, social, and other considerations support approval of the Project.

SECTION F. LEGAL EFFECT OF FINDINGS

Pursuant to Section 15091(d) of the CEQA Guidelines, all feasible mitigation measures that avoid or substantially lessen the significant effects of the project and that are adopted in these Findings shall become binding on the County at the time of approval as policies or implementation measures of the General Plan Amendment.

SECTION G. MITIGATION MONITORING PLAN

SECTION I. MITIGATION MONITORING PLAN
As required by Public Resources Code Section 21081.6, and Sections 15091(d) and 15097 of the CEQA Guidelines, the County, in adopting these findings, also adopts a Mitigation Monitoring Plan (MMP). The monitoring and reporting plan is designed to ensure that, during all phases of the project, the County and any other responsible parties implement the adopted mitigation measures. The County has taken the approach of including all feasible mitigation measures in the General Plan FAR Amendment as policies or implementation measures. As such the Plan is considered self-mitigating, and the only action required for full implementation of the MMP is adoption of the General Plan FAR Amendment.

SECTION H. PROJECT BENEFITS

The Board of Supervisors finds that adoption of the General Plan FAR Amendment will result in the following benefits for the County of El Dorado and County residents (in no relative order):

1) Allow the Board of Supervisors additional flexibility in decision-making (project objective).

2) Allow for increased potential for non-residential development (project objective).

3) Provide for flexibility in non-residential development intensities to encourage logical and effective utilization of land areas designated for urban uses (project objective).

4) Promote the development of business and industry in order to have well-balanced communities that afford County residents the opportunity to work, shop and recreate close to where they live.

5) Provide an incentive for increased development of neighborhood, community and regional retail centers that would allow for the local retention of sales tax revenues.

6) Provide opportunities for increased density and commensurate increases in property values.

7) Incorporate smart growth principles into the County's development practices.

8) Provide the County an opportunity to compete for development of regional employment centers and retail.

9) Further policies in the Economic Development Element of the General Plan to support a jobs housing balance and diversify the County's economic base.

SECTION I. FINDINGS REGARDING ALTERNATIVES TO THE GENERAL PLAN FAR AMENDMENT

Pursuant to Section 15126.6 of the CEQA Guidelines, the General Plan FAR Amendment SEIR considers six alternatives comparatively in Chapter 6. Three of these six, Alternatives 1 through 3, were rejected from further analysis after initial consideration. As described in Draft SEIR Section 6.0, Alternative 1 (Off-site) and Alternative 2 (Environmental Constraints) would not meet the basic project objectives and Alternative 3 (Elimination of Floor Area Ratios) has the potential to result in increased severity of environmental impacts in comparison to the General Plan FAR Amendment. The remaining three, Alternatives 4 through 6, were analyzed at a comparative level of detail, consistent with the requirements of CEQA.

The General Plan FAR Amendment is based on the General Plan FAR Amendment modified to include most of the mitigation measures recommended in the EIR. The Board of Supervisors has determined that this is the most feasible amendment to FARs for the County.

In summary, the alternatives that were analyzed are as follows:

- Alternative #1 – Off-site
- Alternative #2 – Environmental Constraints
- Alternative #3 – Elimination of Floor Area Ratios
- Alternative #4 – No Project

- Alternative #5 – Elimination of Specific Geographical Area based on Traffic Increase

- Alternative #6 – Reduced FARs

These alternatives cover a comprehensive range of reasonable possibilities for the Board of Supervisors' final action. The alternatives are described in Chapter 6 of the Draft SEIR, with the final three alternatives (Alternatives 4, 5 and 6) selected for further consideration analyzed at a comparative level of detail in Chapter 6 of the Draft SEIR (see pages 6.0-4 through 6.0-49 of the Draft SEIR).

Based on the impacts identified in the EIR and the reasons described below, the Board of Supervisors finds that adoption and implementation of the General Plan FAR Amendment is the most desirable, feasible, and appropriate project, and rejects other alternatives and other combinations and/or variations of alternatives as infeasible.

ALTERNATIVE #4 – NO PROJECT

Under this alternative, the proposed General Plan FAR Amendment project would not be adopted and the existing El Dorado County General Plan policy document would remain in effect. Under this alternative, total square footage and employment for Commercial, Research and Development and Industrial uses would remain the same as the proposed General Plan FAR Amendment under 2025 conditions although development would not be as intense. Under buildout conditions, this alternative would produce approximately 23,899,800 square feet of commercial, research and development and industrial square footage, approximately 60 million square feet and a total employment of 117,122 (128,421 less than the proposed project) at buildout.

The Board of Supervisors, based on the information and deliberation in the record as summarized herein, and pursuant to Section 15126.6(f)(1), hereby rejects this alternative as infeasible for each of the independent reasons given below.

1. Under both buildout and 2025 conditions, this alternative would not accommodate any increase in FARs. This would not allow the County to meet its objective of increasing non-residential development within the County and would thus avoid any benefits related to the objective of increasing non-residential development, including creating regional employment centers, garnering increased sales and property taxes, and providing additional employment opportunities to County residents.

2. Under both buildout and 2025 conditions, this alternative would not meet the County's objective of increased flexibility in locating Commercial, Industrial, and Research and Development uses through allowing increased levels of development on parcels designated for these uses.

3. Under both buildout and 2025 conditions, this alternative would not allow the County to approve higher intensity Commercial, Industrial, and Research and Development uses consistent with smart growth goals, which include increased intensity of employee-generating uses in areas proximate to transit, housing, and other services.

4. Under both buildout and 2025 conditions, this alternative would not provide the County with the opportunity to compete in the region for regional retail and employment centers as other jurisdictions in the region offer opportunities for more intense development, see pages 3.0-10 and 3.0-11 of the Draft SEIR and Table 3.0-1.

5. This alternative would fulfill none of the objectives associated with the project nor would it provide any benefits of the project as described in Section E.

ALTERNATIVE #5 – ELIMINATION OF SPECIFIC GEOGRAPHICAL AREA BASED ON TRAFFIC INCREASE

Alternative 5 eliminates areas of the county where the proposed General Plan FAR Amendment project would substantially increase levels of traffic in areas projected to exceed levels of service. A baseline limit to the increase in employees over existing conditions was used to determine the areas that are excluded under this alternative. The limit was set at 2,000 employees. This affected 20 TAZ areas, that would remain at current FAR levels, resulted in a total employment of 148,785 and a total square footage of 38,627,030. Table 6.0-1 of the Draft SEIR illustrates the TAZ number, and the change in employment for each affected TAZ. Alternative 5 would result in less employment and total square footage when compared to the proposed General Plan FAR Amendment project but more employment and commercial, research and development, and industrial square footage than the baseline, that of the adopted General Plan, as it would increase employment by 31,663 jobs and increase potential development square footage by 14,727,230 square feet. Therefore, most impacts that resulted in a significant and unavoidable impact in the General Plan EIR would also be significant and unavoidable under this alternative; however, the intensity of these impacts would be decreased.

The Board of Supervisors, based on the information and deliberation in the record as summarized herein, and pursuant to Section 15126.6(f)(1), hereby rejects this alternative as infeasible for each of the independent reasons given below.

1. Under both buildout and 2025 conditions, this alternative would not accommodate any increase in FARs in many of the urbanized or business-oriented areas of the County. The potential to increase FARs and encourage increased intensities in local employment centers, such as the El Dorado Hills Business Park area, would not be accommodated. This alternative would avoid

expanded FARs in areas of the County that are in strategic locations (e.g., immediately adjacent to U.S. 50, major roadways, and/or urban residential areas) where FAR increases would be regionally competitive. Other jurisdictions in the region offer opportunities for more intense development, see pages 3.0-10 and 3.0-11 of the Draft SEIR and Table 3.0-1.

2. While this alternative would allow the County to increase non-residential development within the County, it would limit increases in development to areas without traffic congestion. While this would result in improved traffic operations, many of the areas projected to experience transportation and circulation impacts are the urban areas planned for development of business and industry. Not including these areas in the proposed project would not achieve the benefits of increasing flexibility in land uses in order to have well-balanced communities that afford County residents the opportunity to work, shop and recreate close to where they live.

3. This alternative would exclude property owners in the affected TAZs of benefiting from the opportunities for increased density and commensurate increases in property values that other property owners of Commercial, Industrial and Research and Development uses would have under this alternative.

4. By not allowing increased non-residential uses in existing employment and population centers, this alternative would move growth to the outlying areas. This would not further smart growth principles as part of the County's development practices.

ALTERNATIVE #6 – REDUCED FAR

Alternative #6 provides floor area ratios approximately halfway between the adopted General Plan and the proposed General Plan FAR Amendment project. Alternative 6 FARs are: 0.55 for commercial and industrial land uses and 0.40 for research and development land uses. This results in a total employment of 185,700 and total of 56,065,900 square feet of commercial research and development and industrial uses. Alternative 6 would result in less employment and total square footage when compared to the proposed General Plan FAR Amendment project but more employment and commercial, research and development, and industrial square footage than the baseline, that of the adopted General Plan. Therefore, most impacts that resulted in a significant and unavoidable impact in the General Plan EIR would also be significant and unavoidable under this alternative; however, the intensity of these impacts would be decreased.

The Board of Supervisors, based on the information and deliberation in the record as summarized herein, and pursuant to Section 15126.6(f)(1), hereby rejects this alternative as infeasible for each of the independent reasons given below.

1. The decrease in potential non-residential development would directly conflict with the County's objective of increasing non-residential development in a manner that increases flexibility and provides benefits, such as creating regional employment centers, garnering increased sales and property taxes, and providing additional employment opportunities to County residents. These would be encouraged through the increase in FAR to the levels proposed by the project, as those levels are similar to FARs allowed by areas in the region, such as Folsom and the City of Sacramento, where regional employment centers are being developed. Reducing the proposed increase in FAR reduces the County's competitiveness in attracting jobs-generating uses. This alternative would decrease the potential to expand FARs in areas of the County that are in strategic locations (e.g., immediately adjacent to U.S. 50, major roadways, and/or urban residential areas) where FAR increases would be regionally competitive. Other jurisdictions in the region offer opportunities for more intense development, see pages 3.0-10 and 3.0-11 of the Draft SEIR and Table 3.0-1.

2. Under both buildout and 2025 conditions, this alternative would limit the potential increase in FARs to half of the proposed amount. This would reduce the potential to encourage increased intensities of non-residential uses in local employment centers.

3. The limited FAR increase allowed under this alternative would not achieve the benefits of increasing flexibility in land uses in order to have well-balanced communities that afford County residents the opportunity to work, shop and recreate close to where they live.

4. The limited increase non-residential uses in existing employment and population centers may encourage growth in outlying areas under this alternative. This would not further smart growth principles as part of the County's development practices.

SECTION J. OTHER CEQA FINDINGS

GROWTH INDUCEMENT

Chapter 7 of the supplemental EIR provides a discussion of the growth inducing impacts of the General Plan FAR Amendment pursuant to Section 15126.2(d) of the CEQA Guidelines. Growth inducement may constitute an adverse impact if the growth is not consistent with or accommodated by the land use plans and growth management plans and policies for the area affected. Local land use plans provide for land use development patterns and growth policies that allow for the orderly expansion of urban development supported by adequate urban public services, such as water supply, roadway infrastructure, sewer service, and solid waste service. A project that would induce "disorderly" growth (conflict with the local land use plans) could indirectly cause

additional adverse environmental impacts and other public service impacts. Thus, to assess whether a growth-inducing project will result in adverse secondary effects, it is important to assess the degree to which the growth accommodated by a project would or would not be consistent with applicable land use plans.

The increased development that would result from implementation of the General Plan FAR Amendment would result in economic expansion and require a substantial amount of trips imported into the County, to provide both employees of the additional development and consumers of the additional services that would be provided. This may have the effect of pressuring areas within the County designated for residential uses to be developed at higher intensities than originally planned and may also pressure areas not designated for urbanization to be developed with residential uses, to provide more local opportunities for employees and consumers associated with the increase in development. This increase may also pressure adjacent areas to provide additional residential uses, in response to the increased employment opportunities. The project could indirectly induce population and housing growth, as the demand for development of Commercial, Industrial, and Research and Development uses, which would be increased by the project, is generally supported by residential uses. The General Plan FAR Amendment at buildout could result in a substantial imbalance of jobs and housing in the County that could potentially trigger development pressure on land areas in the County to be re-designate to urban residential uses.

Findings related to impacts that are significant, and to mitigation measures for those impacts, are addressed in Section K below. The Board considered the growth inducing effects of the adopted General Plan in making its findings on the feasibility of the proposed mitigation measures in Section K.

