

Acreage:

298.19 acres.

Recommendation:

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

1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
2. Adopt the mitigation monitoring program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the Conditions of Approval and mitigation measures in Attachment 1;
3. Approve Rezone Z07-0040 based on the Findings in Attachment 2;
4. Conditionally approve Tentative Map TM07-1454, subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2;
5. Deny Special Use Permit S09-0012 based on the Findings in Attachment 2; and
6. Approve the following design waiver requests since the appropriate Findings have been made as noted in Attachment 2:
 - a. Permit proposed lots 15 and 16 to exceed the 3:1 depth to width lot ratio; and
 - b. Permit a reduction in the shoulder width for proposed Road "B" from 10 feet to two feet as required in the Design and Improvement Standards Manual.

Background:

At the Planning Commission hearing of April 8, 2010, the Planning Commission continued the above-referenced project off-calendar pursuant to the applicant's request to allow additional time to prepare minor map revisions to address access and trail issues. The revised subdivision map (Attachment 1) was submitted to Planning Services on July 20, 2010.

Staff Analysis:

Staff reviewed the revised subdivision map and found it to be substantially consistent with the previously submitted subdivision map. Although the proposed gate was relocated approximately 850 feet north of the intersection with Pilot View Drive to address Zone of Benefit issues, DOT, CAL FIRE, and the El Dorado County Fire Protection District remain opposed to the gate because of the secondary access and circulation limitations it would create as well as potentially delayed response times impacting public safety. Based on staff analysis and comments received from affected public agencies, staff recommends the Planning Commission find that the gate would be detrimental to the public health, safety and welfare and injurious to the neighborhood. Findings for denial of the Special Use Permit request are provided in Attachment 2.

In order to address previously raised trail issues as well as storm water drainage issues, staff recommends the Planning Commission add the following conditions of approval to Attachment 1 if the project is recommended for approval:

60. *The applicant shall provide a 15-foot wide Georgetown Divide Recreation District trail easement for non-motorized use along Road A with the filing of the map.*

61. **Storm Water Drainage BMPs:** *Storm drainage from on-and off-site impervious surfaces (including roads) shall be collected and routed through specially designed water quality treatment facilities (BMPs) for removal of pollutants of concern (e.g. sediment, oil/grease, etc.), as approved by DOT. This project is located within the area covered by El Dorado County's municipal storm water quality permit, pursuant to the National Pollutant Discharge Eliminated System (NPDES) Phase II program. Project related storm water discharges are subject to all applicable requirements of said permit. BMPs shall be designed to mitigate (minimize, infiltrate, filter, or treat) storm water runoff in accordance with "Attachment 4" of El Dorado County's NPDES Municipal Storm water Permit (State Water Resources Control Board NPDES General Permit No. CAS000004).*

With the Improvement Plans, the applicant shall verify that the proposed BMPs are appropriate to treat the pollutants of concern from this project. A maintenance entity of these facilities shall be provided by the project applicant. DOT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the final map.

As noted above, based upon staff's analysis of the revised subdivision map, our recommendation remains the same.

Environmental Review:

As mentioned above, staff reviewed the minor map revisions and found them to be substantially consistent with the previously submitted subdivision map. No new environmental impacts would result from the revised map. Staff has previously prepared an Initial Study (Environmental Checklist with Discussion attached as Exhibit P in Attachment 2) to determine if the project has a significant effect on the environment. Based on the Initial Study, conditions have been added to the project to avoid or mitigate to a point of insignificance the potentially significant effects of the project. Staff has determined that there is no substantial evidence that the proposed project, as conditioned, would have a significant effect on the environment, and a Mitigated Negative Declaration has been prepared. The Mitigated Negative Declaration was previously circulated for public review including review by the State Clearinghouse (SCH#2009122050). No state agency comments were submitted.

Attachments:

- Attachment 1Revised Conditions of Approval
- Attachment 2Findings

- Exhibit ARevised Tentative Subdivision Map
- Exhibit BStaff Report – January 28, 2010 meeting

EXHIBIT B

COUNTY OF EL DORADO DEVELOPMENT SERVICES PLANNING COMMISSION STAFF REPORT



Agenda of: January 28, 2010
Item No.: 8
Staff: Jason R. Hade

REZONE/TENTATIVE MAP/SPECIAL USE PERMIT

FILE NUMBERS: Z07-0040/TM07-1454/S09-0012/Sundance Subdivision

APPLICANT: Christopher A. Beauchamp

AGENT: Carlton Engineering/Cesar Montes de Oca, P.E.

REQUEST: The project consists of the following requests.

1. Zone change from Exclusive Agricultural (AE) to Estate Residential Ten-Acre (RE-10).
2. Tentative map to create 28 lots ranging in size from 10 to 14.8 acres.
3. Special use permit to allow the gating of proposed Road "A" at the intersection with Pilot View Drive.
4. Design waiver requests to:
 - a. Permit proposed lots 15 and 16 to exceed the 3:1 depth to width lot ratio; and
 - b. Permit a reduction in the shoulder width for proposed Road "B" from 10 feet as required in the Design and Improvement Standards Manual to two feet.

LOCATION: The subject property is located on the south side of Rattlesnake Bar Road, approximately 0.8 miles east of the intersection with Highway 49, in the Pilot Hill area, Supervisorial District IV. (Exhibit A)

APNs: 104-520-04, -05, and -06 (Exhibit B)

ACREAGE: 298.19 acres

GENERAL PLAN: Rural Residential – Important Biological Resources overlay (RR-IBC)
(Exhibit B)

ZONING: Exclusive Agricultural (AE) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration prepared

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

1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
2. Adopt the mitigation monitoring program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the conditions of approval and mitigation measures in Attachment 1;
3. Approve rezone Z07-0040 based on the findings in Attachment 2;
4. Conditionally approve tentative map TM07-1454, subject to the conditions in Attachment 1, based on the findings in Attachment 2;
5. Deny special use permit S09-0012 based on the findings in Attachment 2; and
6. Approve the following design waiver requests since the appropriate findings have been made as noted in Attachment 2:
 - a. Permit proposed lots 15 and 16 to exceed the 3:1 depth to width lot ratio; and
 - b. Permit a reduction in the shoulder width for proposed Road “B” from 10 feet as required in the Design and Improvement Standards Manual to two feet.

BACKGROUND

This project was first submitted on August 9, 2007 as a zone change request from AE to RE-10-PD as well as a development plan and tentative subdivision map application to create 40 lots ranging in size from five to 7.95 acres. The proposed lots were to be clustered around a 90-acre open space parcel to include an equestrian trail and staging area. As initially proposed, the project would utilize the density bonus provision in the General Plan. Public water was to be provided to the lots through an extension of service from the Georgetown Divide Public Utility District (GDPUD). The development plan application was subsequently withdrawn on April 17, 2009 and the current proposal was submitted. The revised plan proposes a total of 28 lots, no public water service or open space parcel, and does not utilize the General Plan’s density bonus provision.

STAFF ANALYSIS

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

Project Description: Zone change from AE to Estate Residential 10-Acre (RE-10) and a tentative subdivision map to create 28 lots ranging in size from 10 acres to 14.8 acres on a 298.19 acre site. A special use permit is also requested that would permit the gating of proposed Road “A” at the intersection with Pilot View Drive. The project would also include the off-site improvement of Rattlesnake Bar Road and Pilot View Drive to a width of 20 feet from proposed Road “A” to Salmon Falls Road. The following design waivers have been requested: (a) Permit proposed lots 15 and 16 to exceed the 3:1 depth to width lot ratio; and (b) Permit a reduction in the shoulder width for proposed Road “B” from 10 feet as required in the Design and Improvement Standards Manual to two feet.

Site Description: The project site is bound by Rattlesnake Bar Road to the north and rural residential development to the east, west, and south. Elevation of the project site ranges from approximately 1,050 feet to 1,570 feet above sea level. Topography at the subject site ranges from gentle to steep slopes of varying aspect. The project site includes 270.84 acres of mixed oak woodland, 1.3 acres of gabbroic northern mixed chaparral, 23.83 acres of California annual grassland, and 2.22 acres of potential jurisdictional water features.

Adjacent Land Uses

	Zoning	General Plan	Land Use/Improvements
Site	AE	RR-IBC	Undeveloped
North	AE/RE-5	RR/LDR	Rural Residential/Single-Family Residences
South	RE-5/RE-10	RR/LDR	Rural Residential/Single-Family Residences
East	RE-5	LDR	Rural Residential/Single-Family Residences
West	AE/RE-10	RR	Rural Residential/Single-Family Residences

Access: Proposed project access to the north would be via Rattlesnake Bar Road, a County maintained road, while the connection of proposed Road “A” to Pilot View Drive, a Zone of Benefit road, would provide access to the south. CAL FIRE and the El Dorado County Fire Protection District reviewed the project proposal and concluded that the project would not expose people to a significant risk of loss, injury or death involving wildland fires or wildland fires adjacent to or located in an urbanized area with the implementation of the conditions of approval included in Attachment 1 of the staff report. Conditions include 20-foot wide roadways, unrestricted secondary access to the south, submittal of a fire safe plan, and the installation of sprinkler systems for each proposed residence. Unrestricted secondary access to the south would require that the special use

permit (SUP) application for the gating of this roadway be denied pursuant to recommendations from the respective fire jurisdictions mentioned above, Department of Transportation (DOT), and Planning Services.

Because of the additional traffic impacts from the proposed project on Pilot View Drive, the new development would need to provide a contribution toward ongoing road maintenance. This issue is further addressed within the project's recommended conditions of approval in Attachment 1.

Circulation: A traffic study was completed and reviewed by DOT which concluded that the project's impacts would be less than significant at all study intersections. A cumulative analysis is not required since the trip generation for the proposed project is below 2025 year thresholds assumed in the General Plan. Study recommendations are included as standard conditions of approval in Attachment 1 and include payment of traffic impact mitigation (TIM) fees, construction of onsite roadways to DOT standards, and the off-site improvement of Rattlesnake Bar Road and Pilot View Drive to a width of 20 feet from proposed Road "A" to Salmon Falls Road. (*Sundance – Beauchamp (Formerly Rattlesnake Bar) Draft Traffic Impact Study, PRISM Engineering, September 14, 2006*)

The 2004 General Plan Policies TC-Xe and TX-Xf (which reflect Measure Y) require that projects that "worsen" traffic by 2 percent, or 10 peak hour trips, or 100 average daily trips must construct (or ensure funding and programming) of any improvements required to meet Level of Service standards in the General Plan Transportation and Circulation Element. DOT has conditioned the project to address this General Plan consistency issue by requiring payment of traffic impact mitigation fees with each building permit.

Design Waivers: The following design waivers have been requested: (a) Permit proposed lots 15 and 16 to exceed the 3:1 depth to width lot ratio; and (b) Permit a reduction in the shoulder width for proposed Road "B" from 10 feet as required in the Design and Improvement Standards Manual (DISM) to two feet.

Proposed lots 15 and 16 would have a depth to width ratio of 3.3 to 1 which slightly exceeds the 3 to 1 ratio requirement in the DISM. This slight modification in proposed lots 15 and 16 would permit home construction in the front portion of the lots while significantly reducing potential impacts to existing oak tree canopy and slopes in excess of 30 percent found on the rear portion of these lots. As such, staff supports this design waiver request.

The second design waiver request which would reduce the required minimum shoulder width for proposed Road "B" has been reviewed and recommended for approval by both the El Dorado County Fire Protection District and CAL FIRE. The Department of Transportation also recommends approval of this design waiver request.

Appropriate findings for approval of these design waiver requests are included for the Commission's consideration in Attachment 2.

Drainage/Grading: According to the submitted drainage report, “the effects of this proposed construction will not significantly increase runoff amounts, will not noticeably change the native time of concentration or affect natural drainage patterns. The proposed project only represents an increase of approximately less than 3 percent, and should be considered as having a minimal effect on the drainage leaving the site. In order to mitigate this increase in runoff, some mitigation methods may include grassy swales or level spreaders. These methods will decrease velocity and clean the water before it is released. Due to the minimal increase in storm water runoff, detention methods do not seem necessary for this project.” (*Preliminary Stormwater Drainage Study for Sundance Rattlesnake Bar Road El Dorado County, California, Carlton Engineering, Inc., September 2006*) All proposed grading for individual lot and road development, as shown on the preliminary grading and drainage plan (Exhibit F), must be in compliance with the El Dorado County Grading, Erosion, and Sediment Control Ordinance which would reduce any potentially significant impact to a less than significant level. Conditions are included in Attachment 1 that address drainage issues identified by DOT.

Fire: CAL FIRE and the El Dorado County Fire Protection District reviewed the proposed project and have no significant concerns. Fire issues are addressed within the project’s conditions of approval. Conditions include 20-foot wide roadways, unrestricted secondary access to the south, submittal of a fire safe plan, and the installation of sprinkler systems for each proposed residence. However, as mentioned above, both fire jurisdictions recommend the denial of the requested SUP application that would authorize the metal gate at the intersection of proposed Road “A” and Pilot View Drive.

Land Use Compatibility: As proposed, the project is compatible with the surrounding rural residential and agricultural land uses and would not create land use conflicts with surrounding properties. The proposed project density of approximately one unit per 10 acres is less than that of surrounding properties which is one unit per five acres. Further, potential incompatibilities with existing agricultural land to the north would be addressed by compliance with applicable General Plan policies concerning 10-acre minimum buffer parcels and special 200-foot agricultural setbacks from the adjoining agricultural land.

Oak Tree Canopy: Estimated existing oak tree canopy on the subject site is 61.2 percent. (*Oak Canopy Analysis Update for the Sundance Project, El Dorado County, CA, Sycamore Environmental Consultants, Inc., April 2, 2009*) Under General Plan Policy 7.4.4.4, Option A, 70 percent of the existing canopy must be retained. After oak tree canopy removal for road construction and lot development, total estimated project oak tree canopy retention would be 92.4 percent, consistent with General Plan Policy 7.4.4.4, Option A. Future development of the proposed lots would have the option of complying with either Option A or Option B of Policy 7.4.4.4.

The oak removal as part of construction of the on-site access roads and future residential development of the site would comply with Table 1 below:

Project Site (acreage)	Oak Canopy Cover (acreage)	Oak Canopy Cover Percentage	Proposed Oak Canopy Removal (Acreage)	Proposed Retention Percentage	Required Retention Percentage
298.19	182.46	61.2%	13.93	92.4%	70%

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

Schools: The project site is located within the Black Oak Mine School District. The affected school district was contacted as part of the initial consultation process, but did not submit any comments.

Special Setbacks: General Plan Policy 7.3.3.4 requires development projects to be set back a minimum of 100 feet from all perennial streams, rivers, lakes, and 50 feet from intermittent streams and wetlands. Mitigation Measure (MM BIO-3), included within Attachment 1, would require a 50-foot setback from all wetlands, stockponds, and intermittent channels to be shown on the final map consistent with Policy 7.3.3.4. The tentative subdivision map has been designed in a manner to avoid disturbances to the wetlands, stockponds, and ephemeral and intermittent channels. Mitigation Measure (MM BIO-2) would address potential impacts to wetlands and waters from on-site road construction.

As noted above, potential incompatibilities with existing agricultural land to the north would be addressed by compliance with applicable General Plan policies concerning 10-acre minimum buffer parcels and special 200-foot agricultural setbacks from the adjoining agricultural land.

Wastewater Disposal: Wastewater disposal is proposed to be provided by individual septic systems for the proposed lots. An on-site sewage disposal feasibility report was reviewed and approved by the Environmental Management Department on October 1, 2007.