CUMULATIVE

Chapter 7 of the supplemental EIR contains an analysis of the cumulative impacts, pursuant to Section 15130 of the CEQA Guidelines. Chapter 7 looks at cumulative issues on a regional basis, factoring in planning documents for other jurisdictions. Regional cumulative impacts are analyzed within each CEQA issue area and contribution of buildout of the General Plan FAR Amendment in each impact area is considered. Based on its review of the supplemental EIR and supporting documents, the Board has reached the following conclusions regarding the significance of each cumulative impact:

- Land Use and Housing – Significant and Unavoidable
- Visual Resources – Significant and Unavoidable
- Traffic and Circulation – Significant and Unavoidable
- Water Resources – Significant and Unavoidable
- Utilities – Significant and Unavoidable
- Public Services – Significant and Unavoidable
- Noise – Significant and Unavoidable

- Air Quality – Significant and Unavoidable
- Human Health and Safety – Less Than Significant

See Section K below for mitigation measures indented to mitigate adverse environmental impacts as a result of the General Plan FAR Amendment to the furthest extent possible.

SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL EFFECTS

The General Plan EIR identified 40 potentially adverse impacts which could not be mitigated to a less-than-significant level. The Final Supplement to the 2004 El Dorado County General Plan Environmental Impact Report identifies a projected increase at a project level in the severity of the following significant and unavoidable impacts shown below:

- Impact 5.1-2: Substantial alteration or degradation of land use character in the county or subareas
- Impact 5.2-2: Degradation of existing visual character or quality of the area or region
- Impact 5.3-1: Increase in daily and peak hour traffic
- Impact 5.3-2: Insufficient transit capacity
- Impact 5.4.1: Increase water demand and likelihood of surface water shortages
- Impact 5.4.2: Potential impacts associated with the development of new surface water supplies and related infrastructure
- Impact 5.4-3: Increase in groundwater demand and related impacts
- Impact 5.4-4: Increase in wastewater flows and related infrastructure impacts
- Impact 5.4-7: Increase in surface water pollutants from additional wastewater treatment plant discharges
- Impact 5.5-3: Potential noncompliance with state-mandated diversion rate
- Impact 5.5-5: Potential for land use incompatibility and other impacts of new and expanded solid waste and hazardous waste facilities
- Impact 5.5-6: Potential for land use incompatibility and other impacts of new and expanded energy supply infrastructure
- Impact 5.5-7: Potential for impacts associated with new and expanded communications infrastructure
- Impact 5.7-1: Exposure of sensitive receptors to construction noise
- Impact 5.7-2: Exposure of sensitive receptors to traffic noise
- Impact 5.7-3: Exposure of sensitive receptors to non-transportation noise
- Impact 5.7-4: Exposure of sensitive receptors to aircraft noise
- Impact 5.8-1: Short-term construction generated emissions of criteria air pollutants
- Impact 5.8-2: Long-term emissions of criteria air pollutants
- Impact 5.8-3: Long-term exposure of sensitive receptors to toxic air contaminants
- Impact 5.8-4: Contribution to near-term local mobile-source CO concentrations
- Impact 5.8-5: Exposure of sensitive receptors to odorous emissions

- Impact 5.9-2: Increased risk of accidental release of hazardous materials
- Impact 5.9-5: Increased potential for fire incidents and fire hazards
- Impact 5.9-7: Risk of exposure to flood hazards inside dam failure inundation area
- Increase in the cumulative impacts to visual resources, transportation and circulation, water resources, utilities, air quality, noise and human health and safety, as addressed previously in this section.

The significant environmental impacts associated with these irreversible changes, mitigation measures for those impacts, and related findings are addressed in Section K below.

SECTION K. SUPPLEMENTAL FINDINGS REGARDING IMPACTS AND MITIGATION MEASURES

CEQA Guidelines Section 15163(e) require that when an agency decides whether to approve a project which is the subject of a supplement to a previous EIR, "the decisionmaking body shall consider the previous EIR as revised by the supplemental EIR", and that a finding be made under CEQA Guidelines Section 15091 "for each significant effect shown in the previous EIR as revised." The General Plan EIR identified 40 significant and unavoidable impacts associated with the General Plan. The General Plan EIR CEQA Findings of Fact documented the Board's determination that no additional mitigation was feasible for the significant and unavoidable impacts (See pages 42 through 138, General Plan CEQA Findings of Fact) and the Board's findings that specific economic, legal, social, technological, and other considerations identified in the General Plan CEQA Statement of Overriding Considerations supported approval of the General Plan despite significant and unavoidable residual impacts.

The General Plan FAR Amendment Supplement to the General Plan EIR documents the County's review of the potential for the proposed General Plan FAR Amendment to result in new impacts or substantial changes to impacts previously identified in the General Plan EIR. While the FAR Amendment to the General Plan would not result in any new impacts as defined in the General Plan EIR, the Board finds that the General Plan FAR Amendment would result in an increase in the severity of 2 significant and unavoidable impacts under 2025 conditions and 26 significant and unavoidable impacts under buildout conditions identified in the General Plan EIR as described below.

Therefore, the Board therefore finds that all of the 40 significant and unavoidable impacts identified in the General Plan CEQA Findings would remain significant and unavoidable, and that the specific economic, legal, social, technological, and other considerations identified in the General Plan CEQA Statement of Overriding Considerations remain and support approval of the project as modified, despite significant and unavoidable residual impacts described below. Impacts that would increase in severity with implementation of the General Plan FAR Amendment are examined in detail below.

IMPACTS AND MITIGATION MEASURES

LAND USE

IMPACT 5.1-1: Inconsistency with Applicable Plans and Policies of Other Agencies

Impact Identified in General Plan EIR – Impact 5.1-1: Inconsistency with Applicable Plans and Policies of Other Agencies

Significance Identified in General Plan EIR Before Mitigation – Less Than Significant

Mitigation Measures Adopted with General Plan – None Required

Significance Identified in General Plan After Mitigation – Less Than Significant

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.1-1*:* Inconsistency with Applicable Plans and Policies of Other Agencies (potential increase in severity of Impact 5.1-1 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Less Than Significant (no significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR None required

FINDINGS OF FACT
Based upon the analysis presented in Section 5.1 of the Draft SEIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with increased inconsistency with applicable plans and policies are less than significant because adopted policies and programs would reduce potential impacts to less than significant. General Plan policies 2.2.7.1 through 2.2.7.4 would ensure that the County works with incorporated jurisdictions on land use development decisions, coordinates with Sate and federal agencies, and creates a City/County task force. General Plan policies 2.10.1.1 through 2.10.1.5 would ensure that the County works with TRPA on Lake Tahoe Basin land use decisions. *Reference:* General Plan FAR Amendment Draft SEIR pages 5.1-4 through – 5.1-6.

IMPACT 5.1-2: Substantial Alteration or Degradation of Land Use Character in the County or Subareas

Impact Identified in General Plan EIR – Impact 5.1-2: Substantial Alteration or Degradation of Land Use Character in the County or Subareas

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan – Mitigation Measure 5.1-2 (General Plan Policy 2.5.1.3)

Significance Identified in General Plan After Mitigation – Significant and Unavoidable.

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.1-2: Substantial Alteration or Degradation of Land Use Character in the County or Subareas (potential increased severity of Impact 5.1-2 of the General Plan EIR).

Significance Identified in General Plan FAR Amendment Final SEIR – Significant (significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR
Implement mitigation measure 5.2-1 (See Impact 5.2.-2)

Significance Identified in General Plan FAR Amendment Final SEIR After Mitigation – Significant and Unavoidable

FINDINGS OF FACT
As discussed in the General Plan CEQA Findings of Fact, the impact associated with alteration and degradation of land use character is significant and unavoidable even with the implementation of General Plan EIR mitigation measure 5.1-2 (General Plan Policy 2.5.1.3), which requires the creation of district community separators. The General Plan FAR Amendment Final EIR presents mitigation measure 5.2-1, which calls for the creation of development standards in the Zoning Code and design guidelines that address the design and compatibility of more intensive development that could result from the increased FARs. The Board has incorporated mitigation measure 5.2-1 into the General Plan and finds that no additional mitigation is available. While the adopted General Plan policies and mitigation measure 5.2-1 would help lessen potential conflicts between land uses and help guide the character of new development, the project would result in significant and unavoidable impacts under both 2025 and buildout conditions related to land use character.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General Plan FAR Amendment would contribute to the implementation of the General Plan and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding Considerations (Section B, Specific Findings and Section C, Overriding Considerations), and the General Plan Floor Area Ratio Amendment CEQA

Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.

IMPACT 5.1-3: Creation of Substantial Land use Incompatibility

Impact Identified in General Plan EIR – Impact 5.1-3: Creation of Substantial Land Use Incompatibility

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan –Mitigation Measures 5.1-3(a) and 5.1-3(b) (General Plan Policies 2.2.5.20, 2.2.5.21, and 2.2.5.22)

Significance Identified in General Plan After Mitigation – Less Than Significant

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.1-3: Creation of Substantial Land Use Incompatibility (potential increased severity of Impact 5.1-3 of General Plan EIR).

Significance Identified in General Plan FAR Amendment Final SEIR – Less Than Significant (no significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR None required

FINDINGS OF FACT
Based upon the analysis presented in Section 5.1 of the Draft SEIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with substantial land use incompatibility are less than significant because adopted policies and programs would reduce impacts to less than significant. Policy 2.2.5.20 requires conformance with the General Plan and applicable County ordinances, policies, and regulations. Policy 2.2.3.4 requires that planned developments be linked physically through common design elements even if all parcels involved in the development are not contiguous. General Plan policies 2.4.1.1 and 2.4.1.2 protect the sense of community character for the Community Regions and Rural Centers, primarily by focusing density in these developed areas and establishing design control districts and community design guidelines, which ensure that a common theme and appearance persists in each of these areas as they develop. Policy 2.5.1.3 would maintain distinct separators between developed areas (Community Regions and Rural Centers), through requiring analysis of parcels between developed areas, and providing for parcel consolidation and transfer of development rights. *Reference:* General Plan FAR Amendment Draft SEIR pages 5.1-9 through – 5.1-12.

VISUAL RESOURCES

IMPACT 5.2-1; Degradation of the Quality of Scenic vistas and Scenic Resources

Impact Identified in General Plan EIR – Impact 5.3-1: Degradation of the Quality of Scenic vistas and Scenic Resources

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan – Mitigation Measures 5.3-1(a), 5.3-1(b) (General Plan Policies 2.6.1.1 and 2.6.1.6), 5.3-1(c) (General Plan Policy 2.6.1.5), and 5.3-1(d) (General Plan Policy 2.6.1.8)

Significance Identified in General Plan After Mitigation – Less Than Significant

Impact Identified in General Plan FAR Amendment Final SEIR –Impact 5.2-1: Degradation of the Quality of Scenic Vistas and Scenic Resources (potential increase of severity of Impact 5.3-1 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Less Than Significant (no significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR None required

FINDINGS OF FACT
Based upon the analysis presented in Section 5.2 of the Draft SEIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with the degradation of the quality of scenic vistas and scenic resources are less than significant because adopted policies and programs would reduce impacts to less than significant. The policies for the 2004 General Plan, particularly Policy 2.6.1.1 requiring the development of a Scenic Corridor Ordinance and Policy 2.6.1.6 requiring the application of a Scenic Corridor (-SC) Combining Zone District to lands considered to be within a scenic corridor, would provide a high level of protection for views from the areas of the county designated and eligible for designation as State Scenic Highways, as well as for those locations identified by the County for protection. In addition, Policies 7.6.1.1E and 7.6.1.3E provide specific guidance about the use of primarily native landscaping for visual buffering. The protection of open space is addressed in Policy 7.6.1.1. Guidelines for protection and replacement of native landscaping are included in Policies 7.4.5.1 and 7.4.5.2. Design guidelines for historic districts and structures are addressed in Policies 7.5.2.1 through 7.5.2.6. Policy 7.5.2.6 protects the viewshed of the historic district of Coloma. Policy 9.1.3.2 provides for increased public access to scenic waterways. *Reference:* General Plan FAR Amendment Draft SEIR pages 5.2-9 through – 5.2-5.

IMPACT 5.2-2: Degradation of Existing Visual character of Quality of the Area or Region

Impact Identified in General Plan EIR – Impact 5.3-2: Degradation of Existing Visual Character or Quality of the Area or Region

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan – Mitigation Measure 5.3-2 (General Plan Policy TC-1w and Implementation Measure TC-U)

Significance Identified in General Plan After Mitigation – Significant and Unavoidable

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.2-2: Degradation of Existing Visual Character or Quality of the Area or Region (potential increase in severity of Impact 5.3-2 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Significant (significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR

MM 5.2-1 New General Plan Policy: Create development standards in the Zoning Code and design guidelines to specifically address the compatibility of more massive development in visually sensitive areas, such as areas with significant views and rural areas of the county. The standards shall consider issues unique to larger-scale development (visual intrusion, distant viewshed, shadowing of adjacent properties, glare, wind tunnel effects, emergency service, interruption of electronic transmissions, traffic and parking, noise and vibration). The standards shall also incorporate measures to reduce the visual effect of massive buildings and larger development footprints (varied rooflines, underground parking).

Significance Identified in General Plan FAR Amendment Final SEIR After Mitigation – Significant and Unavoidable

FINDINGS OF FACT

As discussed in the General Plan CEQA Findings of Fact, the impact associated with degradation of existing visual character or quality of the region is significant and unavoidable even with the implementation of General Plan EIR mitigation measure 5.3-2 (General Plan Policy TC-1w and Implementation Measures TC-U) which impose design requirements on new streets and improvements to existing rural roads that are necessitated by new development. The General Plan CEQA Findings of Fact determined that even with implementation of this mitigation measure, that this impact was significant and unavoidable and that no additional mitigation was available.

Implementation of mitigation measure 5.2-1 identified in the Draft SEIR would provide height restrictions on commercial, research and development and industrial uses in rural area in order to assist in the keeping of the visual character of the area, but would not reduce this impact to a less-than-significant level. Because areas of the County will undergo substantial visual change from a rural to suburban character due to potential residential development as identified by the General Plan EIR and roadways may also change in character, and because the project would not decrease land use intensities but rather increase the commercial, research and development, and industrial density and; because the General Plan EIR, found this impact to be significant and unavoidable and; the project in no way reduces this significance level, this impact is considered significant and unavoidable under both the year 2025 and buildout conditions.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General Plan FAR Amendment would contribute to the implementation of the General Plan and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding Considerations (Section B, Specific Findings and Section C, Overriding Considerations), and the General Plan Floor Area Ratio Amendment CEQA Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.

IMPACT 5.2-3: Creation of new Sources of Substantial Light or Glare that Would Adversely Affect Daytime or Nighttime Views

Impact Identified in General Plan EIR – Impact 5.3-3: Creation of New Sources of Substantial Light or Glare that Would Adversely Affect Daytime or Nighttime Views

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan – Mitigation Measures 5.3-3(a) and 5.3-3(b) (General Plan Policy 2.8.1.1)

Significance Identified in General Plan After Mitigation – Less Than Significant

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.2-3: Creation of Increase Sources of Substantial Light or Glare that Would Adversely Affect Daytime or Nighttime Views (potential increase in severity of Impact 5.3-3 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Significant (significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR

MM 5.2-3 New General Plan Policy: Development standards shall be adopted into the Zoning Code to limit glare-producing surfaces. These standards shall provide specific measures that reduce glare associated with increased building heights (such as limitations on the percentage of non-reflective surfaces above the first two stories of a building).

Significance Identified in General Plan FAR Amendment Final SEIR After Mitigation – Less Than Significant

FINDINGS OF FACT
While, the potential glare and lighting impacts with the implementation of the project would increase, all new commercial, research and development and industrial uses would be subject to existing General Plan Policy 2.8.1.1 (mitigation measure 5.3-3(b), which includes standards, consistent with prudent safety practices, for outdoor lighting to reduce high-intensity nighttime lighting and glare. This policy, above referenced General Plan mitigation measures, and implementation of Mitigation Measure 5.2-3 would control the use of lighting and as well as glare-producing surfaces. Additionally, all development would be subject to the outdoor lighting standards of the Zoning Ordinance. Therefore the light and glare impacts would be less than significant under 2025 and buildout conditions.

TRAFFIC AND CIRCULATION

IMPACT 5.3-1: Increase in Daily and Peak Hour Traffic

Impact Identified in General Plan EIR – Impact 5.4-2: Increase in Daily and Peak Hour Traffic

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan – Mitigation Measure 5.4-2 (General Plan Policies TC-1u, TC-1y, or TC-1v)

Significance Identified in General Plan After Mitigation – Significant and Unavoidable

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.3-1: Increase in Daily and Peak Hour Traffic (potential increase in severity of Impact 5.4-2 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Significant (significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR

MM 5.3-1 Add New General Plan Policy: The County shall coordinate with El Dorado County Transit Authority to develop a County-wide transit management program. The program may include measures designed to promote alternative transportation (commuter buses, ridesharing, and public transit), identify incentives for use of alternative transportation, and incorporate incentives for employees to use alternative transportation.

Significance Identified in General Plan FAR Amendment Final SEIR After Mitigation – Significant and Unavoidable

FINDINGS OF FACT

As discussed in the General Plan CEQA Findings of Fact, the impact associated with daily and peak hour traffic is significant and unavoidable even with the implementation of General Plan EIR mitigation measures 5.4-1(a), 5.4-1(b), 5.4-1(c), and 5.4-1(d), which were adopted and resulted in General Plan policies and measures that would assist in decreasing the severity of the impact. Policies TC-Xa through TX-Xh requires that new development does not substantially worsen roadway operations with existing unacceptable LOS or degrade service on roadway segments to cause LOS to become unacceptable levels. TC-1u adds an arterial roadway from El Dorado Hills Business Park to US 50 and TC-1v locates frequent transit service on an exclusive right-of-way to El Dorado Hills Business Park. TC-1y implements an employment cap to limit traffic on Latrobe Road and White Rock Road while Measures TC-V(1), TC-V(2) and TC-V(3) implement the above policies. See Appendix C for full text of the policies and measures. These policies and measures were adopted as a result of mitigation measures 5.4-1(a), 5.4-1(b), 5.4-1(d), and 5.4-1(e) to reduce the impact associated with increased daily and peak hour traffic conditions.

In addition to the policies addressed above, the County conducts annual traffic counts to verify roadway operations, reviews proposed development projects for consistency with the General Plan and enforces concurrency requirements, including the requirement that roadway improvements be provided concurrently with the development generating the demand for those improvements. These concurrency requirements are enforced for new development and are also a key factor in the County's annual review of implementation of the TIM Fee Program. Implementation of these concurrency requirements will reduce traffic impacts, as they will assist in providing needed roadway infrastructure in a timely fashion.

Implementation of mitigation measure 5.3-1 would decrease the severity of the impact. However, increases in traffic and associated impacts on roadway segments

are directly associated with the additional development and employment that could occur with the General Plan FAR Amendment buildout conditions. The Board has incorporated mitigation measure 5.3-1 into the General Plan and finds that no additional mitigation is available. Even with implementation of these mitigation measures, however, the General Plan EIR and associated CEQA Findings determined that the potential of the General Plan to increase daily and peak hour traffic was significant and unavoidable under both the year 2025 and buildout conditions and that there were no other feasible mitigation measures.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General Plan FAR Amendment would contribute to the implementation of the General Plan and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding Considerations (Section B, Specific Findings and Section C, Overriding Considerations), and the General Plan Floor Area Ratio Amendment CEQA Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.

IMACT 5.3-2: Insufficient Transit Capacity

Impact Identified in General Plan EIR – Impact 5.4-4: Insufficient Transit Capacity.

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan – Mitigation Measure 5.4-4 (Implementation Measure TC-L)

Significance Identified in General Plan After Mitigation – Significant and Unavoidable

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.3-2: Insufficient Transit Capacity (potential increase in severity of Impact 5.4-4 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Significant (significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR
Implement mitigation measure 5.3-1

Significance Identified in General Plan FAR Amendment Final SEIR After Mitigation – Significant and Unavoidable

FINDINGS OF FACT

As discussed in the General Plan CEQA Findings of Fact, the impact associated with insufficient transit capacity is significant and unavoidable even with the implementation of General Plan EIR mitigation measure 5.4-4. Policy TC-1v requires consideration of modifying the circulation diagram to include a frequent transit service on an exclusive right-of-way to serve the El Dorado Hills Business Park. Policy TC-2a commits the County to work with transit providers to provide transit services within the County and Policy TC-2b promotes transit services where population and employment densities are sufficient to support those services. Measure TC-L states that the County shall develop a funding mechanism that requires new development to pay for additional or expanded park-and-ride lots identified by transit providers in the County or the California Department of Transportation. Measure TC-L further states that the County shall also work with transit providers in the County and other agencies to determine the need for additional or expanded park-and ride lots, identify additional sites for such lots, and to acquire necessary rights-of-way for them.

Furthermore, the County's recently adopted Traffic Impact Mitigation Fee Program (TIM Fee Program) is intended to provide TIM Fee funding for those County roadway improvements necessary to achieve General Plan level of service standards for a projected 20-year period (through analysis year 2025). Fees are based on type of development and provided for each of the eight fee zones that encompass the unincorporated portions of El Dorado County, excluding that portion of the County which is within the Lake Tahoe Basin. The TIM Fee Program requires the County to update the roadway improvement cost estimates and associated fee rates annually.

The Board has incorporated mitigation measure 5.3-1 into the General Plan and finds that no additional mitigation is available. Even with implementation of existing policies and mitigation measure 5.3-1, the proposed General Plan FAR Amendment would contribute to increased need for transit services and potentially impact existing transit capacity negatively. This is considered a significant and unavoidable impact.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General Plan FAR Amendment would contribute to the implementation of the General Plan and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding Considerations (Section B, Specific Findings and Section C, Overriding Considerations), and the General Plan Floor Area Ratio Amendment CEQA

Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.

WATER RESOURCES

IMPACT 5.4-1: Increase Water Demand and Likelihood of Surface Water Shortages Resulting from Expected Development

Impact Identified in General Plan EIR – Impact 5.5-1: Increased Water Demand and Likelihood of Surface Water Shortages Resulting from Expected Development

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan – Mitigation Measures 5.5-1(a) 5.5-1(b) and 5.5-1(c) (General Plan Policies 5.2.1.9 and 5.2.1.10).

Significance Identified in General Plan After Mitigation – Significant and Unavoidable

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.4-1: Increase Water Demand and Likelihood of Surface Water Shortages Resulting from Expected Development (potential increase in severity of Impact 5.5-1 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Significant (significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR

MM 5.4-1 Revise Measure PS-H: Work with the Water Agency and water service providers to develop and implement a water use efficiency program for application to existing and new residential, commercial/industrial, and agricultural water users for those areas not served by a water purveyor with an existing water use efficiency program. The program shall include identification of the types of programs that must utilize reclaimed water and address the feasibility of such use, consistent with Policy 5.2.1.10. Amend the County Code to include water use efficiency requirements, which may include:

- Water-conserving design and equipment in new construction, including single-family residential developments;
- Water-conserving landscaping and other conservation measures for new residential development;

- Use of Best Management Practices (BMPs) in Commercial, Industrial, and Institutional water use, including conditioning development projects to include BMPs (as recommended by the California Department of Water Resources Office of Water Use Efficiency, the California Urban Water Conservation Council, the American Water Works Association, or other conservation studies) in order to conserve water;
- Retrofitting existing development with water conserving devices;
- Water-conserving agricultural irrigation practices; and
- Provide information/educational materials regarding water usage and conservation to the public.

(General Plan Policies 8.2.1.1 and 5.2.1.12)

Significance Identified in General Plan FAR Amendment Final SEIR After Mitigation – Significant and Unavoidable

FINDINGS OF FACT

As discussed in the General Plan CEQA Findings of Fact, the impacts associated with increased water demand and surface water shortages are significant and unavoidable even with the implementation of General Plan EIR mitigation measures 5-1(a) 5.5-1(b) and 5.5-1(c) (General Plan Policies 5.2.1.9 and 5.2.1.10).General Plan policy 5.2.1.9 requires applicants of proposed development to submit verification that adequate surface water supply from existing water supply facilities is adequate and physically available to meet the highest demand that could be permitted by the approval on the lands in question. Policy 5.2.1.10 establishes County support of water conservation and recycling projects that can help reduce water demand and projected shortages. In addition to these General Plan provisions, the County would continue to be required to comply with the provisions of Senate Bill (SB) 610 and 221 regarding the identification and verification of water supply service for future development requests as part of their project consideration.