Water: Water supply for the proposed project would be provided by domestic water wells on each proposed lot. According to a hydrogeologic investigations assessment report, "The Sundance Subdivision proposes only 29 lots which is about 58 percent of the number of lots that the long-term annual groundwater safe yield resources can support. The average minimum lot size relative to the 298.16 acre site would be about 10 acres per lot. Therefore, the proposed development has a safety factor of about 1.7 which includes multiple conservative water balance variables. The actual safety factor would be some unknown amount higher, if the conservatism in our water balance analyses are either eliminated or reduced." (*Hydrogeologic Investigation Assessment Report Sundance Subdivision, Pilot Hills, California, Holdrege & Kull, October 20, 2008*) The report further concludes "H & K believes that the long-term annual groundwater safe yield of the Sundance Subdivision site is substantial enough to preclude any significant impacts on adjacent properties that also use the local groundwater resources." (*Hydrogeologic Investigation Assessment Report Sundance Subdivision, Pilot Hills, California, Holdrege & Kull, October 20, 2008*) The

Environmental Management Department concluded “the applicant has submitted well water production and water quality data gather from test wells on the project site that demonstrate that adequate water is available for the proposed project.” (*Interoffice Memorandum, Environmental Management Department, June 10, 2009*)

GENERAL PLAN

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

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

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

Policy 2.2.1.2: states that the Rural Residential (RR) land use designation *establishes areas for residential and agricultural development. Typical uses include single-family residences, agricultural support structures, a full range of agricultural production uses, recreation, and mineral development activities. The allowable density for this designation is one dwelling unit per 10 to 160 acres. This designation is considered appropriate only in the Rural Regions.*

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

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

1. *Availability of an adequate public water source or an approved Capital Improvement Project to increase service for existing land use demands;*
2. *Availability and capacity of public treated water system;*
3. *Availability and capacity of public waste water treatment system;*

Discussion: The proposed lots would be served by individual private wells and septic systems.

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

Discussion: Under Policy 5.8.1.1, school districts affected by a proposed development shall be relied on to assess any impacts on school facilities. The project site is located within the Black Oak Mine School District. The affected school district was contacted as part of the initial consultation process, but did not submit any comments.

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

Discussion: Two fire stations, one staffed by CAL FIRE and one staffed by the El Dorado County Fire Protection District, are located with approximately three miles from the subject site.

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

Discussion: The project parcel is located approximately two miles west of the Pilot Hill Rural Center.

7. *Erosion hazard;*

Discussion: Under Policy 7.3.2.2, projects requiring a grading permit shall have an erosion control program approved, where necessary. All proposed grading for individual lot and road development, as shown on the preliminary grading and drainage plan (Exhibit F), must be in compliance with the El Dorado County Grading, Erosion, and Sediment Control Ordinance which would reduce any potentially significant impact to a less than significant level.

8. *Septic and leach field capability;*

Discussion: Wastewater disposal is proposed to be provided by individual septic systems for the proposed lots. An on-site sewage disposal feasibility report was reviewed and approved by the Environmental Management Department on October 1, 2007.

9. *Groundwater capability to support wells;*

Discussion: As discussed in detail above, water supply for the proposed project would be provided by domestic water wells on each proposed lot.

10. *Critical flora and fauna habitat areas;*

Discussion: The project site and Pilot View Drive are located within an Important Biological Corridor as designated in the General Plan. As such, General Plan Policy 7.4.2.9 includes provisions for increased minimum parcels sizes, higher oak tree canopy retention standards, lower thresholds for grading permits, higher retention standards for wetland/riparian habitat loss, increased riparian corridor and wetland setbacks, greater protection for rare plants, and no hindrances to wildlife movement. As proposed, the project includes retention of 92.4 percent of the oak tree canopy versus the 70 percent Option A minimum requirement and retention of at least 97.9 percent of the on-site wetlands and waters. No special status plants were found at the project site during botanical surveys conducted during the evident and identifiable period. The project site is bordered on the south and east by primarily five acre residential parcels which currently permit the movement of wildlife through the area. The proposed 10 to 14 acre lots would not hinder wildlife movement already occurring on the surrounding higher density parcels. Impacts would be less than significant.

11. *Important timber production areas;*

Discussion: The subject site is not located within an important timber production area.

12. *Important agricultural areas;*

Discussion: Review of the Important Farmland GIS map layer for El Dorado County developed under the Farmland Mapping and Monitoring Program indicates that no areas of Prime, Unique, or Farmland of Statewide Importance would be affected by the project. In addition, El Dorado County has established the Agricultural (-A) General Plan land use map for the project and included this overlay on the General Plan Land Use Maps. Review of the General Plan land use map for the project area indicates that there are no areas of "Prime Farmland" or properties designated as being within the Agricultural (-A) General Plan land use overlay district area adjacent to the project site. The parcels contain non-choice soils and are not within an Agricultural District. Although the County's Agricultural Commission recommended denial of the requested zone change finding that the site has historically been used for grazing and is currently capable of supporting sustaining grazing land for livestock, the property owner does not believe the site can support grazing land for livestock. Further, the subject site was once part of the Garland Ranch and a letter (Exhibit N) was submitted by the Garland Ranch owner indicated that commercial grazing on the Garland Ranch has always occurred on the north side of Rattlesnake Bar Road and not on the property currently owned by Mr. Beauchamp. Commercial grazing did not occur south of Rattlesnake Bar Road because of the site's lack of irrigation, steep terrain, and heavy brush.

Although both the project site and Garland Ranch property to the north are zoned AE, neither site is still under Williamson Act Contract. The subject site was zoned AE in 1968 upon entering into a Williamson Act Contract (Agricultural Preserve #45). The contract was later cancelled and rewritten in 1971. A notice of non-renewal was filed in 1987 and the property rolled out of the contract in 1996.

13. *Important mineral resource areas;*

Discussion: The subject site is not located within an important mineral resources area.

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

Discussion: As stated above, a traffic study was completed and reviewed by DOT which concluded that the project's impacts would be less than significant at all study intersections.

15. *Existing land use pattern;*

Discussion: As proposed, the project is compatible with the surrounding rural residential and agricultural land uses and would not create land use conflicts with surrounding properties. The proposed project density of approximately one unit per 10 acres is less than that of surrounding

properties which is one unit per five acres. Further, potential incompatibilities with existing agricultural land to the north would be addressed by compliance with applicable General Plan policies concerning 10-acre minimum buffer parcels and special 200-foot agricultural setbacks from the adjoining agricultural land.

16. *Proximity to perennial water course;*

Discussion: The nearest perennial water course is Pilot Creek which is approximately two miles northwest of the subject site.

17. *Important historical/archeological sites.*

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

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

Discussion: None of these resources or constraints exists on the site. Therefore, the rezone would have no impact.

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

Discussion: As discussed above, the project is compatible with the surrounding rural residential and agricultural land uses and would not create land use conflicts with surrounding properties.

Policy 5.2.3.4 directs that *all applications for divisions of land and other discretionary or ministerial land uses which rely on groundwater for domestic use, or any other type of use, shall demonstrate that groundwater is adequate as part of the review.*

Discussion: The project has demonstrated that the groundwater is adequate for the proposed use as outlined within the "Water" section above consistent with Policy 5.2.3.4. Further, average residential density is one dwelling unit per 10 acres consistent with Policy 5.2.3.5 concerning minimum residential densities in areas known to have groundwater supply limitations.

Policy 5.7.1.1 directs that the applicant demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection either are or would be provided concurrent with development.

Discussion: The project would be conditioned by the El Dorado County Department of Transportation to meet the minimum State Responsibility Area (SRA) Fire Safe Regulations for road surface and road width. The project would be required to meet the required minimum fire flow requirements of the El Dorado County Fire Protection District which would be reviewed and approved by them prior to filing the final map. Adherence to the conditions of approval within Attachment 1 would address all fire issues consistent with Policy 5.7.1.1.

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

Discussion: As conditioned, and discussed under “Access” section above, the project would meet the intent of this policy. Fire issues are addressed within the project’s conditions of approval.

Policy 7.4.4.4 establishes the native oak tree canopy retention and replacement standards.

Discussion: The proposal is consistent with Policy 7.4.4.4 as discussed above under the “Oak Tree Canopy” section.

Policy 8.1.2.1 directs that the *County Agricultural Commission shall identify lands suitable for sustained grazing purposes which the Commission believes should be managed as grazing lands. Once such lands have been identified by the Commission, the Board of Supervisors shall determine whether to initiate incentive based programs to retain such lands as productive grazing units.*

Discussion: Identification of grazing lands as discussed in Policy 8.1.2.1 above has not yet occurred.

Policy 8.1.2.2 states that *some lands within Rural Regions have historically been used for commercial grazing of livestock and are currently capable of sustaining commercial grazing of livestock. If they can be demonstrated to be suitable land for grazing, and if they were not assigned urban or other nonagricultural uses in the Land Use map for the 1996 General Plan, those lands shall be protected with a minimum of 40 acres unless such lands already have smaller parcels or the Board of Supervisors determines that economic, social, or other considerations justify the creation of smaller parcels for development or other nonagricultural uses.*

Discussion: On July 8, 2009, the Agricultural Commission recommended that the project be denied as they believe the parcels should continue to be protected as historic grazing land pursuant to Policy 8.1.2.2. The Agricultural Commission’s memorandum of July 15, 2009 is attached as Exhibit M for Planning Commission review. The applicant’s position concerning Policy 8.1.2.2 and related grazing capability report is attached as Exhibit O.

Policy 8.1.3.1 directs that *agriculturally zoned lands including Williamson Act Contract properties shall be buffered from increases in density on adjacent lands by requiring a minimum of 10 acres for any parcel created adjacent to such lands.*

Discussion: The proposed project would not conflict with existing agricultural zoning in the project vicinity and would not adversely impact any properties currently under a Williamson Act Contract because it would comply with General Plan Policy 8.1.3.1 regarding 10 acre buffer parcels adjacent to the agricultural land to the north of the subject site.

Policy 8.1.3.2 indicates that *agriculturally incompatible uses adjacent to agricultural zoned lands outside of designated Agricultural Districts shall provide a minimum setback of 200 feet on parcels 10 acres or larger.*

Discussion: The map would include special 200-foot setbacks from the boundary of said agricultural lands in compliance with General Plan Policy 8.1.3.2 and the Agricultural Commission's recommendation (Exhibit M).

Conclusion: As discussed above, staff finds that the project, as proposed/conditioned, conforms to the applicable policies of the General Plan.

ZONING

The requested zone change is from AE to the RE-10 zone district which requires a minimum lot size of 10 acres, minimum lot width of 150 feet, and minimum yard setbacks of 30 feet from all property lines. The proposed lots range in size from 10 acres to 14.8 acres and exceed the 150 foot lot width requirement. As such, the lots would conform to the applicable RE-10 development standards in Section 17.70.110, as well as have the space to comply with the parking requirements of two spaces not in tandem per dwelling unit pursuant to Section 17.18.060.

SPECIAL USE PERMIT

The requested gating of proposed Road "A" at the intersection with Pilot View Drive requires an approved Special Use Permit pursuant to Section 17.14.155.E of the Zoning Ordinance. In order to approve the use, the Planning Commission must find that the use is consistent with the General Plan and would not be detrimental to the public health, safety and welfare nor injurious to the neighborhood. As stated above, DOT, CAL FIRE, and the El Dorado County Fire Protection District are all opposed to the gate because of the secondary access and circulation limitations it would create as well as potentially delayed response times impacting public safety. Based on staff analysis and comments received from affected public agencies, staff recommends the Planning Commission find that the gate would be detrimental to the public health, safety and welfare and injurious to the neighborhood. Findings for denial of the Special Use Permit request are provided in Attachment 2.

ENVIRONMENTAL REVIEW

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

In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$2,010.25 after approval, but prior to the County filing the Notice of Determination on the project. This fee, plus a \$50.00 recording fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$2,010.25 is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the States fish and wildlife resources, including reviewing environmental documents.

SUPPORT INFORMATION

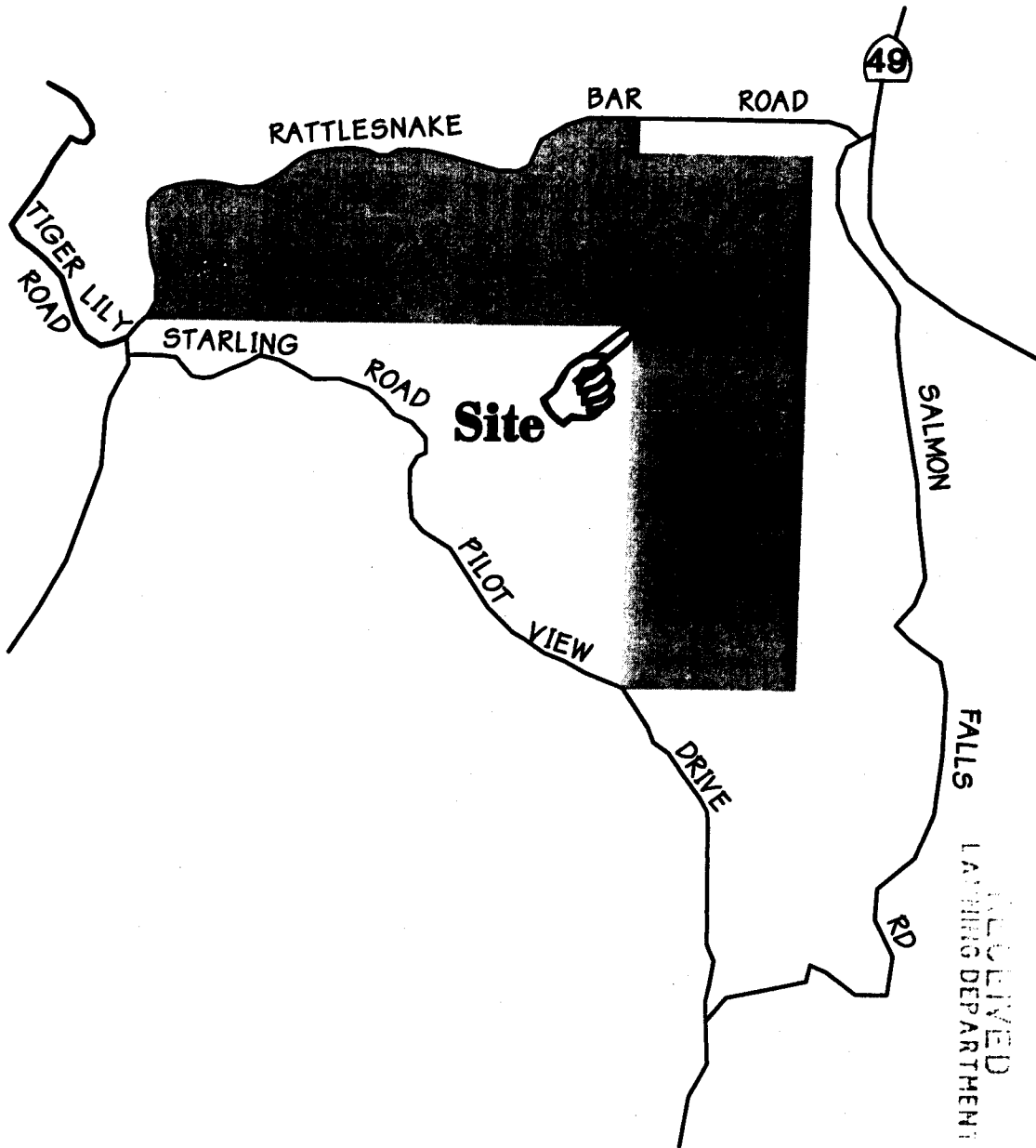
Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Location Map
Exhibit B	Assessor's Parcel Map Page
Exhibit C	General Plan Land Use Map
Exhibit D	Zoning Map
Exhibit E	Tentative Subdivision Map
Exhibit F	Preliminary Grading and Drainage Map
Exhibit G	Slope Map
Exhibit H	Geology, Percolation Testing, Waste Water Disposal Area Map
Exhibit I	Phase Map
Exhibit J	Topographic Survey
Exhibit K	Tree Canopy Plan
Exhibit L	Applicant's Design Waiver Request
Exhibit M	Agricultural Commission Memorandum July 15, 2009
Exhibit N	Letter from Garland Ranch Owner June 7, 2009
Exhibit O	Letter from Robert Laurie November 16, 2009
Exhibit P	Environmental Checklist and Discussion of Impacts

LOCATION MAP



NTS



Z 07-0040/PD 07-0026

TM 07-1454

CARLTON
Engineering Inc.