Implementation of the adopted General Plan EIR mitigation measures as well as new mitigation measure 5.4-1 would only partially reduce impacts to water supply. Despite the existing, as well as future and potential water supply projects and water supply programs that may or will be undertaken by County water purveyors, there still exists a potential for water shortages in the County. The water districts would need to procure additional water entitlements and would need to complete the future water supply projects currently under consideration. As these projects are currently under consideration but have not been approved or developed, the total water supply that will be yielded by these projects is uncertain. As a result of potential water shortages, there may be reductions in the service levels of surface water customers and inability of water purveyors to serve new development, thus constraining the extent of full buildout under the proposed General Plan FAR Amendment. Additional water rights would have to be procured and water supply

infrastructure developed. The Board has incorporated mitigation measure MM 5.4-1, revising General Plan Measure PS-H to provide additional water efficiency requirements and finds that no additional mitigation is available. Therefore, impacts to water supply would remain significant and unavoidable.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General Plan FAR Amendment would contribute to the implementation of the General Plan and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding Considerations (Section B, Specific Findings and Section C, Overriding Considerations), and the General Plan Floor Area Ratio Amendment CEQA Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.

IMPACT 5.4-2: Potential Environmental Impacts Associated with the Development of New Surface Water Supplies and Related Infrastructure

Impact Identified in General Plan EIR – Impact 5.5-2: Potential Environmental Impacts Associated with the Development of New Surface Water Supplies and Related Infrastructure

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan – Mitigation Measure 5.5-2 (General Plan Policy 5.2.1.13)

Significance Identified in General Plan After Mitigation – Significant and Unavoidable

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.4-2: Potential Environmental Impacts Associated with the Development of New Surface Water Supplies and Related Infrastructure (potential increase in severity of Impact 5.5-2 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Significant (significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR
None feasible

Significance Identified in General Plan FAR Amendment Final SEIR After Mitigation – Significant and Unavoidable

FINDINGS OF FACT

As discussed in the General Plan CEQA Findings of Fact, the impacts associated with development of new surface water supplies and related infrastructure are significant and unavoidable even with the implementation of General Plan mitigation measures 5.2.1.13. The adopted General Plan implemented Policy 5.2.1.13 to reduce this impact. Policy 5.2.1.13 encourages water purveyors to design water supply and infrastructure projects in a manner that avoids or reduces environmental effects to the maximum extent feasible. In addition to these General Plan provisions, the County would continue to be required to comply with the provisions of Senate Bill (SB) 610 and 221 regarding the identification and verification of water supply service for future development requests as part of their project consideration. The Board finds that no additional mitigation is available and that this impact will remain significant and unavoidable.

As the General Plan FAR Amendment would require increased water supplies beyond those anticipated for the adopted General Plan, it would also require additional water rights, water supply projects and infrastructure. Mitigation measure 5.5-2 of the General Plan EIR would help to reduce environmental impacts resulting from development of new surface water supplies and related infrastructure. However, as facilities have not been fully identified to serve development under the project and the full extent of environmental effects of providing additional water supply infrastructure cannot be fully evaluated; there is no feasible mitigation that would reduce this impact to a less than significant level. Therefore, impacts associated with the development of new surface water supplies and related infrastructure would remain significant and unavoidable with implementation of the project.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General Plan FAR Amendment would contribute to the implementation of the General Plan and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding Considerations (Section B, Specific Findings and Section C, Overriding Considerations), and the General Plan Floor Area Ratio Amendment CEQA Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.

IMPACT 5.4-3: Increase in Groundwater Demand and Related Impacts

Impact Identified in General Plan EIR – Impact 5.5-3: Increase in Groundwater Demand and Related Impacts

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan – Mitigation Measure 5.5-3 (General Plan Policy 5.2.1.11)

Significance Identified in General Plan After Mitigation – Significant and Unavoidable

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.4-3: Increase in Groundwater Demand and Related Impacts (potential increase in severity of Impact 5.5-3 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Significant (significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR
Implement mitigation measure 5.4-1

Significance Identified in General Plan FAR Amendment Final SEIR After Mitigation – Significant and Unavoidable

FINDINGS OF FACT
As discussed in the General Plan CEQA Findings of Fact, the impacts associated with increased groundwater demand and related impacts are significant and unavoidable even with the implementation of General Plan mitigation measure 5.5-3 (General Plan Policy 5.2.1.11). The adopted General Plan implemented Policy 5.2.3.4 and 5.2.1.11. These policies increase the likelihood that groundwater supplies are conserved and physically available to meet the needs of development. Under buildout conditions, the increase in FARs would result in higher development intensity and total square footage of buildings than the adopted General Plan. This increase in groundwater demand would increase the likelihood that County groundwater supplies are not sufficient to meet future groundwater demand. The Board has incorporated mitigation measure 5.4-1 into the General Plan and finds that no additional mitigation is available. Mitigation measure 5.4-1 would reduce water usage. However, impacts associated with increased groundwater demand would remain significant and unavoidable.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General Plan FAR Amendment would contribute to the implementation of the General Plan and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding Considerations (Section B, Specific Findings and Section C, Overriding

Considerations), and the General Plan Floor Area Ratio Amendment CEQA Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.

IMPACT 5.4-4: Increase in Wastewater Flows and Related Infrastructure Impacts

Impact Identified in General Plan EIR – Impact 5.5-4: Increase in Wastewater Flows and Related infrastructure Impacts

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan – Mitigation Measure 5.5-4 (General Plan Policy 5.3.1.6)

Significance Identified in General Plan After Mitigation – Significant and Unavoidable

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.4-4: Increase in Wastewater Flows and Related infrastructure Impacts (increase in severity of Impact 5.5-4 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Significant (increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR
None proposed

Significance Identified in General Plan FAR Amendment Final SEIR After Mitigation – Significant and Unavoidable

FINDINGS OF FACT
As discussed in the General Plan CEQA Findings of Fact, the impacts associated with increased wastewater flows and related infrastructure impacts are significant and unavoidable even with the implementation of General Plan mitigation measure 5.5-4 (General Plan Policy 5.3.1.6). The General Plan implemented Policy 5.3.1.6, which encourages the design and implementation of future wastewater treatment capacity expansions in a manner that avoids or minimizes associated environmental impacts to the extent feasible. The County implemented this policy to help address the potential impacts related to new wastewater treatment capacity needed to treat the wastewater flows associated with the 2004 General Plan and related increases in population and employment growth. However, it was concluded that implementation of this policy would not lower impacts to water supply to a less than significant level.

An increase in the number of employees would result in increased wastewater flows as a result of the General Plan FAR Amendment. Since the General Plan FAR

Amendment would cause an increase in wastewater flows beyond what was documented in the General Plan EIR, it can be assumed that existing plant capacity would be exceeded sooner for each of the above mentioned WWTPs and additional capacity beyond that anticipated for the General Plan at buildout would be required.

Although the County cannot eliminate the potentially significant effects associated with the expansion of wastewater treatment capacity needed under the adopted General Plan or the proposed General Plan FAR Amendment, it can continue to encourage EID to minimize or avoid future adverse impacts and to mitigate them where feasible. The impacts of such infrastructure improvements and effectiveness of related mitigation cannot be definitely determined or tested at this time; therefore, implementation of the previously adopted mitigation measures will continue to be enforced, no additional mitigation is available and impacts associated with the proposed General Plan FAR Amendment are considered significant and unavoidable.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General Plan FAR Amendment would contribute to the implementation of the General Plan and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding Considerations (Section B, Specific Findings and Section C, Overriding Considerations), and the General Plan Floor Area Ratio Amendment CEQA Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.

IMPACT 5.4-5: Increase in Water Pollutants from construction-Related Activities

Impact Identified in General Plan EIR – Impact 5.5-5: Increase in Water Pollutants from construction-Related Activities

Significance Identified in General Plan EIR Before Mitigation – Less Than Significant

Mitigation Measures Adopted with General Plan – None required

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.4-5: Increase in Water Pollutants from construction-Related Activities (potential increase in severity of Impact 5.5-5 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Less Than Significant (no significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR
None proposed

FINDINGS OF FACT
As stated in Policy 5.4.1.2 of the adopted General Plan, discretionary projects would be required to minimize their negative effects on natural drainage patterns. Policy 7.1.2.2 further requires discretionary projects to minimize erosion and sedimentation, conform to natural contours, and maintain natural drainage patterns. Other policies require grading permits and encourage the use of water quality–related BMPs to prevent erosion and siltation. While Policy 7.1.2.1 discourages development on slopes exceeding 30% unless necessary for access, it nevertheless allows for such development. Policy 7.1.2.3 requires that the provisions of the Grading Ordinance be enforced on all development projects (including subdivisions). Policy 7.2.3.7 requires a special-use permit for all substantial mining operations; these projects would also be subject to the state Surface Mining and Reclamation Act (SMARA), which requires substantial programs for erosion control in mining and reclamation projects (see SMARA Sections 3704 and 3706), including compliance with RWQCB and SWRCB standards, restrictions on runoff, etc. Policy 7.2.3.10 requires an erosion control plan for smaller mining projects not subject to SMARA. Given the General Plan policies, the NPDES Permit Program, existing state regulations, and the County's Grading, Erosion, and Sediment Control Ordinance, development under the General Plan FAR Amendment with the potential to cause erosion would be required to implement BMPs or other sediment control measures, and these measures contain sufficient controls to minimize erosion and sedimentation. Based upon the analysis presented in Section 5.4 of the Draft SEIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with increased water pollutants from construction-related activities are less than significant because adopted policies and programs would reduce potential impacts to less than significant. *Reference:* General Plan FAR Amendment Draft SEIR pages 5.4-28 through – 5.4-30.

IMPACT 5.4-6: Increase in Water Pollutants from New Impervious Surfaces and New Urban and Agricultural Uses

Impact Identified in General Plan EIR – Impact 5.5-6: Increase in Water Pollutants from New Impervious Surfaces and New Urban and Agricultural Uses

Significance Identified in General Plan EIR Before Mitigation – Less Than Significant

Mitigation Measures Adopted with General Plan – None required

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.4-6: Increase in Water Pollutants from New Impervious Surfaces and New Urban Uses (potential increase in severity of Impact 5.5-6 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Less Than Significant (no significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR
None proposed

FINDINGS OF FACT
General Plan Policies 2.2.1.5, 5.4.1.1, 5.4.1.2, 2.2.5.14, 7.3.4.1, 7.3.4.2 from the recently adopted General Plan in combination with the SWMP, NPDES requirements, and relevant County ordinances would be expected to reduce water quality impacts. Policies 5.4.1.1 and 5.4.1.2 require discretionary projects to minimize erosion and comply with NPDES requirements. Policies 2.2.5.14, 7.3.4.1 and 7.3.4.2 discourage development adjacent to certain water bodies, or at least encourage development that would not affect water bodies.

Based upon the analysis presented in Section 5.4 of the Draft SEIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with increased water pollutants from new impervious surfaces and new urban uses are less than significant because adopted policies and programs would reduce potential impacts to less than significant. *Reference:* General Plan FAR Amendment Draft SEIR pages 5.4-30 through – 5.4-32.

IMPACT 5.4-7: Increase in Surface Water Pollutants from Additional Wastewater Treatment Plant Discharges

Impact Identified in General Plan EIR – Impact 5.5-7: Increase in Surface Water Pollutants from Additional Wastewater Treatment Plant Discharges

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan – Mitigation Measure 5.5-7 (General Plan Policy 5.2.1.12)

Significance Identified in General Plan After Mitigation – Significant and Unavoidable

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.4-7: Increase in Surface Water Pollutants from Additional Wastewater Treatment Plant Discharges (potential increase in severity of Impact 5.5-7 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Significant (significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR
None proposed

FINDINGS OF FACT

As discussed in the General Plan CEQA Findings of Fact, the impact associated with increased surface water pollutants from additional wastewater treatment plant discharges is significant and unavoidable even with the implementation of mitigation measure 5.5-7 (General Plan Policy 5.2.1.12). It is unknown at this time whether expansion of future needed wastewater treatment plants would result in environmental impacts that would need these or any other mitigation measures. Even though there are substantial assurances through the NPDES permit process and CEQA that impacts of future expansion will be fully mitigated, the County is not the lead agency for wastewater treatment expansion and therefore cannot guarantee that future impacts will be avoided or mitigated.