EXHIBIT A



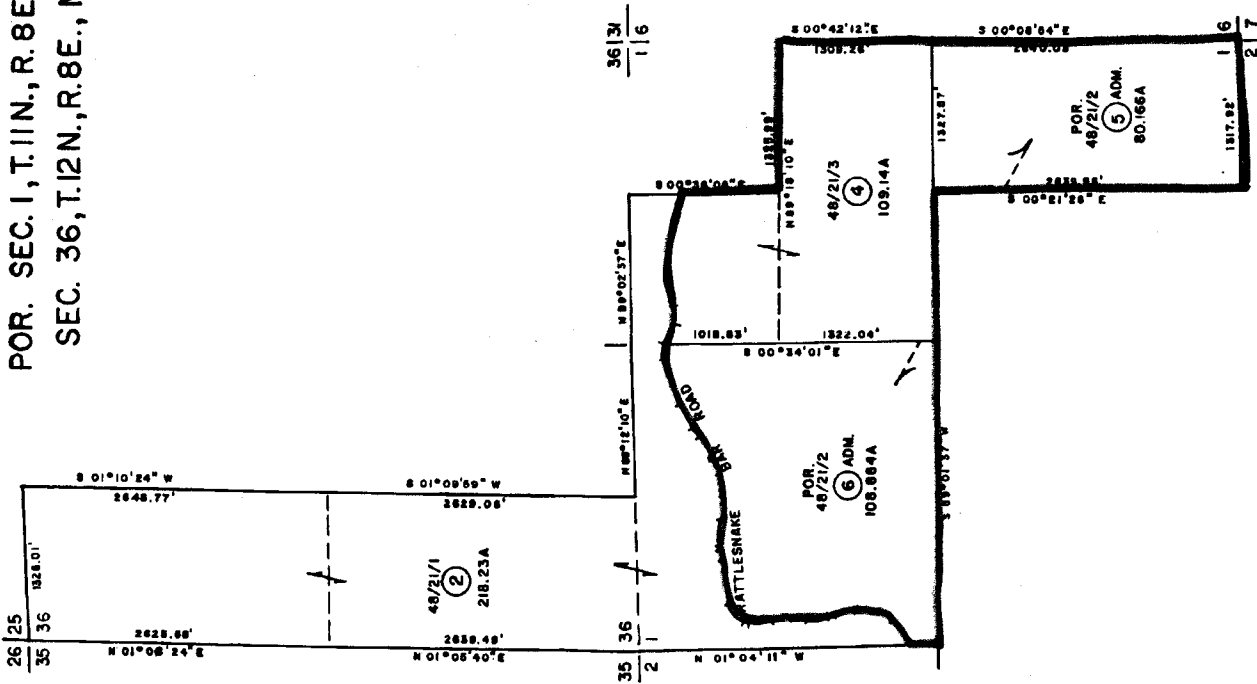
5547-01-05

3883 Ponderosa Road, Shingle Springs, CA 95682
Voice 530.877.5515 Fax 530.877.2845

START REPORT

10-1327.G.18

POR. SEC. 1, T. 11N., R. 8E., & POR.
SEC. 36, T. 12N., R. 8E., M.D.M.

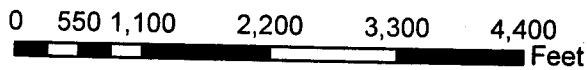
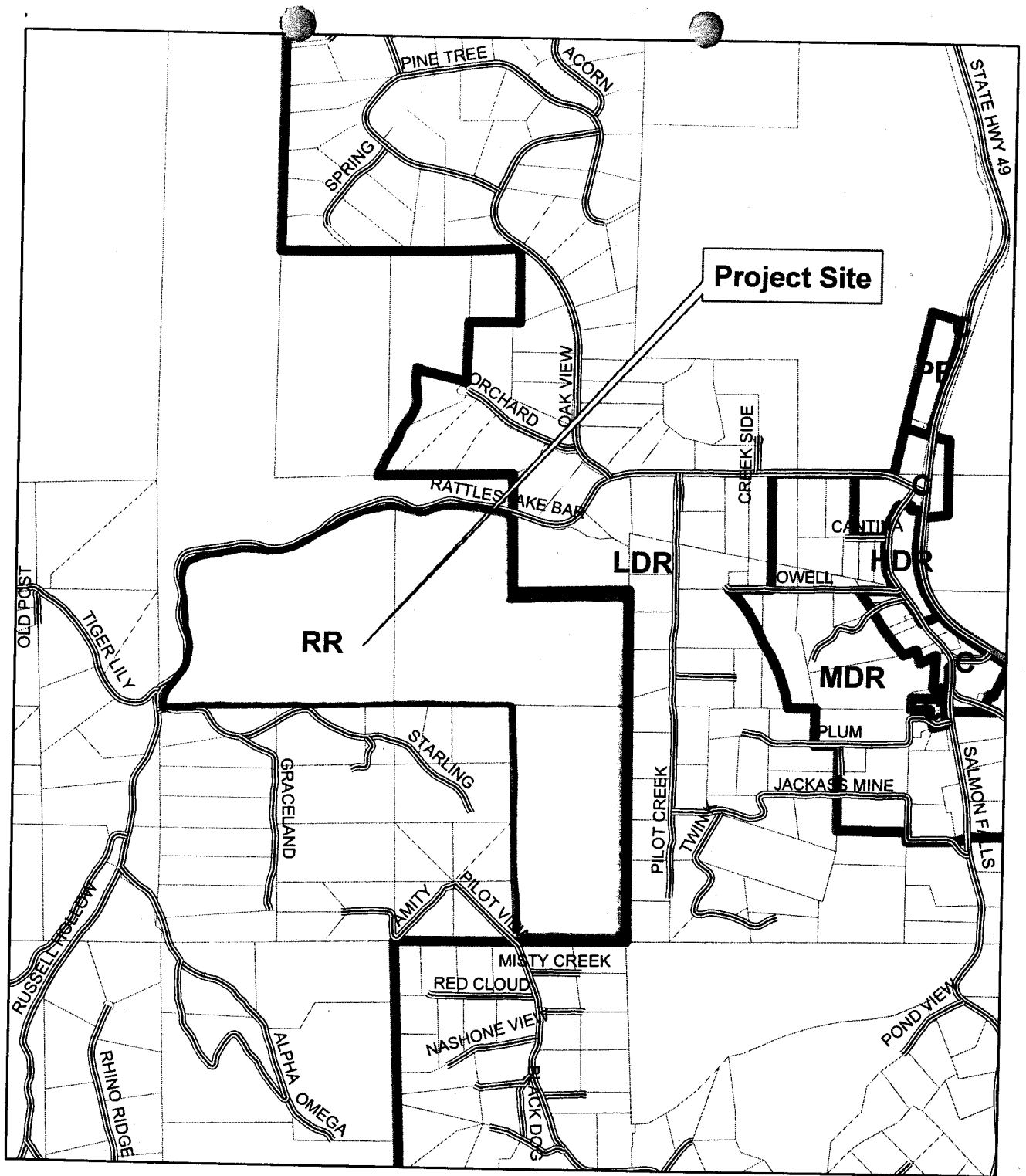


NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

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

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

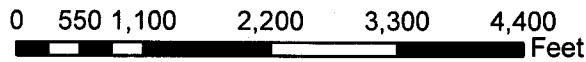
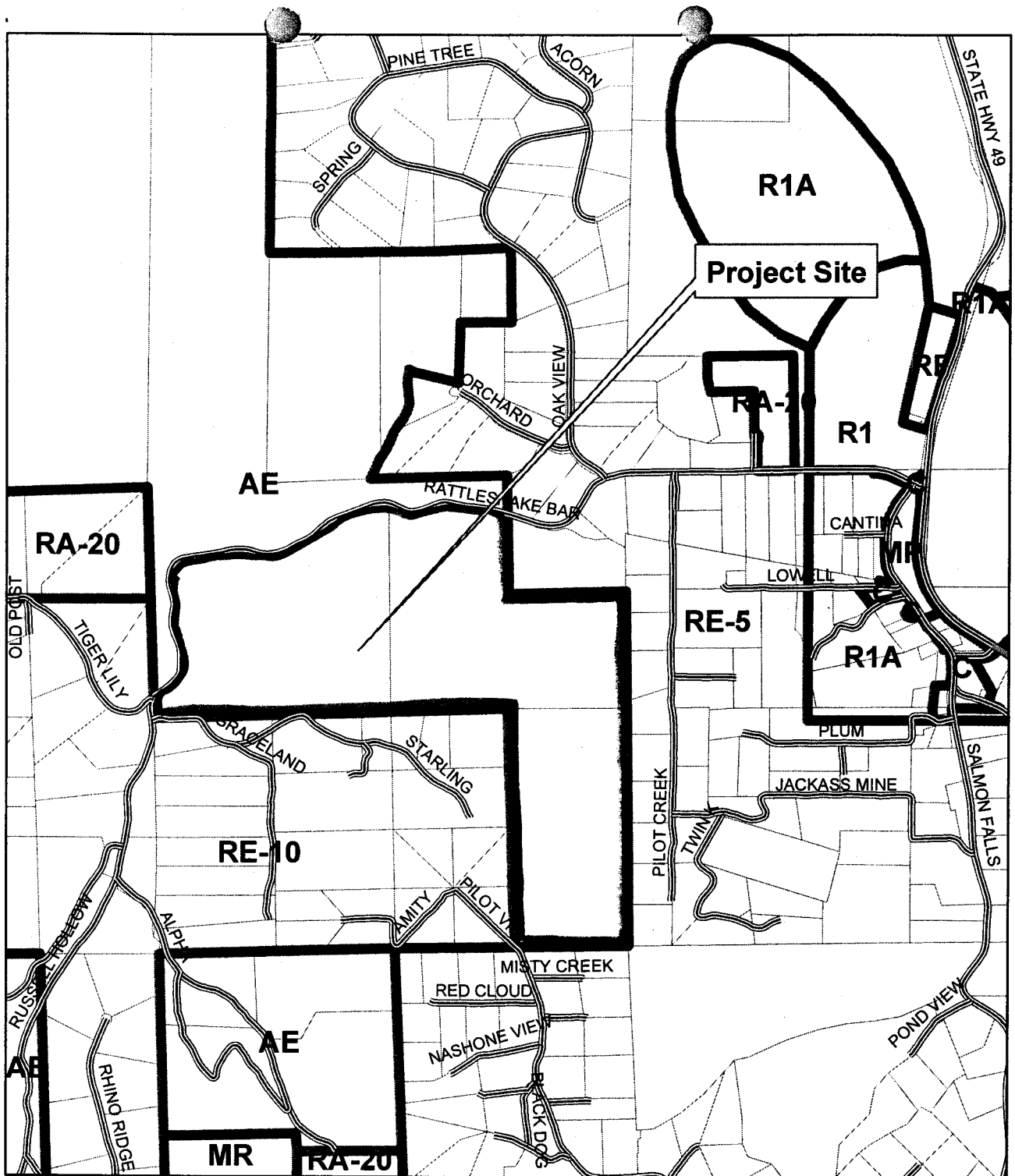
MAP 1 4 2005



Case No. Z07-0040/TM07-1454/S09-0012
 General Plan Land Use Map

EXHIBIT C

STAFF REPORT
 10-1327.G.20



Case No. Z07-0040/TM07-1454/S09-0012
 Zoning Map

EXHIBIT D

STAFF REPORT
 10-1327.G.21

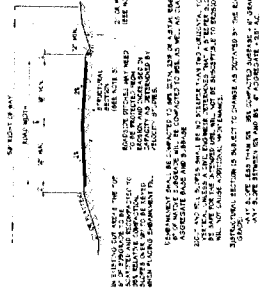
Gracing and Drainage Map

Subdivision 2445587-009
 PARCELS 2 & 3 PER P.M. 40-21
 BEING A PORTION OF SECTION 1,
 T. 11 N. R. 8 E. M. 34
 COUNTY OF EL DORADO, STATE OF CALIFORNIA
 5.00 ACRES ± (SEE 2008-00000)
 CARLTON ENGINEERING INC.



SHEET APPROVED BY: [Signature]
 DATE: 11/15/2011
 PREPARED BY: CARLTON ENGINEERING INC.
 DATE: 11/15/2011
 PROJECT NO.: 2445587-009
 SHEET NO.: 2
 TOTAL SHEETS: 2
 SCALE: AS SHOWN
 PROJECT LOCATION: SECTION 1, T. 11 N. R. 8 E. M. 34, COUNTY OF EL DORADO, CALIFORNIA
 PROJECT OWNER: CARLTON ENGINEERING INC.
 PROJECT DESCRIPTION: GRACING AND DRAINAGE MAP
 PROJECT NO.: 2445587-009
 SHEET NO.: 2
 TOTAL SHEETS: 2

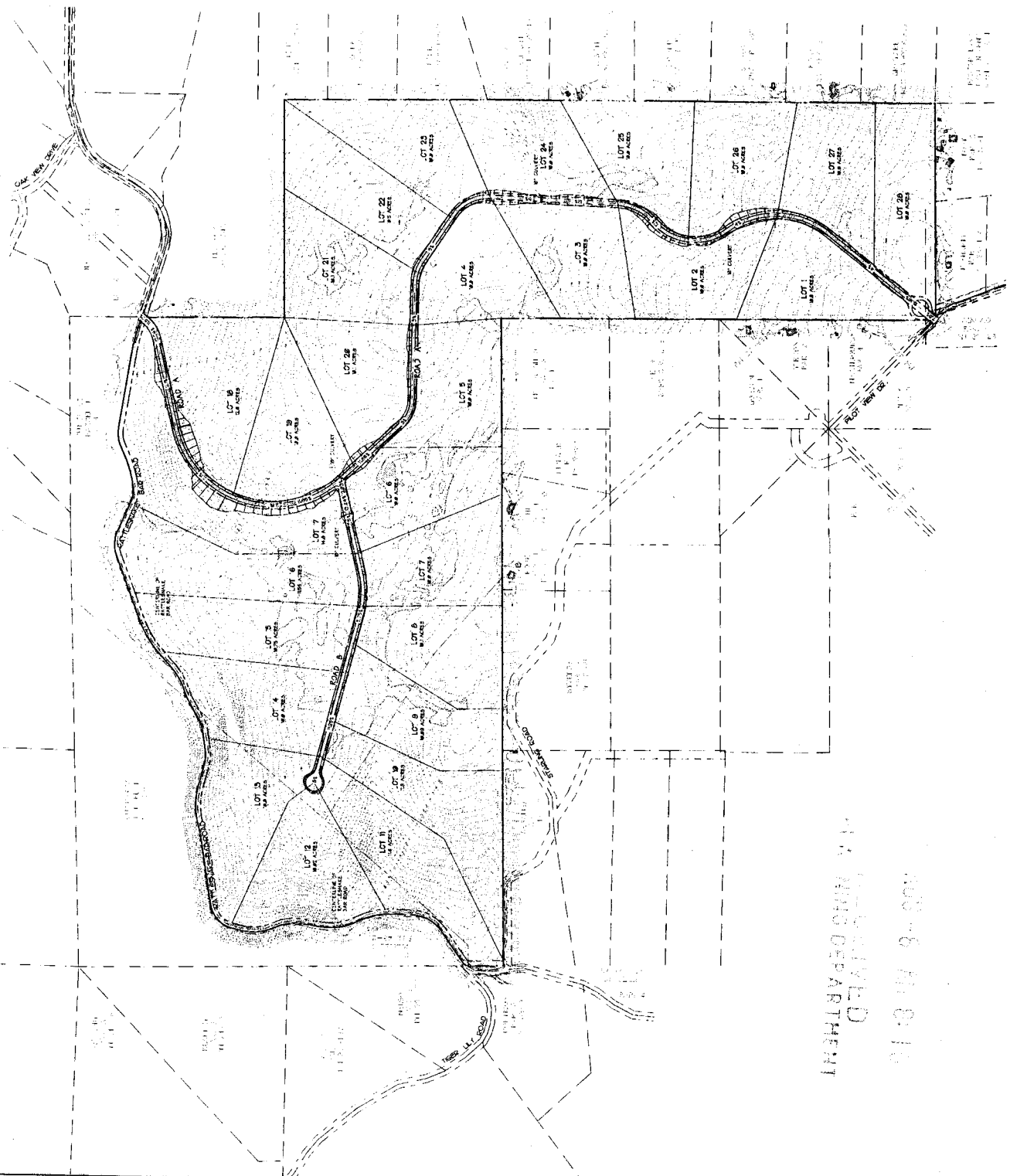
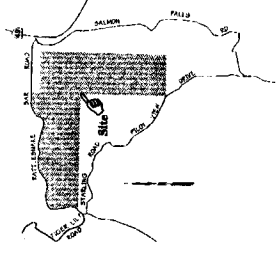
Typical Road A and B Section