Although the County cannot eliminate the potentially significant effects associated with the expansion of wastewater treatment capacity needed under the adopted General Plan or the proposed General Plan FAR Amendment, it can continue to encourage EID to minimize or avoid future adverse impacts and to mitigate them where feasible. The impacts of such infrastructure improvements and effectiveness of related mitigation cannot be definitely determined or tested at this time; therefore, implementation of mitigation measure 5.5-7 will continue to be enforced. The Board finds that no additional mitigation is available and impacts associated with the proposed General Plan FAR Amendment are considered significant and unavoidable.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General Plan FAR Amendment would contribute to the implementation of the General Plan and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding Considerations (Section B, Specific Findings and Section C, Overriding Considerations), and the General Plan Floor Area Ratio Amendment CEQA Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.

IMPACT 5.4-8: Increase in Groundwater Pollutants from Onsite Wastewater Treatment Systems (OWTS) (Septic Systems)

Impact Identified in General Plan EIR – Impact 5.5-8: Increase in Groundwater Pollutants from Onsite Wastewater Treatment Systems (OWTS) (Septic Systems)

Significance Identified in General Plan EIR Before Mitigation –Significant

Mitigation Measures Adopted with General Plan – Mitigation Measure 5.5-8 (General Plan Policy 5.3.2.4)

Significance Identified in General Plan After Mitigation – Less Than Significant

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.4-8: Increase in Groundwater Pollutants from Onsite Wastewater Treatment Systems (OWTS) (Septic Systems) (potential increase in severity of Impact 5.5-8 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Less Than Significant (no significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR
None proposed

FINDINGS OF FACT
General Plan Policy 5.3.2.4 establishes a septic system monitoring program which requires monitoring and action of septic systems as necessary. The General Plan FAR Amendment would be subject to Policy 5.3.2.4, coupled with the design requirements for OWTS as imposed by the County. Based upon the analysis presented in Section 5.4 of the Draft SEIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with increased groundwater pollutants from onsite wastewater treatment systems are less than significant because adopted policies and programs would reduce potential impacts to less than significant. *Reference:* General Plan FAR Amendment Draft SEIR pages 5.4-36 through – 5.4-39.

UTILITIES

IMPACT 5.5-1: Localized Flooding Hazards Caused by Increased Runoff from New Development

Impact Identified in General Plan EIR – Impact 5.6-1: Localized Flooding Hazards Caused by Increased Runoff from New Development

Significance Identified in General Plan EIR Before Mitigation – Less Than Significant

Mitigation Measures Adopted with General Plan – None Required

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.5-1: Localized Flooding Hazards Caused by Increased Runoff from Increased Floor Area Ratios (potential increase in severity of Impact 5.6-1 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Less than Significant (no significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR – None Required

FINDINGS OF FACT
Future development under the General Plan FAR Amendment would be required to comply with adopted General Plan policies and be reviewed for compliance with the *County of El Dorado Drainage Manual* for proper drainage facility design and control. Compliance with the policies and/or with the Drainage Manual would minimize the contribution of the development to any downgradient flooding conditions. General Plan Policy 5.1.2.3 would require discretionary development projects to contribute their fair-share cost of drainage infrastructure development, thus ensuring that it would be financially feasible to develop the drainage infrastructure necessary to minimize the risk of flooding. General Plan Policies 5.4.1.2 and 7.1.2.5 would require the County to maintain and manage existing drainage systems. Based upon the analysis presented in Section 5.5 of the Draft SEIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with localized flooding hazards caused by increased runoff from new development are less than significant because adopted policies and programs would reduce potential risks to less than significant. *Reference:* General Plan FAR Amendment Draft SEIR pages 5.5-2 through 5.5-4.

IMPACT 5.5-2: Potential for Inadequate Landfill Capacity

Impact Identified in General Plan EIR – Impact 5.6-2: Potential for Inadequate Landfill Capacity

Significance Identified in General Plan EIR Before Mitigation – Less Than Significant

Mitigation Measures Adopted with General Plan – None Required

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.5-2: Potential for Inadequate Landfill Capacity (potential increase in severity of Impact 5.6-2 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Less than Significant (no significant increase in severity)

Adopted Mitigation Measures Identified in General Plan FAR Amendment Final SEIR – None Required

FINDINGS OF FACT
General Plan Policy 5.5.2.1 requires discretionary projects to provide evidence that capacity exists within the solid-waste system for the disposal of solid waste. While this policy does not apply to ministerial projects, landfill capacity is sufficient to

accommodate project needs. Furthermore, Policy 5.5.2.2 requires existing waste-related facilities to be protected from the encroachment of sensitive and/or incompatible land uses in order to preserve the existing waste processing capacity. As discussed in the General Plan CEQA Findings of Fact, the impacts associated with increased risk of potential for inadequate landfill capacity are less than significant because adopted policies and programs would reduce potential risks to less than significant. *Reference:* General Plan FAR Amendment SEIR pages 5.5-5 through 5.5-9.

IMPACT 5.5-3 Potential Noncompliance with State-mandated Diversion Rate

Impact Identified in General Plan EIR – Impact 5.6-3: Potential Noncompliance with State-Mandated Diversion Rate

Significance Identified in General Plan EIR Before Mitigation –Significant

Mitigation Measures Adopted with General Plan –Mitigation Measure 5.6-3 (General Plan Policy 5.5.2.3)

Significance Identified in General Plan EIR After Mitigation – Significant and Unavoidable

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.5-3: Potential Noncompliance with State-Mandated Diversion Rate (potential increase in severity of Impact 5.6-3 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR –Significant (significant increase in severity)

Adopted Mitigation Measures Identified in General Plan FAR Amendment Final SEIR –

MM 5.5-1 **Add New General Plan Policy:** The County shall require new non-residential development to provide a Waste Diversion Plan that identifies the total amount of waste that would be generated by the development, and includes measures (such as re-use of materials and contracts with recyclers or materials recovery facilities) to divert waste to a level consistent with the state-mandated diversion rate for the County. The plan shall include a component on enforcement and monitoring and shall remain in effect for the life of the development. The development shall submit an annual report identifying the amount of waste generated by the business and the amount of waste diverted. If diversion rates are less than the state-mandated diversion rate for the County, the business shall modify their Waste Diversion Plan to

include additional measures that will result in attainment of the specific diversion rate and reduce waste in subsequent years in an amount commensurate with the exceedance of the specified diversion rate.

Significance Identified in General Plan FAR Amendment Final SEIR After Mitigation – Significant and Unavoidable

FINDINGS OF FACT
As discussed in the General Plan CEQA Findings of Fact, the impacts associated with the potential for noncompliance with the State-Mandated Diversion Rate are significant and unavoidable. The County found that there were no additional feasible mitigation measures other than 5.6-3 which would reduce the impact to less than significant. Implementation of the General Plan FAR Amendment will increase the severity of this impact under buildout conditions as both employment and Commercial, Industrial, and Research and development square footage would increase substantially in comparison to the level of development anticipated with the adopted General Plan as described on pages 5.5-9 through 5.5-12 of the General Plan FAR Amendment Draft SEIR. The Board has incorporated mitigation measure 5.5-1 into the General Plan. Implementation of mitigation measure MM 5.5-1 along with enforcement of Policies 5.1.1.1, 5.1.1.2, 5.5.2.1, and 5.5.2.3 of the General Plan will continue to improve diversion of solid waste. Beyond the mitigation provided, the Board finds that no additional mitigation is feasible and this impact is significant and unavoidable.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General Plan FAR Amendment would contribute to the implementation of the General Plan and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding Considerations (Section B, Specific Findings and Section C, Overriding Considerations), and the General Plan Floor Area Ratio Amendment CEQA Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.

IMPACT 5.5-4: Potential for Insufficient Facilities/Mechanisms to dispose of Hazardous Waste

Impact Identified in General Plan EIR – Impact 5.6-4: Potential for Insufficient Facilities/Mechanisms to Dispose of Hazardous Waste

Significance Identified in General Plan EIR Before Mitigation –Less Than Significant

Mitigation Measures Adopted with General Plan – None Required

Significance Identified in General Plan EIR After Mitigation – Less Than Significant

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.5-4: Potential for Insufficient Facilities/Mechanisms to Dispose of Hazardous Waste (potential increase in severity of Impact 5.6-4 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Less Than Significant (no significant increase in severity)

Adopted Mitigation Measures Identified in General Plan FAR Amendment Final SEIR – None Required

FINDINGS OF FACT
General Plan Policies 5.1.1.1, 5.1.2.4, 5.1.3.1, and 5.1.3.2 and the Certified Unified Program Agency certification process require the County to increase the capacity of its collection and disposal programs in response to the increase in demand for services caused by new Conditionally Exempt Small Quantity Generators. The County is required to coordinate with its private haulers to ensure future toxic substance disposal capacity through buildout. Based upon the analysis presented in Section 5.5 of the Draft SEIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with potential for insufficient facilities/mechanisms to dispose of hazardous waste are less than significant because adopted policies and programs would reduce potential risks to less than significant. *Reference:* General Plan FAR Amendment Draft SEIR pages 5.5-2 through 5.5-15.

IMPACT 5.5-5: Potential for Land Use Incompatibility and Other Impacts of New and Extended Solid Waste and Hazardous-Waste Facilities

Impact Identified in General Plan EIR – Impact 5.6-5: Potential for Land Use Incompatibility and Other Impacts of New and Extended Solid Waste and Hazardous-Waste Facilities

Significance Identified in General Plan EIR Before Mitigation –Significant

Mitigation Measures Adopted with General Plan – Mitigation Measures 5.6-5(a) and 5.6-5(b)

Significance Identified in General Plan EIR After Mitigation –Significant and Unavoidable

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.5-5: Potential for Land Use Incompatibility and Other Impacts of New and Extended Solid

Waste and Hazardous-Waste Facilities (potential increase in severity of Impact 5.6-5 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR –Significant (significant increase in severity)

Adopted Mitigation Measures Identified in General Plan FAR Amendment Final SEIR – None feasible

Significance Identified in General Plan FAR Amendment Final SEIR After Mitigation – Significant and Unavoidable

FINDINGS OF FACT

As discussed in the General Plan CEQA Findings of Fact, the impact associated with the potential for land use incompatibility and location of new and expanded solid waste and hazardous waste facilities is significant and unavoidable even with the implementation of General Plan EIR mitigation measures5.6-5(a) and 5.6-5(b). Implementation of mitigation measure MM 5.5-1 and adherence to Policies 5.1.1.1, 5.1.1.2, 5.1.2.1, 5.1.2.2, and 2.2.1.1 of the General Plan reduce the project's impact regarding new and expanded solid waste and hazardous waste disposal facilities. However, impacts associated with the potential for land use incompatibility and other impacts of new and expanded solid waste and hazardous waste facilities would remain significant and unavoidable under buildout conditions.

As discussed in the General Plan CEQA Findings of Fact, the impacts associated with the potential for land use incompatibility and other impacts of new and expanded solid waste and hazardous waste facilities are significant and unavoidable. As stated above, implementation of mitigation measure MM 5.5-1 and adherence to Policies 5.1.1.1, 5.1.1.2, 5.1.2.1, and 2.2.11 of the General Plan reduce the project's impact regarding new and expanded solid waste and hazardous waste disposal facilities. Under than 2025 conditions, the project would have a Less Than Significant impact as the demand for solid waste, recycling and other disposal facilities would not increase. Beyond the mitigation provided, the Board finds that no additional mitigation is feasible and the impact will be significant and unavoidable. *Reference:* General Plan FAR Amendment Draft SEIR pages 5.5-15 through 5.5-17.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General Plan FAR Amendment would contribute to the implementation of the General Plan and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding Considerations (Section B, Specific Findings and Section C, Overriding

Considerations), and the General Plan Floor Area Ratio Amendment CEQA Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.