Legend

- PROPERTY BOUNDARY
- BOUNDARY OF WAY LINE
- RIGHT OF WAY LINE
- SETBACK LINE
- RESPONSE LINE

Vicinity Map



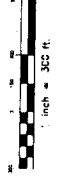
NOT RECORDED
 COUNTY OF EL DORADO
 01-18-2011 10:08:10

Slope Map



Submittal Job# 9497-01-05
 PARCELS 2 & 3 PER P.M. 48-21,
 BEING A PORTION OF SECTION 1,
 T. 11 N., R. 8 E., M.D.M.
 COUNTY OF EL DORADO, STATE OF CALIFORNIA
 SURVEYED OCTOBER, 2005
 SHEET 1 of 1

CARLTON ENGINEERING INC.
 5003 PONDEROSA ROAD
 SHINGLE SPRINGS, CA 95662



OWNER / APPLICANT:
 GUY'S BEACH, INC.
 5003 PONDEROSA RD
 LOS GATOS, CA 95030-0384

MAP PREPARED BY:
 CARLTON ENGINEERING, INC.
 5003 PONDEROSA ROAD
 SHINGLE SPRINGS, CA 95662

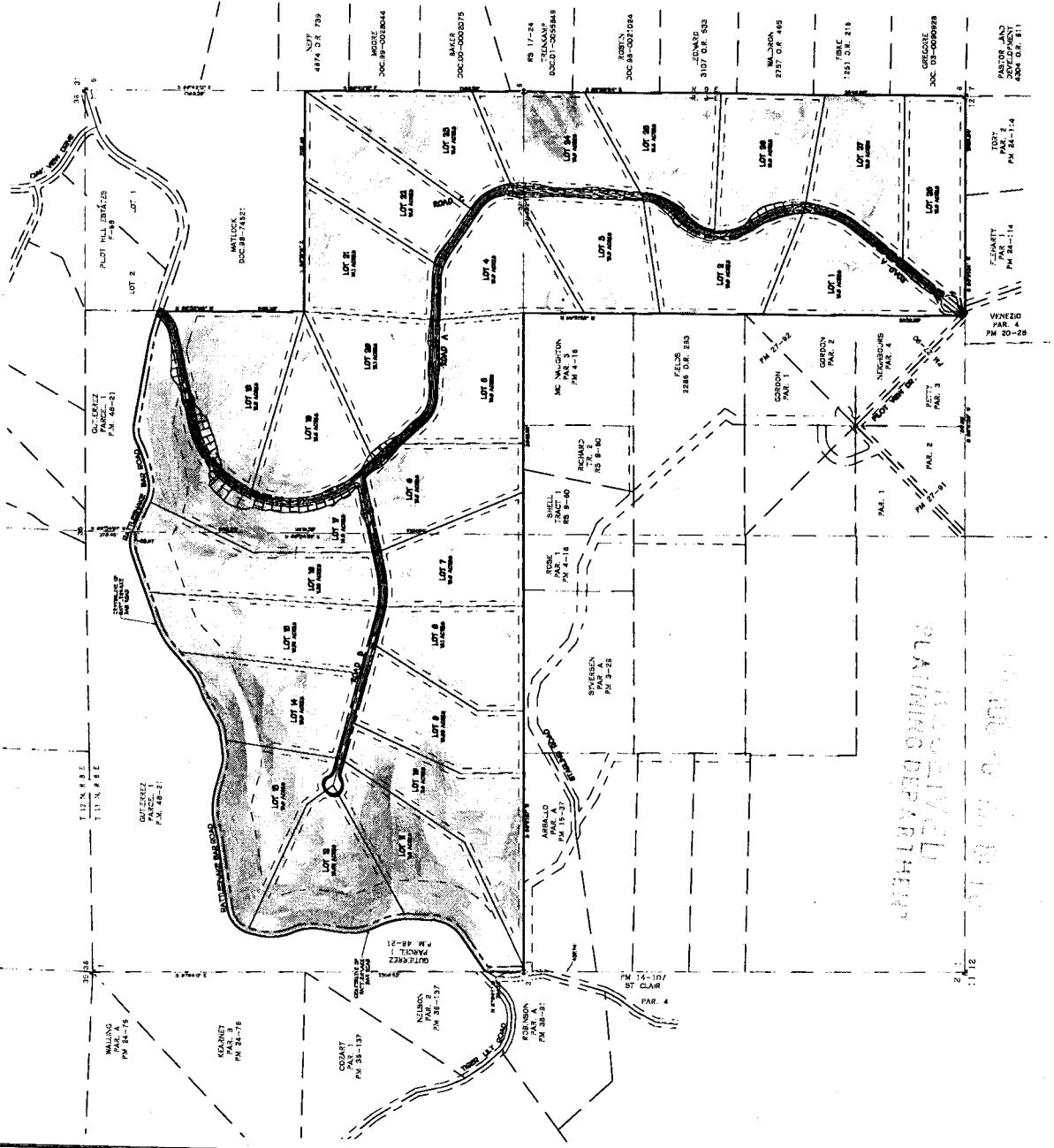
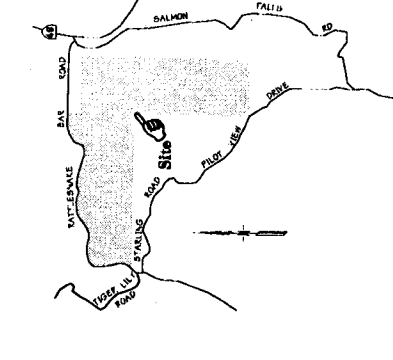
Slope Legend

- LOT 1
- LOT 2
- LOT 3
- LOT 4
- LOT 5

Slope Report

Zone	Area	Area, S.F.	Area, Acres	Grade
1	1.0%	210000000	0.476	2.00
2	1.5%	500000000	0.917	4.00
3	2.0%	250000000	0.459	20.28
4	3.0%	100000000	0.184	0.78
5	4.0%	50000000	0.092	0.15
Total All Slopes		100000000	1.836	
Average Slope			0.29	
Minimum Slope			0.15	
Maximum Slope			20.28	

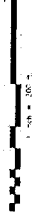
Vicinity Map



Geology, Percolation Testing and Waste Water Disposal Area Map

Subarea - *San Joaquin Hills*
 PARCELS 2 & 3 PER P.M. 48-2;
 BEING A PORTION OF SECTION 7,
 T. 1 N., R. 9 E., M. 3 A.
 COUNTY OF EL DORADO, STATE OF CALIFORNIA
 DATED OCTOBER, 1989

CARLTON ENGINEERING, INC.

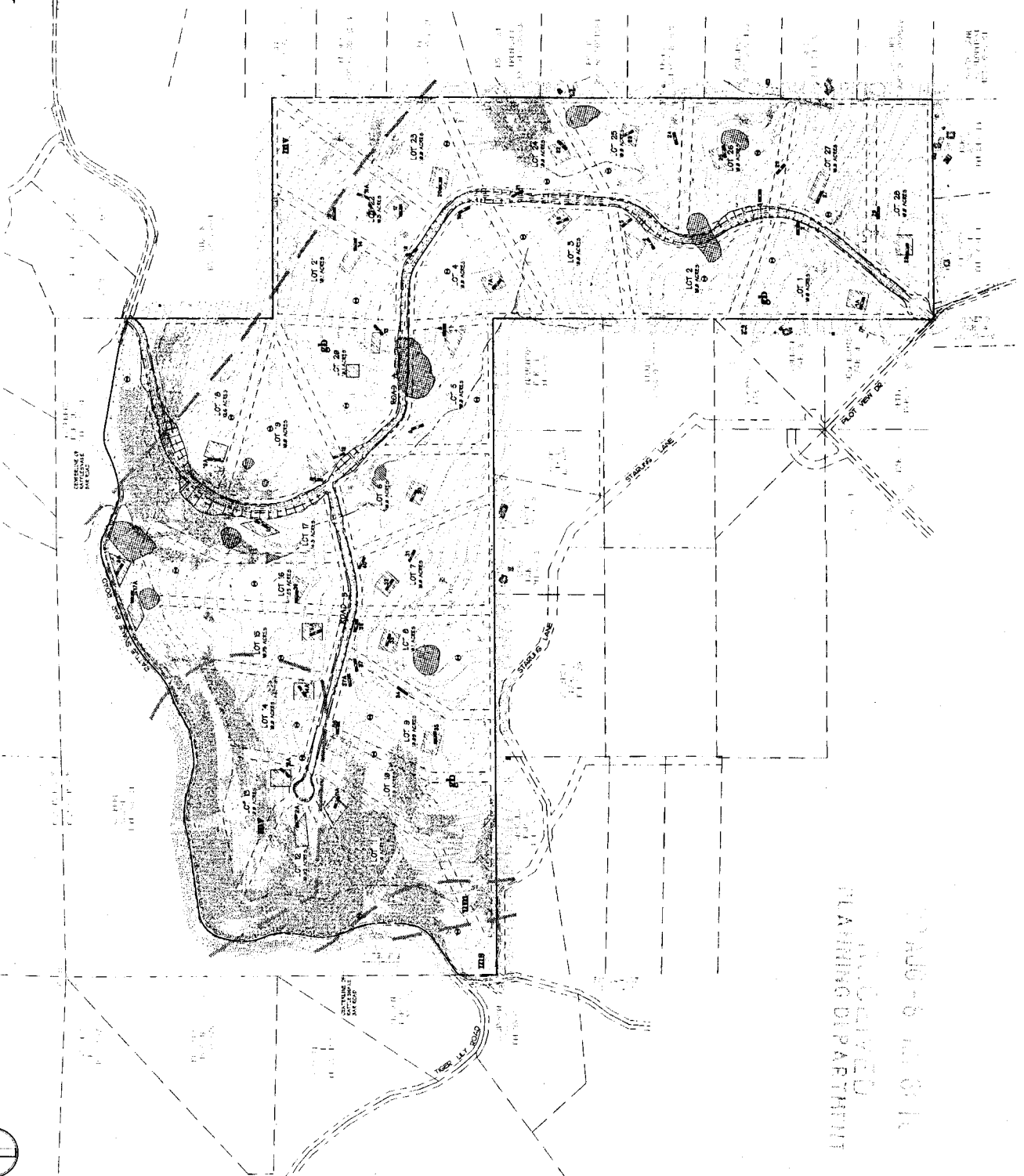
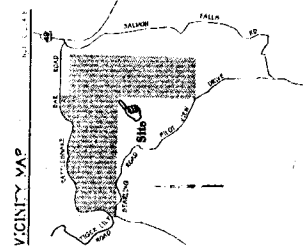


THIS MAP WAS
 PREPARED BY
 CARLTON ENGINEERING, INC.
 10000 WILSON AVENUE
 SUITE 100
 WESTLAKE, CALIFORNIA 91361

DATE OF PLAN: 10/11/89
 DRAWN BY: J. CARLTON
 CHECKED BY: J. CARLTON
 PROJECT NO.: 89-001
 SHEET NO.: 1 OF 1
 SCALE: AS SHOWN
 PROJECT: WASTE WATER DISPOSAL AREA
 CLIENT: CARLTON ENGINEERING, INC.

LEGEND

- 1. EXISTING PERCOLATION TEST RESULTS
- 2. EXISTING WASTE WATER DISPOSAL AREA
- 3. PROPOSED WASTE WATER DISPOSAL AREA
- 4. PROPOSED PERCOLATION TEST RESULTS
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- 99. PROPOSED PERCOLATION TEST RESULTS
- 100. PROPOSED PERCOLATION TEST RESULTS



UNAPPROVED
 PLANNING DEPARTMENT
 11000 9th St. N.
 ADD-6

Topographic Survey

Address: San Jose, California Job # 100-10-03
 PARCELS 2 & 3 PER P.M. 49-21
 BEING A PORTION OF SECTION 1,
 T. 11 N. & E. 43 D.A.
 COUNTY OF EL DORADO, STATE OF CALIFORNIA
 SURVEYED BY CARLTON ENGINEERING INC.
 SHEET 1 OF 1



Basis Of Bearings
 THE BEARINGS AND DISTANCES OF THE LINES OF THIS SURVEY WERE OBTAINED BY THE METHOD OF TRIANGULATION AND THE METHOD OF MEASUREMENT OF ANGLES BY THE METHOD OF REPEATED SIGHTS.

References
 P.M. 49-21

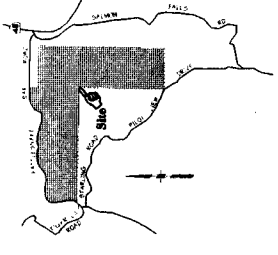
Assessor's Parcel Numbers
 49-21-01-01
 49-21-01-02
 49-21-01-03

Beach Mark
 THE BEACH MARKS SHOWN ON THIS SURVEY WERE OBTAINED BY MEASUREMENTS MADE BY THE SURVEYOR AT THE TIME OF THE SURVEY.

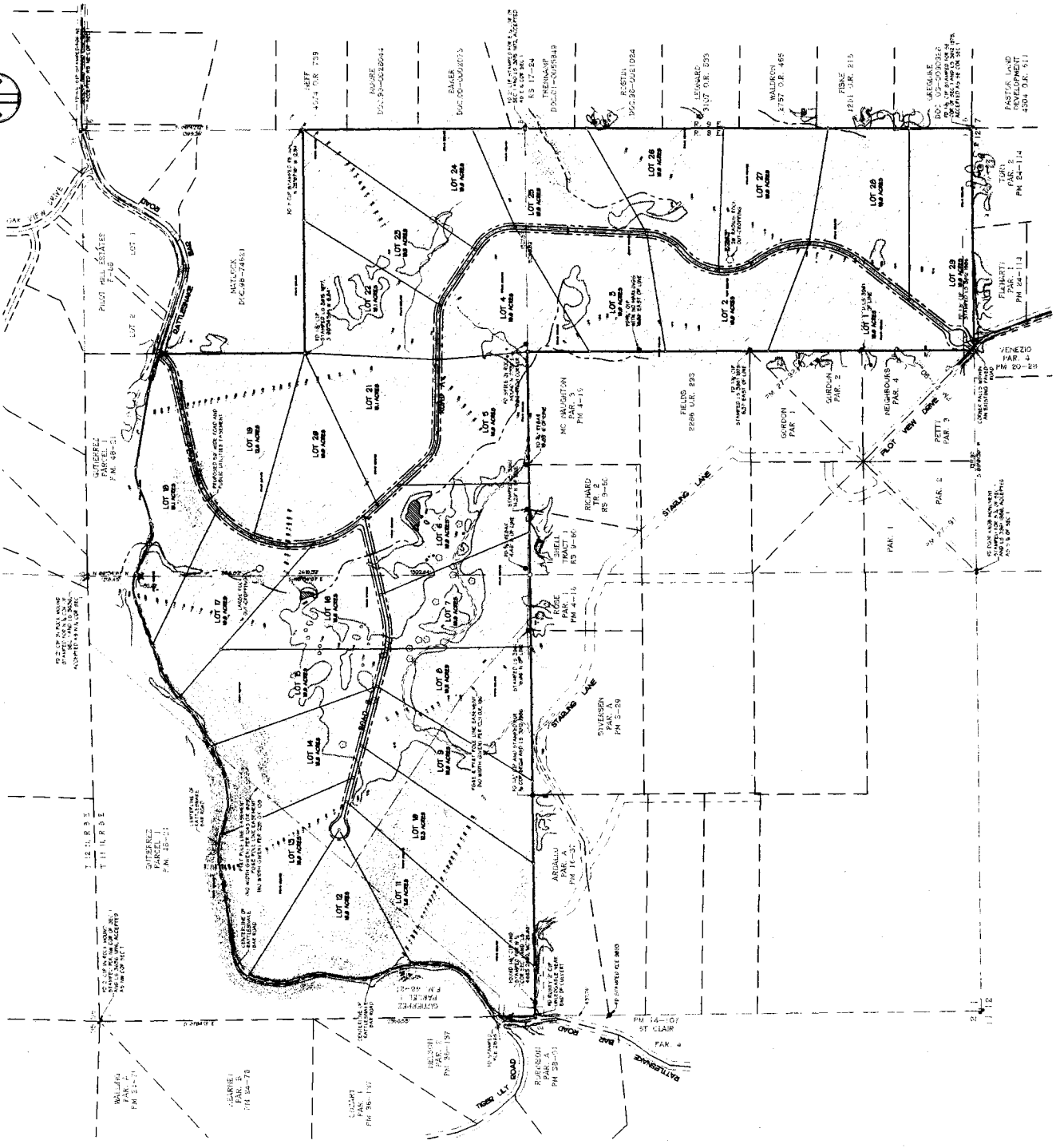
Utility Statement
 THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE SURVEYED AREA AND HAS NOT OBSERVED ANY UTILITIES.