Power Supply Systems

IMPACT 5.5-6: Potential for Land use Incompatibility and Other Impacts of New and Expanded Energy Supply Infrastructure

Impact Identified in General Plan EIR – Impact 5.6-6: Potential for Land Use Incompatibility and Other Impacts of New and Expanded Energy Supply Infrastructure

Significance Identified in General Plan EIR Before Mitigation –Significant

Mitigation Measures Adopted with General Plan – Mitigation Measure 5.1-3 (b)

Significance Identified in General Plan EIR After Mitigation – Less Than Significant

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.5-6: Potential for Land Use Incompatibility and Other Impacts of New and Expanded Energy Supply Infrastructure (potential increase in severity of Impact 5.6-6 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR –Significant (significant increase in severity)

Adopted Mitigation Measures Identified in General Plan FAR Amendment Final SEIR – None Feasible

FINDINGS OF FACT
As discussed in the General Plan CEQA Findings of Fact, the impact associated developing new and expanded energy supply infrastructure is significant and unavoidable even with the implementation of General Plan EIR mitigation measure Mitigation Measure 5.1-3 (b). As part of this SEIR, Policies 5.1.2.1, 5.1.2.3, 5.6.1.1, 5.6.1.2, and 2.2.1.1 of the General Plan will continue to be enforced. However, because specific facilities and their locations have not been identified, so site-specific impacts cannot be determined. Based upon the analysis presented in Section 5.5.3 of the Draft SEIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with potential for land use incompatibility and other impacts of new and expanded energy supply infrastructure is significant. Under buildout conditions, the General Plan FAR Amendment would increase building size and the overall square footage of

commercial, industrial and research and development land uses which would result in increased demand for energy supply services and related services. As stated above Policies 5.1.2.1, 5.1.2.3, 5.6.1.1, 5.6.1.2, and 2.2.1.1 of the General Plan will continue to be enforced, however because specific facilities and their locations have not been identified, site-specific impacts cannot be determined. Beyond the mitigation provided, the Board finds that no additional mitigation is feasible and the impact is significant and unavoidable. *Reference:* General Plan FAR Amendment Draft SEIR pages 5.5-17 through 5.5-22.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General Plan FAR Amendment would contribute to the implementation of the General Plan and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding Considerations (Section B, Specific Findings and Section C, Overriding Considerations), and the General Plan Floor Area Ratio Amendment CEQA Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.

PUBLIC SERVICES

IMPACT 5.6-1: Potential Land Use Incompatibility Associated with Development and Expansion of Law Enforcement Facilities.

Impact Identified in General Plan EIR – Impact 5.7-1: Potential Land Use Incompatibility Associated with Development and Expansion of Law Enforcement Facilities.

Significance Identified in General Plan EIR Before Mitigation –Significant

Mitigation Measures Adopted with General Plan – Mitigation Measures 5.7-1(a) and 5.7-1(b) (General Plan Policy 2.2.5.22)

Significance Identified in General Plan EIR After Mitigation – Less Than Significant

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.6-1: Potential Land Use Incompatibility Associated with Development and Expansion of Law Enforcement Facilities. (potential increase in severity of Impact 5.7-1 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Less Than Significant (no significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR
None proposed

FINDINGS OF FACT
General Plan Policy 2.2.5.20 would require new or expanded law enforcement facilities to be consistent with the General Plan and applicable County ordinances, policies and regulations. General Plan Policy 2.2.5.21 requires development to be located and designed in a manner to avoid incompatible land uses. Policy 2.2.5.22 requires public facilities to be directed to Community Regions and Rural Centers and considered compatible outside of those areas when located and designed to avoid permitted adjoining land uses. General Plan Policy 5.1.2.1 provides for the expansion of impacted public facilities or services concurrently with the increase in demand. Policy 5.1.2.2 ensures that public services to new discretionary development shall not reduce services below minimum established standards. The above existing policies would ensure adequate service levels are maintained and new or expanded public facilities are compatible with adjacent land uses under the General Plan FAR Amendment.

Based upon the analysis presented in Section 5.6 of the Draft SEIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with land use incompatibility associated with the development and expansion of law enforcement facilities are less than significant because adopted policies and programs would reduce potential impacts to less than significant. *Reference:* General Plan FAR Amendment Draft SEIR pages 5.6-3 through – 5.6-6.

IMPACT 5.6-2: Potential Land Use Incompatibility Associated with Development and Expansion of Fire Protection and Emergency Services and medical Facilities.

Impact Identified in General Plan EIR – Impact 5.7-2: Potential Land Use Incompatibility Associated with Development and Expansion of Fire Protection and Emergency Services and medical Facilities.

Significance Identified in General Plan EIR Before Mitigation –Significant

Mitigation Measures Adopted with General Plan – Mitigation Measures 5.7-2(a) and 5.7-2(b).

Significance Identified in General Plan EIR After Mitigation – Less Than Significant

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.6-2: Potential Land Use Incompatibility Associated with Development and Expansion of

Fire Protection and Emergency Services and medical Facilities (potential increase in severity of Impact 5.7-2 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Less Than Significant (no significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR
None proposed

FINDINGS OF FACT
Policies 2.2.5.10, 2.2.5.21, and 2.2.5.22, which were adopted to mitigate impacts associated with law enforcement services identified in the General Plan EIR, would ensure that fire protection and emergency medical facilities are sited in a manner to be compatible with adjacent land uses. Based upon the analysis presented in Section 5.6 of the Draft SEIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with land use incompatibility associated with development and expansion of fire protection and emergency services and medical facilities are less than significant because adopted policies and programs would reduce potential impacts to less than significant. *Reference:* General Plan FAR Amendment Draft SEIR pages 5.6-8 through – 5.6-10.

NOISE

IMPACT 5.7-1: Exposure of Noise-Sensitive Land Uses to Short-Term (Construction) Noise

Impact Identified in General Plan EIR – Impact 5.10-1: Exposure of Noise-Sensitive Land Uses to Short-Term (Construction) Noise

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan – Mitigation Measure 5.10-1(a) and 5.10-1(b) (General Plan Policies 6.5.1.11 and TC-1x)

Significance Identified in General Plan After Mitigation – Significant and Unavoidable

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.7-1: Exposure of Sensitive Receptors to Construction Noise (potential increase in severity of Impact 5.10-1 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR –Significant (significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR –

MM 5.7-1 The County shall revise its noise ordinance to include the requirement that all construction equipment operating within the County's jurisdiction shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation.

MM 5.7-2 The County shall revise its noise ordinance to include the requirement that when not in use, motorized construction equipment operating within the County's jurisdiction shall not be left idling.

Significance Identified in General Plan FAR Amendment Final SEIR After Mitigation – Significant and Unavoidable

FINDINGS OF FACT
As discussed in the General Plan CEQA Findings of Fact, the impacts associated with exposure of noise-sensitive land uses to short-term (construction) noise are significant and unavoidable even with the implementation of General Plan FEIR mitigation measures 5.10-1(a) and 5.10-1(b) (General Plan Policies 6.5.1.11 and TC-1x). While implementation of Policy 6.5.1.11 would reduce construction noise exposure to noise-sensitive land uses during daytime hours, the General Plan FAR Amendment would increase the potential for increased development under buildout conditions and result in increased exposure to construction noise. Implementation of the mitigation measures, including use of mufflers and shielding of equipment, would reduce construction-generated noise levels by approximately 10 dBA. However, it is unlikely that excessive construction noise would be mitigated to less than significant levels in all circumstances. For instance, due to traffic congestion and safety concerns, public utility roadway improvement projects associated with proposed development may need to occur during the more noise-sensitive nighttime hours. In addition, construction activities could occur immediately adjacent to existing noise-sensitive uses that are particularly sensitive to daytime noise events (e.g., schools). The Board has incorporated mitigation measure 5.7-1 and 5.7-2 into the General Plan and finds that no additional mitigation is available. As a result, this impact would be considered significant and unavoidable under buildout conditions.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General Plan FAR Amendment would contribute to the implementation of the General Plan and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding Considerations (Section B, Specific Findings and Section C, Overriding

Considerations), and the General Plan Floor Area Ratio Amendment CEQA Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.

IMPACT 5.7-2: Exposure of sensitive Receptors to Traffic Noise

Impact Identified in General Plan EIR – Impact 5.10-2: Exposure to Ground Transportation Noise Sources

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan – Mitigation Measure 5.10-2(a) and 5.10-2(b) (General Plan Policies 6.2.1.12 and TC-1x)

Significance Identified in General Plan After Mitigation – Significant and Unavoidable

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.7-2: Exposure of Sensitive Receptors to Traffic Noise (potential increase in severity of Impact 5.10-2 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR –Significant (significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR – None Feasible

Significance Identified in General Plan FAR Amendment Final SEIR After Mitigation – Significant and Unavoidable

FINDINGS OF FACT
As discussed in the General Plan CEQA Findings of Fact, the impact associated with exposure to ground transportation noise sources is significant and unavoidable even with the implementation of General Plan mitigation measures Measure 5.10-2(a) and 5.10-2(b) (General Plan Policies 6.2.1.12 and TC-1x). While existing policies would reduce the potential for increased transportation noise to affect noise-sensitive land uses, the General Plan FAR Amendment still may result in substantial increases in traffic noise levels and this impact is considered significant under buildout conditions. Feasible mitigation measures were adopted with the adopted General Plan EIR and have been implemented as General Plan policies. Implementation of the existing policies would reduce predicted increases in traffic noise levels at sensitive land uses, but not necessarily to a less-than-significant level. The Board finds that no additional mitigation is available and, as a result, this impact is considered significant and unavoidable.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General Plan FAR Amendment would contribute to the implementation of the General Plan and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding Considerations (Section B, Specific Findings and Section C, Overriding Considerations), and the General Plan Floor Area Ratio Amendment CEQA Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.

IMPACT 5.7-3: Exposure of Sensitive Receptors to Non-Transportation Noise

Impact Identified in General Plan EIR – Impact 5.10-3: Exposure of Noise-Sensitive Land Uses to Fixed or Nontransportation Noise Sources

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan – Mitigation Measure 5.10-3 (General Plan Policies 6.5.1.13, 6.5.1.14, and 6.5.1.15)

Significance Identified in General Plan After Mitigation – Significant and Unavoidable

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.7-3: Exposure of Sensitive Receptors to Non-Transportation Noise (potential increase in severity of Impact 5.10-3 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR –Significant (significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR –

MM 5.7-3 **New Policy:** The County shall include in its noise ordinance a limitation on the hours of operation of stationary noise sources, including loading docks, trash compactors, waste collection, and other noise-producing activities associated with commercial areas which are located adjacent to existing or planned noise-sensitive (e.g., residential) land uses.

Significance Identified in General Plan FAR Amendment Final SEIR After Mitigation – Significant and Unavoidable

FINDINGS OF FACT

As discussed in the General Plan CEQA Findings of Fact, the impacts associated with exposure of noise-sensitive land uses to fixed or nontransportation noise sources , is significant and unavoidable even with the implementation of mitigation measure 5.10-3 (General Plan Policies 6.5.1.13, 6.5.1.14, and 6.5.1.15). Implementation of adopted General Plan policies and the mitigation measure MM 5.7-3 would substantially reduce predicted noise levels at nearby sensitive receptors. However, because the specific site designs are not currently known, it is conceivable that predicted non-transportation noise at nearby noise-sensitive land uses could result in noise levels above ambient conditions that could exceed applicable noise standards. The Board has incorporated mitigation measure MM 5.7-3 into the General Plan and finds that no additional mitigation is available. As a result, this impact is considered significant and unavoidable under buildout conditions.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General Plan FAR Amendment would contribute to the implementation of the General Plan and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding Considerations (Section B, Specific Findings and Section C, Overriding Considerations), and the General Plan Floor Area Ratio Amendment CEQA Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.

IMPACT 5.7-4: Exposure of Sensitive receptors to aircraft Noise

Impact Identified in General Plan EIR – Impact 5.10-4: Exposure to Aircraft Noise

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan – Mitigation Measure 5.10-4 (General Plan Policy 6.5.2.3)

Significance Identified in General Plan After Mitigation – Significant and Unavoidable

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.7-4: Exposure of Sensitive Receptors to Aircraft Noise (potential increase in severity of Impact 5.10-4 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR –Significant (significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR – None feasible

Significance Identified in General Plan FAR Amendment Final SEIR After Mitigation – Significant and Unavoidable

FINDINGS OF FACT
As discussed in the General Plan CEQA Findings of Fact, the impacts associated with exposure to aircraft noise are significant and unavoidable even with the implementation of mitigation Measure 5.10-4 (General Plan Policy 6.5.2.3). Increases in FARs as a result of the General Plan FAR Amendment may result in an increased number of individuals being exposed to aircraft noise at individual site locations. The uses associated with the proposed General Plan FAR Amendment are not generally considered noise sensitive; however, specific potential uses that could be increased in association with the General Plan FAR Amendment, including day cares and hotels, would be considered noise-sensitive. Feasible Mitigation Measures were adopted with the General Plan EIR and have been implemented as General Plan policies. Implementation of the existing policies would reduce predicted increases in aircraft noise levels at sensitive land uses, but not necessarily to a less-than-significant level. The Board finds that no additional mitigation is available. As a result, this impact is considered significant and unavoidable under buildout conditions.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General Plan FAR Amendment would contribute to the implementation of the General Plan and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding Considerations (Section B, Specific Findings and Section C, Overriding Considerations), and the General Plan Floor Area Ratio Amendment CEQA Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.

AIR QUALITY

IMPACT 5.8-1: Short-Term Construction Generated Emissions of Criteria Air Pollutants

Impact Identified in General Plan EIR – Impact 5.11-1: Construction Emissions of ROG, NO_x, and PM_{10}

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan – Mitigation Measure 5.11-1 (General Plan Policy 6.7.7.1)

Significance Identified in General Plan After Mitigation – Significant and Unavoidable

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.8-1: Short-Term Construction Generated Emissions of Criteria Air Pollutants (potential increase in severity of Impact 5.11-1 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR –Significant (significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR – None feasible

Significance Identified in General Plan FAR Amendment Final SEIR After Mitigation – Significant and Unavoidable

FINDINGS OF FACT
As discussed in the General Plan CEQA Findings of Fact, the impacts associated with construction emissions of criteria air pollutants, including reactive organic gases, particulate matter 10 microns or larger in diameter, and nitrous oxides, is significant and unavoidable even with the implementation of MM 5.11-1. Implementation of the General Plan FAR Amendment will increase the severity of this impact under buildout conditions as a result of increased construction activities that would occur with development of additional Commercial, Industrial and Research and Development square footage in comparison to the level of development anticipated with the adopted General Plan, as described on pages 5.8-13 through 5.8-15 of the General Plan FAR Amendment Draft SEIR. While implementation of adopted plans and regulations, including adopted MM 5.11-1, would decrease emissions of criteria air pollutants, emissions would exceed thresholds and contribute to existing and future non-attainment conditions. The Board finds that no additional mitigation is available. Therefore, the General Plan FAR Amendment would increase the severity of this impact under buildout conditions.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General Plan FAR Amendment would contribute to the implementation of the General Plan and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding

Considerations (Section B, Specific Findings and Section C, Overriding Considerations), and the General Plan Floor Area Ratio Amendment CEQA Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.

IMPACT 5.8-2: Long-Term Emissions of Criteria Air Pollutants

Impact Identified in General Plan EIR – Impact 5.11-2: Long-Term Operational (Regional) Emissions of ROG, NO_x, and PM_{10}

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan –Mitigation Measures 5.11-2(a), 5.11-2(b) (General Plan Policy 6.7.2.5), 5.11-2(c) (General Plan Policy 6.7.2.6), 5.11-2(d) (General Plan Policy 6.7.4.6), 5.11-2(e) (General Plan Policy 6.7.4.7), 5.11-2(f) (General Plan Policy TC-3d), and 5.11-2(g) (General Plan Policy TC-4i)

Significance Identified in General Plan After Mitigation – Significant and Unavoidable

Impact Identified in General Plan FAR Amendment Final SEIR – Long-Term Emissions of Criteria Air Pollutants (increased severity of Impact 5.11-2 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Significant (significant increase in severity)

Adopted Mitigation Measures Identified in General Plan FAR Amendment Final SEIR

MM 5.8-1 Add New General Plan Policy: The County shall ensure that measures are incorporated into development projects to reduce emissions of ozone-precursor and other air pollutants.

MM 5.8-2 Add New General Plan Implementation Measure: The County shall review development projects to ensure that EDCAQMD-recommended mitigation measures are applied to reduce operational emissions of air pollutants. Such measures may include, but are not limited to, the following:

- Promote increased Floor Area Ratios within existing urban areas (infill) and within ¼ to ½ mile of existing or planned transit facilities, job centers, or transportation nodes

- New development shall be designed to preserve and ensure the dedication of rights-of-way for future public transit facilities;

- New development shall incorporate traffic-calming measures within proposed development, where necessary;

- Provide clearly marked and shaded pedestrian pathways between transit facilities, pedestrian walkways and trails, and building entrances

- Provide preferential carpool/vanpool parking spaces

- Provide transit facility improvements (e.g., pedestrian shelters, route information, benches, lighting)

- Provide incentives to employees to rideshare or take public transportation.

Significance Identified in General Plan FAR Amendment Final SEIR After Mitigation – Significant and Unavoidable

FINDINGS OF FACT
As discussed in the General Plan CEQA Findings of Fact, the impacts associated with increased long-term emissions of criteria air pollutants, including reactive organic gases, particulate matter 10 microns or larger in diameter, and nitrous oxides, is significant and unavoidable even with the implementation of mitigation measures MM 5.11-2(a), 5.11-2(b), 5.11-2(c), 5.11-2(d), 5.11-2(e), 5.11-2(f) and 5.11-2(g). Implementation of the General Plan FAR Amendment will increase the severity of this impact under buildout conditions as a result of development of additional Commercial, Industrial and Research and Development square footage and associated increase in operational emissions as described on pages 5.8-16 through 5.8-19 of the General Plan FAR Amendment Draft SEIR. Implementation of MM 5.8-1 and MM 5.8-2, presented above, as well as implementation of adopted General Plan policies would reduce the operational emissions of criteria pollutants and the Board has incorporated these mitigation measures into the General Plan. However, operational emissions attributable to the proposed project could still exceed El Dorado Air Quality Management district's significance thresholds, and as such, could contribute to existing and future non-attainment conditions. The Board finds that no additional mitigation is available. Therefore, the General Plan FAR Amendment would increase the severity of this impact under buildout conditions and the impact would be significant and unavoidable.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General

Plan FAR Amendment would contribute to the implementation of the General Plan and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding Considerations (Section B, Specific Findings and Section C, Overriding Considerations), and the General Plan Floor Area Ratio Amendment CEQA Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.

IMPACT 5.8-3: Long-Term Exposure of Sensitive Receptors to Toxic Air contaminants

Impact Identified in General Plan EIR – Impact 5.11-3: Toxic Air Emissions

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan – Mitigation Measures 5.11-3(a) (General Plan Policy 2.2.5.20), 5.11-3(b) (General Plan Policy 2.2.5.21 and 2.2.5.22), 5.11-3(c) (General Plan Policy 6.7.7.1), and 5.11-3(d) (General Plan Policy 6.7.6.2)

Significance Identified in General Plan After Mitigation – Significant and Unavoidable

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.8-3: Long-Term Exposure of Sensitive Receptors to Toxic Air Contaminants (increased severity of Impact 5.11-3 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Significant (significant increase in severity)

Adopted Mitigation Measures Identified in General Plan FAR Amendment Final SEIR

MM 5.8-3 New General Plan Policy: Operational activities associated with proposed land uses that have the potential to emit toxic air contaminants (e.g., dry cleaning establishments and gasoline stations) shall be reviewed for land use compatibility. In accordance with General Plan Policies 6.7.6.1 and 6.7.6.2, sensitive receptors shall not be located near significant sources of air pollution. The County shall utilize the guidelines in the California Air Resources Control Board *Air Quality and Land Use Handbook: A Community Health Perspective*, or other guidance documents recommended by the EDCAQMD, when evaluating new development requests that either would generate toxic

air contaminant emissions near sensitive receptors or would potentially locate new sensitive receptors near existing sources of air toxic emissions.

Significance Identified in General Plan FAR Amendment Final SEIR After Mitigation – Significant and Unavoidable

FINDINGS OF FACT
As discussed in the General Plan CEQA Findings of Fact, the impacts associated with toxic air contaminants is significant and unavoidable even with the implementation of mitigation measures MM 5.11-3(a), 5.11-3(b), 5.11-3(c), and 5.11-3(d). Implementation of the General Plan FAR Amendment will increase the severity of this impact under buildout conditions as a result of development of additional Commercial, Industrial and Research and Development square footage that would result in an increased potential for sensitive receptors to be exposed to toxic air contaminants as described on pages 5.8-19 through 5.8.-24 of the General Plan FAR Amendment Draft SEIR. Implementation of mitigation measure MM 5.8-3 would require additional review for land use compatibility when locating potential toxic air contaminant emitters and the Board has incorporated this mitigation measure into the General Plan. However, with implementation of the referenced mitigation measure, adopted General Plan policies, and compliance with EDCAQMD permitting requirements, increased exposure of sensitive land uses to area and mobile sources of TACs would still occur. The Board finds that no additional mitigation is available. Therefore, the General Plan FAR Amendment would increase the severity of this impact under buildout conditions and the impact would be significant and unavoidable.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General Plan FAR Amendment would contribute to the implementation of the General Plan and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding Considerations (Section B, Specific Findings and Section C, Overriding Considerations), and the General Plan Floor Area Ratio Amendment CEQA Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.

IMPACT 5.8-4: Contribution to Near-Term Local Mobile-Source CO

Impact Identified in General Plan EIR – Impact 5.11-4: Local Mobile-Source Emissions of Carbon Monoxide (CO)

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan –Mitigation Measures 5.11-4 (General Plan Policy TC-3d)

Significance After Mitigation – Significant and Unavoidable

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.8-4: Contribution to Near-Term Local Mobile-Source CO (increased severity of Impact 5.1-4 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Significant (significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR –

MM 5.8-4 Revise General Plan Policy 6.7.2.3: To improve traffic flow and decrease vehicular emissions, synchronization of signalized intersections, particularly those identified in the General Plan EIR as being the most busy or congested, shall be encouraged as a means to reduce congestion, conserve energy, and improve air quality.

Significance Identified in General Plan FAR Amendment Final SEIR After Mitigation – Significant and Unavoidable

FINDINGS OF FACT
As discussed in the General Plan CEQA Findings of Fact, the impact associated with carbon monoxide emissions is significant and unavoidable even with the implementation of mitigation measure MM 5.11-4. Implementation of the General Plan FAR Amendment will increase the severity of this impact under buildout conditions as a result of development of additional traffic and congestion associated with the increase in Commercial, Industrial and Research and Development square footage as described on pages 5.8-25 through 5.8.-27 of the General Plan FAR Amendment Draft SEIR. Implementation of mitigation measure MM 5.8-4 would assist in improving traffic flow and decreasing vehicular emissions. The Board has incorporated mitigation measure MM 5.8-4 into the General Plan. However, with implementation of the referenced mitigation measure and adopted General Plan policies, there would be an increased potential for increased carbon monoxide emissions in excess of thresholds to occur associated with the increased traffic congestion at buildout conditions. The Board finds that no additional mitigation is available. Therefore, the General Plan FAR Amendment would increase the severity of this impact under buildout conditions and the impact would be significant and unavoidable.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General Plan FAR Amendment would contribute to the implementation of the General Plan

and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding Considerations (Section B, Specific Findings and Section C, Overriding Considerations), and the General Plan Floor Area Ratio Amendment CEQA Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.

IMPACT 5.8-5: Exposure of Sensitive Receptors to Odorous Emissions

Impact Identified in General Plan EIR – Impact 5.11-5: Odorous Emissions

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan –Mitigation Measure 5.1-3(b) (General Plan Policies 2.2.5.21 and 2.2.5.22)

Significance Identified in General Plan After Mitigation – Significant and Unavoidable

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.8-5: Exposure of Sensitive Receptors to Odorous Emissions (increased severity of Impact 5.11-5 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Significant (significant increase in severity)

Adopted Mitigation Measures Identified in General Plan FAR Amendment Final SEIR

MM 5.8-5 New General Plan Policy: Land uses that have the potential to emit objectionable odorous emissions (e.g., dry cleaning establishments, sewage treatment plants, and gasoline stations) shall be reviewed for land use compatibility. In accordance with General Plan policies 6.7.6.1 and 6.7.6.2, sensitive receptors and significant sources of odors shall not be located near one another.

Significance Identified in General Plan FAR Amendment Final SEIR After Mitigation – Significant and Unavoidable

FINDINGS OF FACT
As discussed in the General Plan CEQA Findings of Fact, the impact associated with odorous emissions is significant and unavoidable even with the implementation

of MM 5.1-3(b). Implementation of the General Plan FAR Amendment will increase the severity of this impact under buildout conditions as a result of development of additional Commercial, Industrial and Research and Development square footage that would result in the potential for additional sources of odorous emissions as well as an increase in sensitive receptors that may be exposed to those emissions as described on pages 5.8-27 through 5.9.-30 of the General Plan FAR Amendment Draft SEIR. Mitigation measure MM 5.8-5 would reduce this impact through reviewing land uses with potential odorous emissions for compatibility with other land uses and restrict location of sensitive receptors and significant sources of odors. The Board has incorporated this mitigation measure into the General Plan, but finds that there are no additional measures to reduce this impact to a level of insignificance. Therefore, the General Plan FAR Amendment would increase the severity of this impact under buildout conditions and the impact would be significant and.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General Plan FAR Amendment would contribute to the implementation of the General Plan and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding Considerations (Section B, Specific Findings and Section C, Overriding Considerations), and the General Plan Floor Area Ratio Amendment CEQA Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.