Legend
 DOTTED LINE: UNDEVELOPED LAND
 SOLID LINE: DEVELOPED LAND
 DASHED LINE: RIGHT-OF-WAY
 THICK SOLID LINE: EASEMENT

Vicinity Map
 A small map showing the location of the surveyed area within a larger regional context, including labels for 'P.M. 49-21' and 'SECTION 1'.



Surveyor's Statement
 I, CARLTON ENGINEERING INC., A PROFESSIONAL ENGINEERING FIRM, HAVE SURVEYED THE ABOVE DESCRIBED PARCELS AND HAVE FOUND THEM TO BE CORRECTLY DESCRIBED AND ACCURATELY LOCATED.

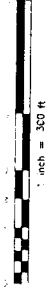


Tree Canopy Plan

Subdivisions *Job# 5547-01-05*
 PARCELS 2 & 3 PER P.M. 48-21,
 BEING A PORTION OF SECTION 1,
 T. 11 N., R. 8 E., M.D.M.

COUNTY OF E. JORADO, STATE OF CALIFORNIA
 SURVEYED OCTOBER 28, 2005
 SHEET 7 OF 1

CARLTON ENGINEERING INC.



DRAWN / APPROVED: JES BEAL, L.P.
 689 S.D. AVE., P.O. BOX 100
 LOS ANGELES, CA 90033-0304
 (818) 507-2574

MAP PREPARED BY: CARLTON ENGINEERING INC.
 2701 UNIVERSITY AVENUE, SUITE 200
 PUNAJUE SPRINGS, CA 94642

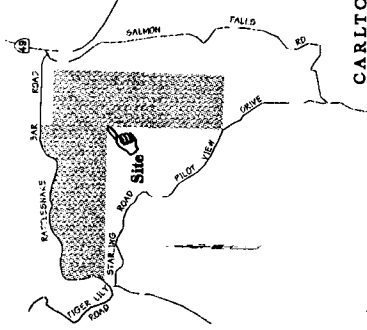
Canopy Cover Standard

EXISTING CANOPY COVERAGE	PERCENT OF CANOPY COVER TO RETAIN
0% - 10% PERCENT	0% OF EXISTING CANOPY
11% - 20% PERCENT	10% OF EXISTING CANOPY
21% - 30% PERCENT	20% OF EXISTING CANOPY
31% - 40% PERCENT	30% OF EXISTING CANOPY
41% - 50% PERCENT	40% OF EXISTING CANOPY
51% - 60% PERCENT	50% OF EXISTING CANOPY
61% - 70% PERCENT	60% OF EXISTING CANOPY
71% - 80% PERCENT	70% OF EXISTING CANOPY
81% - 90% PERCENT	80% OF EXISTING CANOPY
91% - 100% PERCENT	90% OF EXISTING CANOPY

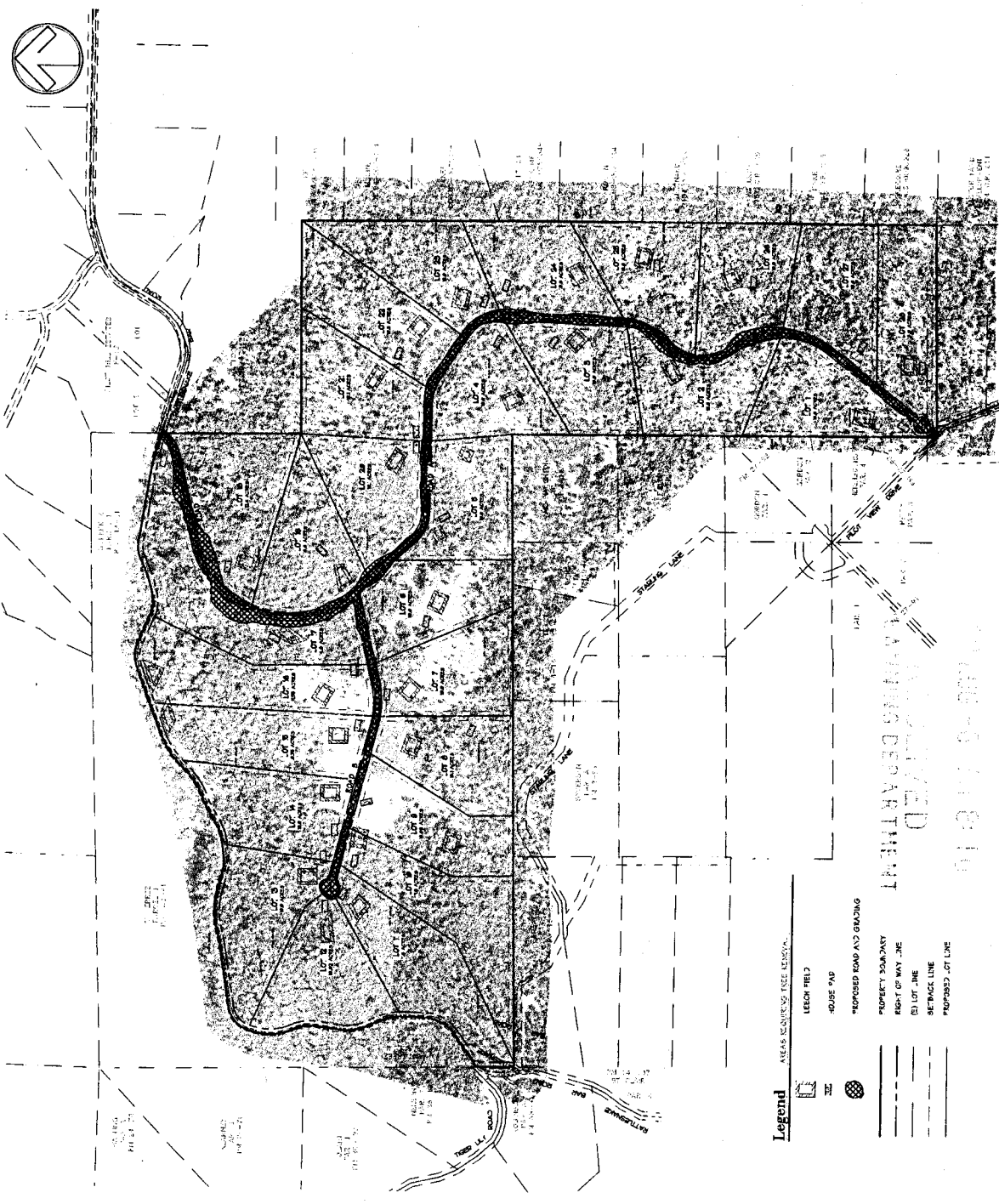
Summary

SITE AREA = 288.89 AC
 EXISTING TREE CANOPY AREA = 8248 AC
 EXISTING CANOPY COVERAGE = 6.2%
 CANOPY AREA TO BE RETAINED = 539 AC
 PERCENT OF CANOPY COVER RETAINED = 6.5%

Vicinity Map



CARLTON ENGINEERING INC.



Legend

AREAS REQUIRING TREE REMOVAL:

- LEACH FIELD
- HOUSE PAD
- PROPOSED ROAD AND GRADING
- PROPERTY BOUNDARY
- RIGHT OF WAY LINE
- LOT LINE
- SETBACK LINE
- PROPOSED LOT LINE

RECEIVED
 PLANNING DEPARTMENT
 018 017 0000

EXHIBIT L

August 13, 2009

RECEIVED
PLANNING DEPARTMENT

CARLTON
Engineering Inc.

El Dorado County Planning Department
2850 Fairlane Court
Placerville, CA 95667
Attn: Jason Hade

Re: Design Waivers for Sundance Subdivision
TM07-1454

To Whom It May Concern:

Lot Depth:

In Volume II - Section 2 (A) (2) of the County of El Dorado "Design and Improvement Standards Manual" (EDC-DISM) it is stated that:

"Deep Lot: A lot whose depth is excessive in relation to its frontage (sometimes called a "string bean" lot). Lots are not to exceed a 3 to 1 ratio unless a design waiver is granted."

We would like to request that this requirement be waived for this project. In place of this standard, we respectfully request that you allow lots 15 and 16 to have ratios of 3.3 to 1.

Roadway Width/Shoulder Width:

In Volume II - Section 3 (A) (12) (a) of the County of El Dorado "Design and Improvement Standards Manual" (EDC-DISM) it is stated that for dead end roads the following shall apply:

"Rural subdivisions and minor land divisions - 10 ft shoulders, for a total roadway width of 40 ft....."

We would like to request that this requirement be waived for this project. In place of this standard, we respectfully request that you allowed the shoulder width to be reduced to 2 ft; matching Road A and in compliance with the 101C EDC roadway standard; with 20 ft road width and 2 ft shoulder width. Additionally, we will incorporate a fire safety zone/area of 10 ft from the edge of the roadway; to be detailed and specified in the fire safety Plan for this project.

Project Description:

The Sundance project consists of 298.19 acres proposed to be subdivided into 28 low density single family lots of 10-acres minimum parcel size. The project is presently zone AE and proposes to be rezoned to RE-10 that is consistent with the General Plan designation of Rural Residential (RR). The project is located off of Rattlesnake Bar Road approximately 0.25 miles west of the intersection with Salmon Falls Road, in the Pilot Hill area. The proposed improvements include a rural road (type 101 C) from Rattlesnake Bar Road that connects to Pilot View Drive, and one cul-de-sac road extending west to service the remaining lots. The terrain at the project site consists predominately of steep hills, with elevations ranging from approximately 1,044 feet to 1,578 feet.

Findings:

Lot Depth:

The property is located in an area that predominately consists of steep hills creating lot layout challenges. The current layout is intended to minimize the impact that possible home buildings would have on areas of 30% or greater slopes, while minimizing the impacts to the existing tree canopy. Currently lots 15 and 16 allow for the construction of home buildings in the front portion of the lots while maintaining the back portion as unbuildable, hence protecting the tree canopy and maintaining the 30% slopes free of buildings. Modifications to the current layout would result in larger impacts to the tree canopy and 30% or greater slopes.

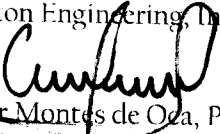
Road Width/ Shoulder Width:

It is our understanding that this preliminary condition is based on fire safety requirements due to the dead end length of the roadway. Per conversation with Mark Johnson (EDCFPD) and Chris Anthony (Cal Fire), the condition could be modified to allow a reduction of the shoulder width from 10 ft to 2 ft; with the understanding that an additional 10 ft be kept clear from the edge of the pavement as a fire safety zone. Additionally, the client is required to prepare a fire safety plan that will specify and detail the requirements for the additional 10 ft.

Finally, please be assured that every effort has been made to confirm that this request in no way nullifies any objectives or ordinances set forth in either the EDC-DISM or any County Ordinance. This request is offered in the spirit of responsible development. The proposed project has been designed using sound engineering and land surveying principles.

We greatly appreciate your taking the time to review this request for a design waiver. If during the review of this request you would like further information, please do not hesitate to contact me.

Sincerely,
Carlton Engineering, Inc.


Cesar Montes de Oca, P.E.
(530) 677-5615

cmontesdeoca@carlton-engineering.com



AGRICULTURAL COMMISSION

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

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

MEMORANDUM

DATE: July 15, 2009
TO: Jason Hade, Development Services/Planning
FROM: Greg Boeger, Chair GB

RECEIVED
 PLANNING DEPARTMENT
 JUL 17 11:00 AM '09

SUBJECT: Z 07-0040, TM 07-1454 & S 09-0012: Sundance Subdivision

During the Agricultural Commission’s regularly scheduled meeting held on July 8, 2009 the following discussion and motion occurred regarding Christopher Beauchamp’s request for a rezone to change zoning from Exclusive Agriculture (AE) to Estate Residential 10-Acre (RE-10), a tentative subdivision map to create 29 lots ranging in size from 10.0 to 12.6 acres and a special use permit to authorize a metal gate across proposed road “A” where it intersects with Pilot View Drive.

The property, identified by Assessor’s Parcel Numbers 104-520-04, -05, & -06, consists of 298.19 acres, and is located on the south side of Rattlesnake Bar Road approximately 0.25 miles west of the intersection with State Route 49, in the Pilot Hill area. (District 4)

Chris Flores reported on the site visit conducted on June 23, 2009. The project was described as 1) Rezone 298 acres from Exclusive Agriculture (AE) to Estate Residential 10-Acre (RE-10); 2) a tentative subdivision map, creating 29 ten to twelve acre lots; and 3) a Special Use Permit to authorize a metal gate across the proposed road “A” where it intersects with Pilot View Drive. The three project parcels (APN’s 104-520-04, -05, & -06) consist of 298.19 acres and can be accessed off of Pilot View Drive, Rattlesnake Bar Road, or Starling Lane. The parcels have a General Plan Land Use Designation of Rural Residential (RR) and are not within an Agricultural District. The request to rezone to RE-10 with the creation of a Planned Development was heard by the Agricultural Commission on October 10, 2007. The plan, at that time, was to create 40 lots, ranging in size from 5.0 acres to 7.95 acres with a 90 acre open space parcel.

There was discussion regarding the grazing capabilities of the land. Mr. Bacchi stated that he had leased the Garland Ranch, to the north of the subject parcels, for grazing. The parcels, were at one time, a part of the Garland Ranch. A motion was made, by the Agricultural Commission to recommend denial of the project, as the parcels were historically used for grazing, and as such, should be protected, as described in General Plan Policy 8.1.2.2 with a 40 acre minimum parcel size.

Bill Stephans provided a list titled Soil Descriptions Located on Sundance Subdivision, with information from the 1974 Soil Survey of El Dorado Area, California. The information shows that the soils on this property are important rangeland soils: AwD, AxD, BkE and RfC. He also mentioned that the 2006 California Department of Conservation Land Designations map shows a portion of the property contains Farmland of Local Importance that appears to follow the RfC soils

located on the southern property (APN 104-520-06). Additionally, it appears from the soils map that the majority of the property is between 2-30% slopes with only the west/northwest portion of APN 104-520-05 as being 30-50% slopes. All of the listed soils are designated either Range site 1 (total air dry production is 3,000 pounds per acre in favorable years and 1,000 pounds in unfavorable years) or Range site 2 (total air dry production is 3,500 pounds per acre in favorable years and 1,200 pounds in unfavorable years). In general, many people think that cattle are the only grazing animals used for commercial production; however this is not the case. There are other commercially viable animals such as goats, Llamas, alpacas, etc., that can be grazed commercially.

Robert Laurie, representing the applicant, gave a brief history of the project and stated that the current proposal, to subdivide the subject property into 10-12 acre parcels, was developed for compatibility with surrounding land uses. Mr. Laurie also submitted a letter to the Commission outlining his comments in writing.