HUMAN HEALTH AND SAFETY

IMPACT 5.9-1: Increase Risk of Exposure Resulting from Routine Use of Hazardous Material

Impact Identified in General Plan EIR – Impact 5.8-1: Increased risk of exposure resulting from routine use of hazardous materials

Significance Identified in General Plan EIR Before Mitigation – Less than Significant

Mitigation Measures Adopted with General Plan – None Required

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.9-1: Increased risk of exposure resulting from routine use of hazardous materials (potential increase in severity of Impact 5.8-1 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Less than Significant (no significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR – No new mitigation measures (mitigation measures adopted with General Plan remain as applicable)

FINDINGS OF FACT
The County's management programs for the routine use of hazardous materials are compliant with the CHWMP and existing laws and regulations. Handlers of hazardous materials must comply with the County's programs, as well as those of other local, state, and federal agencies. Ministerial development would also need to comply with applicable laws and regulations. As a result, compliance with the County's programs, as well as those of other local, state, and federal agencies, as well as General Plan policies 6.6.1.1, 6.6.1.3 and 6.7.6.1 would ensure that a less than significant impact would result. Based upon the analysis presented in Section 5.9 of the Draft SEIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with increased risk of exposure resulting from routine use of hazardous materials are less than significant because adopted policies and programs would reduce potential risks to less than significant. *Reference:* General Plan FAR Amendment Draft SEIR pages 5.9-5 through – 5.9-7.

IMPACT 5.9-2 Increased Risk of Accidental Release of Hazardous Materials

Impact Identified in General Plan EIR – Impact 5.8-3: Increased Risk of Accidental Release of Hazardous Materials

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan –Mitigation Measure 5.10-2(b)

Significance Identified in General Plan After Mitigation – Significant and Unavoidable

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.9-2: Increased Risk of Accidental Release of Hazardous Materials (potential increased severity of Impact 5.8-3 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Significant (significant increase in severity)

Adopted Mitigation Measures Identified in General Plan FAR Amendment Final SEIR

MM 5.9-1 Revise General Plan Policy TC-1x as follows: The County shall review truck routes and shall revise routes as necessary to minimize heavy truck traffic in residential areas, and to minimize traffic noise impacts and the potential for exposure to accidental release of hazardous materials near sensitive land uses.

Significance Identified in General Plan FAR Amendment Final SEIR After Mitigation – Significant and Unavoidable

FINDINGS OF FACT
As discussed in the General Plan CEQA Findings of Fact, the impacts associated with increased risk of accidental release of hazardous materials is significant and unavoidable even with the implementation of MM 5.10-2(b). Implementation of the General Plan FAR Amendment will increase the severity of this impact under buildout conditions as a result of development of additional Commercial, Industrial and Research and Development square footage in comparison to the level of development anticipated with the adopted General Plan as described on pages 5.9-7 through 5.9.-10 of the General Plan FAR Amendment Draft SEIR. The Board has incorporated mitigation measure MM 5.9-1, presented above, and finds that this mitigation measure would reduce the potential for impacts. However, as it is not possible to exclude trucks from hauling hazardous wastes in proximity to all sensitive land uses and the General Plan FAR Amendment does not lessen the possibility of accidental release of hazardous material both on-site and during transporting operations. The Board finds that no additional mitigation is feasible. Therefore, the General Plan FAR Amendment would increase the severity of this impact under buildout conditions. *Reference:* General Plan FAR Amendment Draft SEIR pages 5.9-7 through 5.9-10.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General Plan FAR Amendment would contribute to the implementation of the General Plan and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding Considerations (Section B, Specific Findings and Section C, Overriding Considerations), and the General Plan Floor Area Ratio Amendment CEQA Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.

IMPACT 5.9-3: Increased Risk of Exposure to Hazardous Waste Resulting from New Development on Known, Suspected and Unknown Contaminated Sites

Impact Identified in General Plan EIR – Impact 5.8-4: Increased Risk of Exposure to Hazardous Waste Resulting from New Development on Known, Suspected and Unknown Contaminated Sites

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan –Mitigation Measure 5.8-4 (General Plan Policy 6.6.1.2)

Significance After Mitigation – Less than Significant

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.9-3: Increased Risk of Exposure to Hazardous Waste Resulting from New Development on Known, Suspected and Unknown Contaminated Sites (potential increase in severity of Impact 5.8-4 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Less than Significant (no significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR – No new mitigation measures (mitigation measures adopted with General Plan remain as applicable)

FINDINGS OF FACT
Because the General Plan EIR determined that General Plan policies would reduce all impacts to a less than significant level and application of these same policies, particularly 6.6.1.2 would reduce potential for exposure to contaminated sites for the proposed General Plan FAR Amendment and the General Plan FAR Amendment would not result in development of sites not already considered for development in the General Plan EIR, this impact is considered less than significant.

Based upon the analysis presented in Section 5.9 of the Draft SEIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with increased risk of exposure to hazardous waste resulting from a potential increase in development on known, suspected and unknown contaminated sites would be less than significant as the General Plan FAR Amendment does not identify any new sites for development and because adopted policies and programs would reduce potential risks to less than significant. *Reference:* General Plan FAR Amendment Draft SEIR pages 5.9-10 through 5.9-12.

IMPACT 5.9-4: Increase Potential for Public Exposure to Asbestos

Impact Identified in General Plan EIR – Impact 5.8-9: Public Exposure to Asbestos

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan –Mitigation Measures 5.8-9(a), 5.8-9(b) (General Plan Policy 6.3.1.1), 5.8-9(c) (General Plan Policy 6.3.1.2), and 5.8-9(d) (General Plan Policy 6.3.1.3)

Significant After Mitigation – Less than Significant

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.9-4: Increase Potential for Public Exposure to Asbestos (potential increased severity of Impact 5.8-9 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Less than Significant (no significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR – No new mitigation measures (mitigation measures adopted with General Plan remain as applicable)

FINDINGS OF FACT
As discussed in the General Plan CEQA Findings of Fact, implementation of mitigation measures 5.8-9(a) through 5.8-9(d) identified in the General Plan CEQA Findings of Fact reduced impacts related to exposure of the public to asbestos to a less than significant impact. Based upon the analysis presented in Section 5.9 of the Draft SEIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with increased risk of public exposure to asbestos would be less than significant as adopted policies and programs would reduce potential risks to less than significant. *Reference:* General Plan FAR Amendment Draft SEIR pages 5.9-16 through 5.9-18.

IMPACT 5.9-5: Increased Potential for fire Incidents and fire Hazards

Impact Identified in General Plan EIR – Impact 5.8-10: Increased Potential for Fire Incidents and Hazards

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan –Mitigation Measures 5.8-10(a) and 5.8-10(b) (General Plan Policy 6.2.2.2)

Significance Identified in General Plan After Mitigation – Significant and Unavoidable

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.9-5: Increased Potential for Fire Incidents and Fire Hazards (increased severity of Impact 5.8-3 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Significant (significant increase in severity)

Adopted Mitigation Measures Identified in General Plan FAR Amendment Final SEIR
No new feasible mitigation measures (mitigation measures adopted with General Plan remain as applicable)

Significance Identified in General Plan FAR Amendment Final SEIR After Mitigation – Significant and Unavoidable

FINDINGS OF FACT
As discussed in the General Plan CEQA Findings of Fact, the impacts associated with increased potential for fire incidents and fire hazards particularly in areas identified as "urban wildland interface communities within the vicinity of Federal lands that are a high risk for wildfire," is significant and unavoidable even with the implementation of MM 5.8-10(a) and MM 5.8-10(b). Implementation of the General Plan FAR Amendment will increase the severity of this impact under buildout conditions as a result of development of additional Commercial, Industrial and Research and Development square footage in comparison to the level of development anticipated with the adopted General Plan as described on pages 5.9-21 through 5.9.-22 of the General Plan FAR Amendment Draft SEIR. Full mitigation for elimination of exposing employees and businesses from the risk of wildland fires would be to require that these types of uses not be allowed in high and very high fire severity zones. As this requirement would not meet the objectives for the proposed project, which are centered around increasing Industrial, Commercial and Research and Development uses, additional mitigation beyond those measures discussed in the General Plan CEQA Findings of Fact is not considered feasible. Therefore, the General Plan FAR Amendment would increase the severity of this impact under buildout conditions and the impact would be significant and unavoidable with implementation of the General Plan FAR Amendment.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General Plan FAR Amendment would contribute to the implementation of the General Plan and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding Considerations (Section B, Specific Findings and Section C, Overriding Considerations), and the General Plan Floor Area Ratio Amendment CEQA Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.

IMPACT 5.9-5: Risk of Exposure to flood Hazards Within the 100-year Floodplain

Impact Identified in General Plan EIR – Impact 5.8-5: Risk of Exposure to Flood Hazards Within the 100-Year Floodplain

Significance Identified in General Plan EIR Before Mitigation – Less than Significant

Mitigation Measures Adopted with General Plan – None Required

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.9-6: Risk of Exposure to Flood Hazards Within the 100-Year Floodplain (potential increased severity of Impact 5.8-5 of the adopted General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Less than Significant (no significant increase in severity)

Mitigation Measures Identified in General Plan FAR Amendment Final SEIR – None Required

FINDINGS OF FACT
Based upon the analysis presented in Section 5.9 of the Draft SEIR and considering the information contained in the administrative record, the County hereby finds that impacts associated with increased risk of exposure to flood hazards within the 100-year floodplain would be less than significant as the General Plan FAR Amendment does not identify any new sites for development and because adopted ordinances, plans and policies would reduce potential risks to less than significant. *Reference:* General Plan FAR Amendment Draft SEIR pages 5.9-25 through 5.9-27.

IMPACT 5.9-6: Risk of Exposure to flood Hazards Inside Dame inundation Area

Impact Identified in General Plan EIR – Impact 5.8-3: Risk of Exposure to Flood Hazards Inside Dam Failure Inundation Area

Significance Identified in General Plan EIR Before Mitigation – Significant

Mitigation Measures Adopted with General Plan –Mitigation Measure 5.8-6(a) (General Plan Policies 6.4.1.4 and 6.4.1.5)

Significance Identified in General Plan After Mitigation – Significant and Unavoidable

Impact Identified in General Plan FAR Amendment Final SEIR – Impact 5.9-7: Risk of Exposure to Flood Hazards Inside Dam Failure Inundation Area (potential increased severity of Impact 5.9-7 of the General Plan EIR)

Significance Identified in General Plan FAR Amendment Final SEIR – Significant (significant increase in severity)

Adopted Mitigation Measures Identified in General Plan FAR Amendment Final SEIR
No new feasible mitigation measures (mitigation measures adopted with General Plan remain as applicable)

Significance Identified in General Plan FAR Amendment Final SEIR After Mitigation – Significant and Unavoidable

FINDINGS OF FACT
As discussed in the General Plan CEQA Findings of Fact, the impacts associated with the risk of exposure to flood hazards inside dam failure inundation areas is significant and unavoidable even with the implementation of MM 5.8-6(a) which would reduce the impact of dam failure inundation proportionately to the extent the creation of new parcels within inundation zones is reduced. Implementation of the General Plan FAR Amendment will increase the severity of this impact under buildout conditions as a result of development of additional Commercial, Industrial and Research and Development square footage, which would result in increased employment and exposure of persons and structures to flood hazards in comparison to that anticipated with the level of development projected for the adopted General Plan as described on pages 5.9-27 through 5.9.-28 of the General Plan FAR Amendment Draft SEIR. The Board has incorporated the above mitigation measure into the General Plan and finds that no new feasible mitigation measures are available. Therefore, the General Plan FAR Amendment would increase the severity of this impact resulting in a significant and unavoidable impact under buildout conditions.

To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Board of Supervisors finds that General Plan FAR Amendment would contribute to the implementation of the General Plan and attainment of the goals, particularly in regard to economic development, of the General Plan and would achieve the benefits identified in Section E. The Board further finds that specific economic, legal, social, technological, and other considerations identified in the July 19, 2004 General Plan CEQA Findings of Fact (Section J, Benefits) the July 19, 2004 General Plan CEQA Statement of Overriding Considerations (Section B, Specific Findings and Section C, Overriding Considerations), and the General Plan Floor Area Ratio Amendment CEQA Statement of Overriding Considerations (Exhibit A) support approval of the General Plan FAR Amendment, despite unavoidable residual impacts.