General Plan Policy 8.1.2.2 states, "Some lands within Rural Regions have historically been used for commercial grazing of livestock and are currently capable of sustaining commercial grazing of livestock. If they can be demonstrated to be suitable land for grazing, and if they were not assigned urban or other nonagricultural uses in the Land Use Map for the 1996 General Plan, those lands shall be protected with a minimum of 40 acres unless such lands already have smaller parcels or the Board of Supervisors determines that economic, social, or other considerations justify the creation of smaller parcels for development or other nonagricultural uses..."

Mr. Laurie argued that although the applicant acknowledges that the property has been utilized for grazing in the past, it is the County, not the property owner, who must provide proof, through findings, that certain lands are a) suitable for grazing and b) capable of sustaining commercial grazing.

Chris Beauchamp, the owner of the project parcels, added that he wanted to subdivide his property into lot sizes no less than what the surrounding parcels are (although the property to the north, the Garland Ranch, has not been split), and described the property as steep, covered with brush, and without irrigation. He stated he did not believe that the property would support a sustainable ranching operation.

Mr. Bacchi, in response to Mr. Laurie and Mr. Beauchamp's comments, stated that "sustainable" does not necessarily mean "profitable". He also stated that the property has historically been used for commercial grazing and therefore, by reason, is capable of sustaining commercial grazing of livestock, and is suitable land for grazing. As a notice of full disclosure, Mr. Bacchi also mentioned that his family leases Garland Ranch for grazing of their livestock.

A neighbor, to the southwest of the property, spoke in opposition to the project, expressing concerns that if the parcels are approved, it will deplete existing wells in the area, increase noise, pollution and traffic. Also, she stated that the original support for the parcel split was predicated on the promise of bringing water into the area from GPUD. With this new configuration of the parcels, water will not be brought in by the project applicant so therefore, all of the neighbors are opposed.

Discussion took place regarding the historical grazing on these parcels. It was also again mentioned that livestock is not only cattle, but includes goats, llamas, alpacas, sheep, etc.

It was moved by Mr. Bacchi and seconded by Mr. Smith to recommend DENIAL of Z 07-0040, TM 07-1454 & S 09-0012 as the parcels (APN's 104-520-04, -05, and -06) should continue to be protected as historic grazing land as recommended by the Agricultural Commission on October 10, 2007. Based on the site visit of June 23, 2009 and the site visit of September 18, 2007, no changes were observed in the land use of the subject parcel or surrounding parcels. The Commission also requests it be noted, that based on current information, the soils on the property are officially recognized as being able to sustain grazing and that they are listed in the 1974 Soil Survey of El Dorado Area as Range site 1 & 2 which is suitable for grazing. Additionally, if the project is approved, the Commission recommends that all parcels created adjacent to agriculturally zoned land, be required to incorporate the 200 foot agricultural setback on the tentative and final parcel maps.

Motion passed

AYES: Bacchi, Draper, Mansfield, Smith, Walker, Boeger
NOES: None
ABSENT: Ward

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

GB:na

cc: Christopher Beauchamp
cc: Carlton Engineering, Inc.

EXHIBIT N

June 7, 2009

In regards to: Sundance Subdivision

Mr. Jason Hade
County of El Dorado
Planning Services Department
2850 Fairlane Court
Placerville, CA 95667

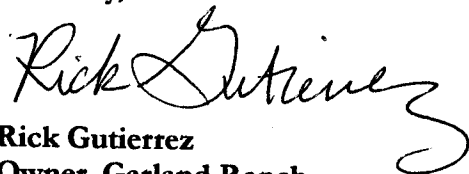
JUN 12 AM 11:32
RECEIVED
PLANNING DEPARTMENT

Dear Mr. Hade,

I am writing to you regarding the proposed Sundance Subdivision. The owner of the property, Chris Beauchamp, has been in communication with me regarding the proposed subdivision of his property and any negative impacts the subdivision might have on our ranching operations at the Garland Ranch. At this time, I have no concerns about the Sundance Subdivision negatively impacting our ranching operations. I expect that the terrain between our two properties would virtually eliminate the potential for any conflicts to arise between the Sundance Subdivision and the Garland Ranch.

On a related note, Mr. Beauchamp requested that I comment on the historic usage of his property, which was formerly part of the Garland Ranch. As far as I can recall, commercial grazing on the Garland Ranch has always occurred on the north side of Rattlesnake Bar road and not on the property currently owned by Mr. Beauchamp. The lack of irrigation, rough terrain, and heavy brush on Mr. Beauchamp's property make this property marginal at best for grazing purposes. On occasion we have grazed approximately thirty head of cattle on what is now Mr. Beauchamp's property. However, due to the grazing limitations present on Mr. Beauchamp's property, grazing was viewed as an occasional usage and not commercially sustainable.

Sincerely,



Rick Gutierrez
Owner, Garland Ranch

Cc: Chris Beauchamp

EXHIBIT O

BECKER RUNKLE LAURIE & NEWMAN
ATTORNEYS AT LAW

263 MAIN STREET, LEVEL 2
PLACERVILLE, CALIFORNIA 95667
(530)295-6400

ROBERT A. LAURIE

FAX (530) 295-6408

November 16, 2009

Mr. Jason Hade
Senior Planner
Planning Department
County of El Dorado
2850 Fairlane Court
Placerville, CA 95667

Re: **Sundance Subdivision; Grazing Capability**

Dear Mr. Hade:

On July 8, 2009, the above-referenced project was considered by the Agricultural Commission. The Commission recommended that the property be subject to 40 acre minimums pursuant to General Plan Policy 8.1.2.2. Little or no evidence appears in the record to support such recommendation although one or more Commissioners did make reference to such property as historical grazing lands and Mr. Stephens did discuss soil types. .

Policy 8.1.2.2 calls for 40 acre minimums only if the subject lands, “..are currently capable of sustaining commercial grazing of livestock”. Although the General Plan offers no definition of “sustaining commercial grazing of livestock”, common-sense would dictate that such would apply to a commercial/for profit livestock operation that would need to sustain a profit over a long period of time. The record from the Commission hearing does reflect that reference was made to an opinion that “sustainability” does not mean profitability. However, the most commonly used definition of “sustain” means to keep or maintain. Obviously, one cannot “keep” or “maintain” a commercial grazing operation for very long if it is not profitable. Accordingly, on behalf of the property owner, I reject the finding that the Sundance lands are capable of sustaining a commercial grazing operation.

STAFF REPORT
10-1327.G.35

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Sundance Project

In support of our position on the question, I offer that attached report prepared by a well-known and respected business valuation firm familiar with agricultural operations. The report specifically analyzed cattle operations in El Dorado County and offers the following conclusions,

“ Based upon our examination of available information, analysis contained in our workpaper file and the attached exhibits, and consideration of those factors we believe are relevant to establishing the profitability of sustainable grazing operations on the property, it is our opinion that sustainable grazing on the property is not profitable. We have prepared models taking into account a range of scenarios including being able to sustain anywhere from 30-222 cows on the property and selling cows weighing an average of 475 pounds at weaning to selling cows weighing an average of 600 pounds. Under no circumstances was there a result that produced a net profit.” (emphasis added).

Accordingly, the only substantial evidence in the records rejects the finding that the subject property can sustain a commercial grazing operation. This being the case, the recommendation of the Agricultural Commission cannot be supported. In addition, I would call your attention to the letter of June 7, 2009 submitted by Mr. Rick Gutierrez, owner of the adjacent Garland Ranch, from which the subject property was created. Mr. Gutierrez notes,

“ ..As far as I can recall, commercial grazing on the Garland Ranch has always occurred on the north side of Rattlesnake Bar road (sic) and not on the property currently owned by Mr. Beauchamp. The lack of irrigation, rough terrain, and heavy brush on Mr. Beauchamp’ s property make this property marginal at best for grazing purposes. On occasion we have grazed approximately thirty head of cattle on what is now Mr. Beauchamp’ s property. However, due to grazing limitations present on Mr. Beauchamp’ s property, grazing was viewed as an occasional usage and not commercially sustainable”.

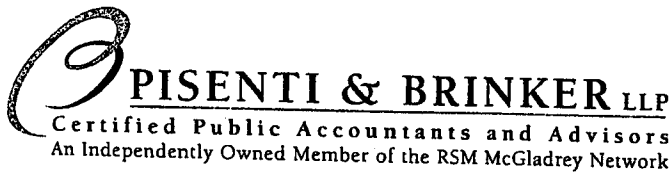
It is therefore requested, in light of the evidence in the record, that staff offer a recommendation of approval for the project as proposed and as consistent with the facts in the attached report.

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Sundance Project

Thank you for your consideration.

Very truly yours,


ROBERT A. LAURIE



PISENTI & BRINKER LLP

Certified Public Accountants and Advisors
An Independently Owned Member of the RSM McGladrey Network

October 27, 2009

Chris Beauchamp
885 Old Mill Pond Road
Los Gatos, CA 95033-8304

Dear Chris:

At your request, we have analyzed and prepared certain financial and other information relating to the profitability of sustainable grazing operations on your properties that include AP#104-520-04-10, 104-520-05-10 and 104-520-06-10. This letter discusses our analysis and summarizes our conclusion. It is our understanding that our letter will serve as a basis for your application for development for rural residential use under El Dorado County's policy 8.1.2.2 and is restricted to this use unless approved in writing by Pisenti & Brinker LLP. Our compensation is determined based on an hourly rate for services performed and is not contingent on any action or event resulting from the conclusions or use of this report.

In preparing our report, we considered two different scenarios which included determining a range of cows on the property from a low number based on discussions with a local El Dorado County cattle rancher and a high number based on a U.S. Department of Agriculture Natural Resources Conservation Service Report. We researched the cost of cattle to purchase the initial herd and related costs for maintaining cattle on the property. In order to determine the number of cows for sale each year we assumed an increase of cows each year taking into account an assumed conception rate and mortality factors until the properties were at full capacity. We obtained an estimated price that could be obtained from the sale of cattle and multiplied by the number of cows available for sale each year. There were many assumptions used in preparing our models. We made inquiries of El Dorado County cattle ranchers, and had discussions with the El Dorado County Planning Department and Agriculture Department as well as the CEO of a Northern California Farm Bureau. We read periodicals that we felt were necessary to assist in developing our assumptions. These assumptions are subject to change and we express no opinion as to the sustainability of grazing operations should actual results differ from the assumptions used in our analysis.

Based on our examination of available information, analysis contained in our workpaper file and the attached exhibits, and consideration of those factors we believe are relevant to establishing the profitability of sustainable grazing operations on the property, it is our opinion that sustainable grazing on the properties is not profitable. We have prepared models taking into account a range of scenarios including being able to sustain anywhere from 30 to 222 cows on the property and selling cows weighing an average of 475 pounds at weaning to selling cows weighing an average of 600 pounds. Under no circumstance was there a result that produced a net profit.

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STAFF REPORT
10-1327.G.38

Chris Beauchamp
October 27, 2009
Page Two

Information has been provided by you in the course of this assignment. We make no representation as to the accuracy or completeness of such information and have accepted the information without further verification. We have not audited, reviewed, or compiled the financial information provided to us and, accordingly, we express no audit opinion or any other form of assurance on this information. Public, industry, statistical, and other information furnished by others, upon which all or portions of this analysis is based, is believed to be reliable. However, we make no representation as to the accuracy or completeness of such information and have performed no procedures to corroborate the information.

Respectfully submitted,


William A. Robotham
Partner

Chris Beauchamp
Cattle Model - up to 222 cows
298.19 acres in El Dorado County

	2010	2011	2012	2013	2014
Total Cows Beginning of Year	0	134	180	222	222
Purchase 100 Cows (94 Heifers, 6 Bulls) (2010 only)	100	0	0	0	0
Less: Bulls	(6)	(7)	(10)	(12)	(12)
Total Breedable Cows	94	127	170	210	210
Breeding of Cows:					
Conception Rate	90%	85	114	153	189
Mortality Factor of calves Veterinary	10%	(8)	(11)	(15)	(19)
Total Cows before Sales	176	237	317	391	392
Sales for the year	(42)	(57)	(95)	(169)	(170)
Total Cows End of Year	134	180	222	222	222

Chris Beauchamp
Grazing Model - up to 222 cows
298.19 acres in El Dorado County
Sell Cows at 475 pounds

	2010	2011	2012	2013	2014
Revenue:					
Sale of Cows (Steers & Older Heifers)	\$ 19,489.73	\$ 26,298.69	\$ 43,898.45	\$ 77,998.28	\$ 78,547.85
Total Income	19,489.73	26,298.69	43,898.45	77,998.28	78,547.85
Expenses:					
Cost of Cattle	46,075.00	-	-	-	-
	200.00	200.00	300.00	300.00	300.00
Veterinary	32,000.00	32,000.00	32,000.00	32,000.00	32,000.00
Property Taxes	11,123.00	11,345.46	11,572.37	11,803.82	12,039.89
Water	-	-	-	-	-
Employees	35,360.00	35,360.00	35,360.00	35,360.00	35,360.00
Branding Iron, etc.	150.00	-	-	-	-
Branding Registration	50.00	-	-	-	-
Marketing and Transportation of Cows for Sale	1,004.63	1,355.60	2,262.81	4,020.53	4,048.86
Hay Production - Seed	17,500.00	-	-	-	-
Cost of Land	31,666.67	31,666.67	31,666.67	31,666.67	31,666.67
Total Expenses	175,129.29	111,927.73	113,161.84	115,151.01	115,415.42
Net Income/(Loss)	(\$155,639.57)	(\$85,629.04)	(\$69,263.39)	(\$37,152.73)	(\$36,867.57)

**Chris Beauchamp
Grazing Model
298.19 acres – 222 Total Cows
Assumptions**

The following assumptions were used in creating this model:

Cattle Model:

- 1.34 acres per cow based on U.S. Department of Agriculture Natural Resources Conservation Service Report, February, 2008.
- At 298.19 acres, maximum cows on the properties equal 222 total cows (both cows and bulls).
- Start herd in 2010 by purchasing 100 cows which includes 94 cows and 6 bulls.
- Assumes 6 bulls for every 100 – 120 cows per a local El Dorado County rancher. According to Colorado Rancher, An Overview, one bull can cover up to 20 cows, and bulls can be vital up to 10 or 12 years old. After that their effectiveness at breeding cows wanes and they're shipped to slaughter.
- Assumes 90% conception rate of cows.
- Assumes 10% mortality of calves.
- 2010 assumes selling off steers only. Cows and heifers are kept in the herd to reproduce.
- 2012 tops out the herd at 222 cows.

Grazing Model:

- Assumes sell 475 pound steer calf at weaning. Futures market shows \$0.97 per pound. From Foothill Rancher report, Spring, 2009.
- Assume buy 475 pound calf at weaning. Futures market shows \$0.97 per pound. From Foothill Rancher report, Spring, 2009.
- Veterinary costs are based on self administered antibiotics. Cost is \$98 per bottle for antibiotics if bought in bulk per a local El Dorado County rancher. One bottle should suffice for 100 +/- cows.
- Rough fencing estimate was obtained from John Berry at El Dorado Fence. Estimate is based on 96,000 feet of fence at \$10 per foot. Total quote of \$960,000 was amortized over 30 years. Quote does not include clearing of land.
- Property tax amounts were obtained from the 2008 property tax bill for the three parcels. Estimate assumes at 2% increase per year due to Proposition 13.
- Assumes that all forage is grown naturally with no needed irrigation. No irrigation costs were taken into account in this model.
- Assumes employee pay at \$17 per hour for the year. Per discussion with a local El Dorado County cattle rancher, pay ranges from \$15 - \$20 per hour per ranch hand. Foothill Rancher quotes labor to feed hay at \$15 per hour. We utilized \$17 as the mid-range as we assumed the ranch hand would be repairing fences, administering antibiotics, etc which requires more skill than just feeding hay at \$15 per hour.
- Branding iron and registration costs were obtained from discussions with local El Dorado County ranchers.
- Marketing and transportation costs were obtained from Foothill Rancher report, Spring 2009.
- Initial planting of hay requires seeding. Seed cost assumes an 80 pound bag of seed that covers 2 acres of planting at \$125 per bag.
- Property cost was based on the actual purchase price of the property, amortized over 30 years. El Dorado County currently values the land at \$1,068,452 based on current property tax statements which is higher than the initial purchase price.

**Chris Beauchamp
Grazing Model
298.19 acres - 222 Total Cows
Sell Cows at 600 pounds**

	2010	2011	2012	2013	2014
Revenue:					
Sale of Cows (Steers & Older Heifers)	\$ 24,618.60	\$ 33,219.40	\$ 55,450.68	\$ 98,524.14	\$ 99,218.33
Total Income	24,618.60	33,219.40	55,450.68	98,524.14	99,218.33
Expenses:					
Cost of Cattle	46,075.00	-	-	-	-
Veterinary	200.00	200.00	300.00	300.00	300.00
Property Taxes	32,000.00	32,000.00	32,000.00	32,000.00	32,000.00
Water	11,123.00	11,345.46	11,572.37	11,803.82	12,039.89
Employees	-	-	-	-	-
Branding Iron, etc.	35,360.00	35,360.00	35,360.00	35,360.00	35,360.00
Branding Registration	150.00	-	-	-	-
Marketing and Transportation of Cows for Sale	50.00	-	-	-	-
Hay Production - Seed	1,004.63	1,355.60	2,262.81	4,020.53	4,048.86
Cost of Land	17,500.00	-	-	-	-
Total Expenses	31,666.67	31,666.67	31,666.67	31,666.67	31,666.67
Net Income/(Loss)	175,129.29	111,927.73	113,161.84	115,151.01	115,415.42
	(\$150,510.69)	(\$78,708.33)	(\$57,711.16)	(\$16,626.87)	(\$16,197.08)

**Chris Beauchamp
Grazing Model
298.19 acres – 222 Total Cows
Assumptions**

The following assumptions were used in creating this model:

Cattle Model:

- 1.34 acres per cow based on U.S. Department of Agriculture Natural Resources Conservation Service Report, February, 2008.
- At 298.19 acres, maximum cows on the properties equal 222 total cows (both cows and bulls).
- Start herd in 2010 by purchasing 100 cows which includes 94 cows and 6 bulls.
- Assumes 6 bulls for every 100 – 120 cows per a local El Dorado County rancher. According to Colorado Rancher, An Overview, one bull can cover up to 20 cows, and bulls can be vital up to 10 or 12 years old. After that their effectiveness at breeding cows wanes and they're shipped to slaughter.
- Assumes 90% conception rate of cows.
- Assumes 10% mortality of calves.
- 2010 assumes selling off steers only. Cows and heifers are kept in the herd to reproduce.
- 2012 tops out the herd at 222 cows.

Grazing Model:

- Assumes sell 600 pound average steer calf/older cow. Futures market shows \$0.97 per pound. From Foothill Rancher report, Spring, 2009.
- Assume buy 475 pound calf at weaning. Futures market shows \$0.97 per pound. From Foothill Rancher report, Spring, 2009.
- Veterinary costs are based on self administered antibiotics. Cost is \$98 per bottle for antibiotics if bought in bulk per a local El Dorado County rancher. One bottle should suffice for 100 +/- cows.
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- Property tax amounts were obtained from the 2008 property tax bill for the three parcels. Estimate assumes at 2% increase per year due to Proposition 13.
- Assumes that all forage is grown naturally with no needed irrigation. No irrigation costs were taken into account in this model.
- Assumes employee pay at \$17 per hour for the year. Per discussion with a local El Dorado County cattle rancher, pay ranges from \$15 - \$20 per hour per ranch hand. Foothill Rancher quotes labor to feed hay at \$15 per hour. We utilized \$17 as the mid-range as we assumed the ranch hand would be repairing fences, administering antibiotics, etc which requires more skill than just feeding hay at \$15 per hour.
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- Property cost was based on the actual purchase price of the property, amortized over 30 years. El Dorado County currently values the land at \$1,068,452 based on current property tax statements which is higher than the initial purchase price.

Chris Beauchamp
Cattle Model - up to 30 cows
298.19 acres in El Dorado County

	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>
Total Cows Beginning of Year	0	20	26	30	30
Purchase 15 Cows (13 Heifers, 2 Bulls) (2010 only)	15	0	0	0	0
Less: Bulls	(2)	(2)	(2)	(2)	(2)
Total Breedable Cows	13	18	24	28	28
Breeding of Cows:					
Conception Rate	90%	12	16	22	25
Mortality Factor of calves	10%	(1)	(2)	(2)	(2)
Tota Veterinary	26	34	46	52	52
Sales for the year	(6)	(8)	(13)	(21)	(21)
Total Cows End of Year	20	26	30	30	30

**Chris Beauchamp
Grazing Model
298.19 acres - 30 Total Cows
Sell Cows at 475 pounds**

	2010	2011	2012	2013	2014
Revenue:					
Sale of Cows (Steers & Older Heifers)	\$ 2,695.39	\$ 3,665.73	\$ 5,906.89	\$ 9,890.19	\$ 9,884.45
Total Income	2,695.39	3,665.73	5,906.89	9,890.19	9,884.45
Expenses:					
	6,911.25	-	-	-	-
Veterinary	100.00	100.00	100.00	100.00	100.00
Fencing Materials	32,000.00	32,000.00	32,000.00	32,000.00	32,000.00
Property Taxes	11,123.00	11,123.00	11,123.00	11,123.00	11,123.00
Water	-	-	-	-	-
Employees	35,360.00	35,360.00	35,360.00	35,360.00	35,360.00
Branding Iron, etc.	150.00	-	-	-	-
Branding Registration	50.00	-	-	-	-
Marketing and Transportation of Cows for Sale	138.94	188.96	304.48	509.80	509.51
Hay Production - Seed	17,500.00	-	-	-	-
Cost of Land	31,666.67	31,666.67	31,666.67	31,666.67	31,666.67
Total Expenses	134,999.85	110,438.62	110,554.15	110,759.47	110,759.17
Net Income/(Loss)	(\$132,304.47)	(\$106,772.89)	(\$104,647.26)	(\$100,869.28)	(\$100,874.72)

**Chris Beauchamp
Grazing Model
298.19 acres – 30 Total Cows
Assumptions**

The following assumptions were used in creating this model:

Cattle Model:

- 10 acres per cow based on current sustainable grazing practice per a local El Dorado County cattle rancher.
- At 298.19 acres, maximum cows on the properties equal 30 total cows (both cows and bulls).
- Start herd in 2010 by purchasing 15 cows which includes 13 cows and 2 bulls.
- Assumes 6 bulls for every 100 – 120 cows per a local El Dorado County rancher. According to Colorado Rancher, An Overview, one bull can cover up to 20 cows, and bulls can be vital up to 10 or 12 years old. After that their effectiveness at breeding cows wanes and they're shipped to slaughter.
- Assumes 90% conception rate of cows.
- Assumes 10% mortality of calves.
- 2010 assumes selling off steers only. Cows and heifers are kept in the herd to reproduce.
- 2012 tops out the herd at 30 cows.

Grazing Model:

- Assumes sell 475 pound average steer calf/older cow. Futures market shows \$0.97 per pound. From Foothill Rancher report, Spring, 2009.
- Assume buy 475 pound calf at weaning. Futures market shows \$0.97 per pound. From Foothill Rancher report, Spring, 2009.
- Veterinary costs are based on self administered antibiotics. Cost is \$98 per bottle for antibiotics if bought in bulk per a local El Dorado County rancher. One bottle should suffice for 100 +/- cows.
- Rough fencing estimate was obtained from John Berry at El Dorado Fence. Estimate is based on 96,000 feet of fence at \$10 per foot. Total quote of \$960,000 was amortized over 30 years. Quote does not include clearing of land.
- Property tax amounts were obtained from the 2008 property tax bill for the three parcels. Estimate assumes at 2% increase per year due to Proposition 13.
- Assumes that all forage is grown naturally with no needed irrigation. No irrigation costs were taken into account in this model.
- Assumes employee pay at \$17 per hour for the year. Per discussion with a local El Dorado County cattle rancher, pay ranges from \$15 - \$20 per hour per ranch hand. Foothill Rancher quotes labor to feed hay at \$15 per hour. We utilized \$17 as the mid-range as we assumed the ranch hand would be repairing fences, administering antibiotics, etc which requires more skill than just feeding hay at \$15 per hour.
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Chris Beauchamp
Grazing Model
298.19 acres - 30 Total Cows
Sell Cows at 600 pounds

	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>
Revenue:					
Sale of Cows (Steers & Older Heifers)	\$ 3,404.70	\$ 4,630.39	\$ 7,461.33	\$ 12,492.87	\$ 12,485.63
Total Income	<u>3,404.70</u>	<u>4,630.39</u>	<u>7,461.33</u>	<u>12,492.87</u>	<u>12,485.63</u>
Expenses:					
Cost of Cattle	6,911.25	-	-	-	-
	100.00	100.00	100.00	100.00	100.00
Veterinary	32,000.00	32,000.00	32,000.00	32,000.00	32,000.00
Property Taxes	11,123.00	11,123.00	11,123.00	11,123.00	11,123.00
Water	-	-	-	-	-
Employees	35,360.00	35,360.00	35,360.00	35,360.00	35,360.00
Branding Iron, etc.	150.00	-	-	-	-
Branding Registration	50.00	-	-	-	-
Marketing and Transportation of Cows for Sale	138.94	188.96	304.48	509.80	509.51
Hay Production - Seed	17,500.00	-	-	-	-
Cost of Land	<u>31,666.67</u>	<u>31,666.67</u>	<u>31,666.67</u>	<u>31,666.67</u>	<u>31,666.67</u>
Total Expenses	<u>134,999.85</u>	<u>110,438.62</u>	<u>110,554.15</u>	<u>110,759.47</u>	<u>110,759.17</u>
Net Income/(Loss)	<u>(\$131,595.15)</u>	<u>(\$105,808.23)</u>	<u>(\$103,092.81)</u>	<u>(\$98,266.60)</u>	<u>(\$98,273.55)</u>

**Chris Beauchamp
Grazing Model
298.19 acres – 30 Total Cows
Assumptions**

The following assumptions were used in creating this model:

Cattle Model:

- 10 acres per cow based on current sustainable grazing practice per a local El Dorado County cattle rancher.
- At 298.19 acres, maximum cows on the properties equal 30 total cows (both cows and bulls).
- Start herd in 2010 by purchasing 15 cows which includes 13 cows and 2 bulls.
- Assumes 6 bulls for every 100 – 120 cows per a local El Dorado County rancher. According to Colorado Rancher, An Overview, one bull can cover up to 20 cows, and bulls can be vital up to 10 or 12 years old. After that their effectiveness at breeding cows wanes and they're shipped to slaughter.
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- 2010 assumes selling off steers only. Cows and heifers are kept in the herd to reproduce.
- 2012 tops out the herd at 30 cows.

Grazing Model:

- Assumes sell 600 pound average steer calf/older cow. Futures market shows \$0.97 per pound. From Foothill Rancher report, Spring, 2009.
- Assume buy 475 pound calf at weaning. Futures market shows \$0.97 per pound. From Foothill Rancher report, Spring, 2009.
- Veterinary costs are based on self administered antibiotics. Cost is \$98 per bottle for antibiotics if bought in bulk per a local El Dorado County rancher. One bottle should suffice for 100 +/- cows.
- Rough fencing estimate was obtained from John Berry at El Dorado Fence. Estimate is based on 96,000 feet of fence at \$10 per foot. Total quote of \$960,000 was amortized over 30 years. Quote does not include clearing of land.
- Property tax amounts were obtained from the 2008 property tax bill for the three parcels. Estimate assumes at 2% increase per year due to Proposition 13.
- Assumes that all forage is grown naturally with no needed irrigation. No irrigation costs were taken into account in this model.
- Assumes employee pay at \$17 per hour for the year. Per discussion with a local El Dorado County cattle rancher, pay ranges from \$15 - \$20 per hour per ranch hand. Foothill Rancher quotes labor to feed hay at \$15 per hour. We utilized \$17 as the mid-range as we assumed the ranch hand would be repairing fences, administering antibiotics, etc which requires more skill than just feeding hay at \$15 per hour.
- Branding iron and registration costs were obtained from discussions with local El Dorado County ranchers.
- Marketing and transportation costs were obtained from Foothill Rancher report, Spring 2009.
- Initial planting of hay requires seeding. Seed cost assumes an 80 pound bag of seed that covers 2 acres of planting at \$125 per bag.
- Property cost was based on the actual purchase price of the property, amortized over 30 years. El Dorado County currently values the land at \$1,068,452 based on current property tax statements which is higher than the initial purchase price.

EXHIBIT P



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

ENVIRONMENTAL CHECKLIST FORM AND DISCUSSION OF IMPACTS

Project Title: Z07-0040/TM07-1454/S09-0012 / Sundance Subdivision			
Lead Agency Name and Address: El Dorado County, 2850 Fairlane Court, Placerville, CA 95667			
Contact Person: Jason R. Hade, AICP, Senior Planner		Phone Number: (530) 621-5355	
Project Owner's Name and Address: Christopher A. Beauchamp, 885 Old Mill Pond Road, Los Gatos, CA 95033			
Project Applicant's Name and Address: Cesar Montes de Oca, Carlton Engineering, Inc., 3883 Ponderosa Road, Shingle Springs, CA 95682			
Project Location: The subject property is located on the south side of Rattlesnake Bar Road approximately 0.8 miles east of the intersection with Highway 49 in the Pilot Hill area.			
Assessor s Parcel No(s): 104-520-04; 05; and 06		Parcel Size: 298.19 acres	
Zoning: Exclusive Agricultural (AE)			
Section: 36 T: 12N R: 8E			
General Plan Designation: Rural Residential – Important Biological Resources overlay (RR-IBC)			
Description of Project: Zone change from AE to Estate Residential 10-Acre (RE-10) and a tentative subdivision map to create 28 lots ranging in size from 10 acres to 14.8 acres on a 298.19 acre site. A special use permit is also requested that would permit the gating of proposed Road "A" at the intersection with Pilot View Drive. The project would also include the off-site improvement of Rattlesnake Bar Road and Pilot View Drive to a width of 20 feet from proposed Road "A" to Salmon Falls Road. The following design waivers have been requested: (1) Permit proposed lots 15 and 16 to exceed the 3:1 depth to width lot ratio; and (2) Permit a reduction in the shoulder width for proposed Road "B" from 10 feet as required in the Design and Improvement Standards Manual to two feet.			
Surrounding Land Uses and Setting:			
	<u>Zoning</u>	<u>General Plan</u>	<u>Land Use (e.g., Single Family Residences, Grazing, Park, School)</u>
North:	AE/RE-5	RR/LDR	Single-Family Residences
East:	RE-5	LDR	Single-Family Residences
South:	RE-5/RE-10	RR/LDR	Single-Family Residences
West:	AE/RE-10	RR	Single-Family Residences
Briefly Describe the environmental setting: The project site is bound by Rattlesnake Bar Road to the north and rural residential development to the east, west, and south. Elevation of the project site ranges from approximately 1,050 feet to 1,570 feet above sea level. Topography at the subject site ranges from gentle to steep slopes of varying aspect. The project site includes 270.84 acres of mixed oak woodland, 1.3 acres of gabbroic northern mixed chaparral, 23.83 acres of California annual grassland, and 2.22 acres of potential jurisdictional water features. Proposed project access to the north would be via Rattlesnake Bar Road while the connection of proposed Road "A" to Pilot View Drive would provide access to the south. The proposed lots would be served by individual private wells and septic systems.			
Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):			
El Dorado County Department of Transportation: Grading/Encroachment Permit			

El Dorado County Environmental Management Department: Asbestos Dust Mitigation Plan
CAL FIRE/El Dorado County Fire Protection District: Fire Safe Plan
U.S. Army Corps of Engineers: Section 404 permit

PROJECT DESCRIPTION

Introduction

This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts resulting from the proposed residential project. The project would allow the creation of 28 residential lots.

Project Location and Surrounding Land Uses

The project site is located within the Pilot Hill area. The project site is surrounded by developed residential parcels.

Project Characteristics

The project would create 28 residential lots. Interior roads would be constructed within the project area for internal circulation with access onto Rattlesnake Bar Road to the north and Pilot View Drive to the south.

1. Transportation/Circulation/Parking

Proposed project access to the north would be via Rattlesnake Bar Road while the connection of proposed Road "A" to Pilot View Drive would provide access to the south. Each lot would be required to provide two parking spaces. Parking for each lot would be provided within private garages. No impacts to parking would occur as part of the project.

2. Utilities and Infrastructure

The project site is currently undeveloped. The proposed lots would be served by individual private wells and septic systems. Fire protection services would be provided by the El Dorado County Fire Protection District and CAL FIRE.

3. Population

The project would add approximately 79 people to the population in the immediate vicinity, assuming 2.8 persons per household.¹ Although the project does not propose multiple units on each lot, the County allows for the construction of secondary units within all zone districts that permit single-family residences. Consequently, the proposed project could eventually generate more than 28 residential units. Although, it is unlikely that all of the lots would be constructed to the maximum intensity, the project site could have up to 56 units and generate a population of 157 people, assuming 2.8 persons per unit.

4. Construction Considerations

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

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

This Mitigated Negative Declaration tiers off of the El Dorado County 2004 General Plan EIR (State Clearing House Number 2001082030) in accordance with Section 15152 of the CEQA Guidelines. The El Dorado County 2004 General Plan EIR is available for review at the County web site at <http://www.co.el->

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

dorado.ca.us/Planning/GeneralPlanEIR.htm or at the El Dorado County Development Services Department located at 2850 Fairlane Court, Placerville, CA 95667. All determinations and impacts identified that rely upon the General Plan EIR analysis and all General Plan Mitigation Measures are identified herein. The following impact areas are tiering off the General Plan EIR:

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

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

Project Schedule and Approvals

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages. The environmental factors checked below contain mitigation measures which reduce any potential impacts to a less than significant level.

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

DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and 2) has been addressed by mitigation measures based on

the earlier analysis as described in attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects: a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION**, pursuant to applicable standards; and b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: Jason R. Hade Date: 11/24/09
Printed Name: Jason R. Hade, AICP For: El Dorado County

Signature: Pierre Rivas Date: 11-23-09
Printed Name: Pierre Rivas For: El Dorado County

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is a fair argument that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. the significance criteria or threshold, if any, used to evaluate each question; and
 - b. the mitigation measure identified, if any, to reduce the impact to less than significant.

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

I. AESTHETICS. <i>Would the project:</i>				
a. Have a substantial adverse effect on a scenic vista?				X
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c. Substantially degrade the existing visual character quality of the site and its surroundings?			X	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Discussion:

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

- a) No identified public scenic vistas or designated scenic highway would be affected by this project. No impacts would occur.
- b) The proposed project would have a less than significant impact on existing scenic resources including, but not limited to, trees, rock outcroppings, and historic resources as the project is not located within a corridor defined as a State scenic highway.
- c) The proposed project would not substantially degrade the visual character or quality of the site and its surroundings. All proposed oak tree canopy removal would be consistent with General Plan Policy 7.4.4.4. Impacts would be less than significant.
- d) The proposed 28 lots would not have a significant effect or adversely affect day or nighttime views adjacent to the project site. All outdoor lighting would conform to Section 17.14.170 of County Code. As such, impacts would be less than significant.

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

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

Discussion:

A substantial adverse effect to Agricultural Resources would occur if:

- There is a conversion of choice agricultural land to nonagricultural use, or impairment of the agricultural productivity of agricultural land;
 - The amount of agricultural land in the County is substantially reduced; or
 - Agricultural uses are subjected to impacts from adjacent incompatible land uses.
- a) Review of the Important Farmland GIS map layer for El Dorado County developed under the Farmland Mapping and Monitoring Program indicates that no areas of Prime, Unique, or Farmland of Statewide Importance would be affected by the project. In addition, El Dorado County has established the Agricultural (-A) General Plan land use map for the project and included this overlay on the General Plan Land Use Maps. Review of the General Plan land use map for the project area indicates that there are no areas of "Prime Farmland" or properties designated as being within the Agricultural (-A) General Plan land use overlay district area adjacent to the project site. The parcels contain non-choice soils and are not within an Agricultural District. Although the County's Agricultural Commission recommended denial of the requested zone change because they believe site has historically been used for grazing and is currently capable of supporting sustaining grazing land for livestock, the property owner does not believe the site can support grazing land for livestock. Further, the subject site was once part of the Garland Ranch and a letter was submitted by the Garland Ranch owner indicated that commercial grazing on the Garland Ranch has always occurred on the north side of Rattlesnake Bar Road and not on the property currently owned by Mr. Beauchamp. Commercial grazing did not occur south of Rattlesnake Bar Road because of the site's lack of irrigation, steep terrain, and heavy brush. Impacts would be less than significant.
- b) The site is not currently under a Williamson Act Contract. As noted above, the property owner does not believe that commercial grazing at the subject site is commercially viable. Additionally, the proposed project would not conflict with existing agricultural zoning in the project vicinity and would not adversely impact any properties currently under a Williamson Act Contract because it would comply with General Plan Policy 8.1.3.1 regarding 10 acre buffer parcels adjacent to the agricultural land to the north of the subject site. The map would also include special 200-foot setbacks from the boundary of said agricultural lands in compliance with General Plan Policy 8.1.3.2. Impacts would be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- c) No existing agricultural land would be converted to non-agricultural use as a result of the proposed project. Further, the project would have a less than significant on the agricultural lands to the north because of compliance with General Plan policies 8.1.3.1 and 8.1.3.2 as discussed above. The owner of the neighboring Garland Ranch has also stated the terrain between the two properties would eliminate most potential conflicts between the proposed Sundance Subdivision and Garland Ranch. (*Sundance Subdivision*, Rick Gutierrez, Owner Garland Ranch, June 7, 2009)

FINDING: It has been determined that the project would result in less than significant impacts to agricultural lands or properties subject to a Williamson Act Contract. Potential impacts to the agricultural lands to the north would be addressed by compliance with applicable General Plan policies. The remaining surrounding area is developed with rural residential development. For this "Agriculture" category, the identified thresholds of significance have not been exceeded and no significant adverse environmental effects would result from the project.

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

Discussion:

A substantial adverse effect on Air Quality would occur if:

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

- a) El Dorado County has adopted the *Rules and Regulations of the El Dorado County Air Pollution Control District* (February 15, 2000) establishing rules and standards for the reduction of stationary source air pollutants (ROG/VOC, NO_x, and O₃). The applicant provided "Air Quality Assessment for Sundance Equestrian Estates Rattlesnake Bar Road El Dorado County, California," prepared by Carlton Engineering, Inc. According to the study, "Carlton concludes that

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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the air emission thresholds for the project as currently planned appears to be below the APCD emission thresholds and therefore, no additional mitigative measures beyond dust control will be required for the project.” (*Air Quality Assessment for Sundance Equestrian Estates Rattlesnake Bar Road El Dorado County, California, Carlton Engineering, Inc., September 2006*). Therefore, the potential impacts of the project would be less than significant.

- b) The El Dorado County Air Quality Management District (AQMD) reviewed the project and determined that with the implementation of five standard conditions of approval, the project would have a less than significant impact on the air quality. As part of the conditions, an asbestos dust mitigation plan application must be submitted to and approved by the AQMD prior to the beginning of project construction. The project could result in the generation of green house gasses, which could contribute to global climate change. However, the amount of greenhouse gases generated by the project would be negligible compared to global emissions or emissions in the county, so the project would not substantially contribute cumulatively to global climate change. These measures are included as conditions of project approval and would reduce any impacts in this category to a level of less than significant.
- c) As stated above under section “a,” construction and operation of the proposed project would not result in cumulative impacts to the air basin. This conclusion was reached in the submitted air quality analysis and reviewed and confirmed by the AQMD.
- d) The El Dorado County AQMD reviewed the project and identified that no sensitive receptors exist in the area and would not be affected by this project. As such, the proposed project would not expose sensitive receptors to substantial pollutant concentrations. Impacts would be less than significant.
- e) Residential development is not classified as an odor generating facility within Table 3.1 of the El Dorado County Air Quality Management District CEQA Guide. The proposed subdivision map would not result in significant impacts resulting from odors. Impacts would be less than significant.

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

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

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

Discussion:

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

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

a) According to the submitted biological report, "None of the Pine Hill plants were found at the project site during surveys conducted during the evident and identifiable period. The project will not have a substantial adverse effect on these species because no individuals of the species are present." (*Updated Biological Impact Analysis and Proposed Mitigation Measures for the Sundance Project, El Dorado County, CA, Sycamore Environmental Consultants, Inc., April 13, 2009*) No other special-status plants were found at the project site during surveys conducted during the evident and identifiable period. The three stock ponds at the subject site provide the only potential breeding habitat for the California Red-Legged Frog, and Northwestern Pond Turtle. However, the project avoids fill or dewatering of the stock ponds. No California Red-Legged Frogs or Northwestern Pond Turtles were observed. Although no California Horned Lizards were observed at the subject site, there are 1.3 acres of gabbroic northern mixed chaparral at the site which could provide potential habitat to the California Horned Lizards. The proposed project would remove approximately 0.22 acres of gabbroic northern mixed chaparral because of road construction. The project could have a potentially significant impact because grading would remove California Horned Lizard habitat and could cause mortality or injury to individual lizards. However, the mitigation measure identified below would reduce the potential impact to a less than significant level.

MM BIO-1: A pre-construction survey for California Horned Lizard shall be conducted not more than one hour prior to initial grading in gabbroic northern mixed chaparral. The pre-construction survey shall be conducted at a time of day when the lizard is most likely to be found (basking behavior during mid-morning), as determined by a qualified biologist, and most likely to result in detection and capture of California Horned

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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Lizard, if present. California Horned Lizards, if found, shall be moved out of the path of construction. This mitigation measure shall be noted on the project's improvement plans.

Timing/Implementation: Prior to improvement plan approval

Enforcement/Monitoring: El Dorado County Planning Services

Potential habitat for the Tricolored Blackbird occurs in the patches of willows and blackberry adjacent to the three stock ponds. The project avoids fill or dewatering of the stock ponds and the removal of hydrophytic shrubs/trees along the margins. As such, the project would have no impact on the Tricolored Blackbird.

Potential impacts from the widening of Pilot View Drive from proposed Road "A" to Salmon Falls Road were analyzed in a supplemental biological report. According to the report, "The study corridor provides habitat for California Horned Lizard, migratory birds and birds of prey, and 12 special-status plant species. No special-status wildlife or plant species were observed in the study corridor. (*Sundance Project Biological Resources Evaluation Supplemental Letter, Sycamore Environmental Consultants, Inc., April 2, 2009*) Further, no potential wetlands were observed in the study corridor the June 20, 2008 field surveys. Three ephemeral drainages were observed in the study corridor. However, according to the report, ephemeral drainages in the study corridor do not appear to meet the "significant nexus" test established for the Section 404 Clean Water Act jurisdiction by the Rapanos Supreme Court case and ensuing joint Corps/EPA guidance.

- b) Three sensitive natural communities occur on the project site: gabbroic northern mixed chaparral; wetlands/waters; and oak woodlands. Wetlands/waters are discussed in Section C below. The removal of approximately 0.22 acres of gabbroic northern mixed chaparral for road construction is a potentially significant impact. The project would either pay the mitigation area 1 fees (Zoning Ordinance Chapter 17.71) or protect gabbroic northern mixed chaparral at a 1.5:1 ratio which would reduce the impact to a less than significant level.

Estimated existing oak tree canopy at the subject site is 61.2 percent. (*Oak Canopy Analysis Update for the Sundance Project, El Dorado County, CA, Sycamore Environmental Consultants, Inc., April 2, 2009*) Under General Plan Policy 7.4.4.4, Option A, 70 percent of the existing canopy must be retained. After oak tree canopy removal for road construction and lot development, total estimated project oak tree canopy retention would be 92.4 percent consistent with General Plan Policy 7.4.4.4, Option A. Future development of the proposed lots would have the option of complying with either Option A or Option B of Policy 7.4.4.4. Impacts would be less than significant.

- c) Approximately 2.224 acres of wetlands and waters are identified in a preliminary jurisdictional report. (*Preliminary Jurisdictional Report for the Sundance Project El Dorado County, CA, Sycamore Environmental Consultants, Inc., November 7, 2006*) These features include five seasonal wetland areas, two seeps, three stockponds, and several ephemeral and intermittent channels. Road design could result in fill of up to 0.05 acres of wetlands and waters which would be a potentially significant impact. The following mitigation measures would reduce potential impacts to a less than significant level.

MM BIO-2: If road design uses closed-bottom culverts, such as pipes, where the road crosses channels, a Section 404 permit shall be obtained from the U.S. Army Corps of Engineers prior to grading permit issuance. If required, proof of said permit shall be provided to Planning Services prior to grading permit issuance.

Timing/Implementation: Prior to grading permit issuance

Enforcement/Monitoring: El Dorado County Planning Services

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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MM BIO-3: A 50-foot setback shall be shown on the final subdivision map from all wetlands, stockponds, and intermittent channels consistent with General Plan Policy 7.3.3.4.

Timing/Implementation: At time of final map submittal

Enforcement/Monitoring: El Dorado County Planning Services

- d) The project site provides potential nesting for habitat for birds of prey and birds listed by the Migratory Bird Treaty Act (MBTA) including the Cooper’s hawk and white-tailed kite. (*Updated Biological Impact Analysis and Proposed Mitigation Measures for the Sundance Project, El Dorado County, CA, Sycamore Environmental Consultants, Inc., April 13, 2009*) A bird could establish a nest prior to construction. The nesting season is generally February 1 through August 31. A potentially significant impact could occur if an active nest was removed during construction or if construction disturbance caused nest abandonment prior to fledging of the young birds. The following mitigation measure would reduce potential impacts to a less than significant level.

MM BIO-4: If construction is scheduled to begin between February 1 and August 31, a qualified biologist shall conduct a preconstruction survey for active nests at the construction site and within 250 feet of the construction site from publicly accessible areas within 30 days prior to construction. If no active nest of a bird of prey or MBTA bird is found, then no further mitigation measures are necessary.

If an active nest of a bird of prey or MBTA is found, the biologist shall flag a minimum of 250-foot environmentally sensitive area (ESA) around the nest if the nest is of a bird of prey, and a minimum 50-foot ESA around the nest if the nest is of an MBTA bird other than a bird of prey.

The ESA shall be maintained until the nest is no longer active, that is, when the nest no longer contains eggs and young have fledged. No disturbance shall occur within the ESA until a qualified biologist determines that the nest is no longer active. This mitigation measure shall be noted on the project’s improvement plans.

Timing/Implementation: Prior to improvement plan approval

Enforcement/Monitoring: El Dorado County Planning Services

There are local populations of deer in and around the project area. However, this project site does not include, nor is it adjacent to any migratory deer herd habitats as shown in exhibit 5.12-7 of the El Dorado County General Plan EIR and is not considered a refuge as shown by the California Department of Fish and Game Deer Zone Map (Location D-5). This impact would be considered less than significant.

- e) The project site and Pilot View Drive are located within an Important Biological Corridor as designated in the General Plan. As such, General Plan Policy 7.4.2.9 includes provisions for increased minimum parcels sizes, higher oak tree canopy retention standards, lower thresholds for grading permits, higher retention standards for wetland/riparian habitat loss, increased riparian corridor and wetland setbacks, greater protection for rare plants, and no hindrances to wildlife movement. As proposed, the project includes retention of 92.4 percent of the oak tree canopy versus the 70 percent Option A minimum requirement and retention of at least 97.9 percent of the wetlands and waters. No special status plants were found at the project site during botanical surveys conducted during the evident and identifiable period. The project site is bordered on the south and east by primarily five acre residential parcels which currently permit the movement of wildlife through the area. The proposed 10 to 12 acre lots would not hinder wildlife movement already occurring on the surrounding higher density parcels. Impacts would be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- f) There are no adopted Habitat Conservation Plans or Natural Community Conservation Plans that are applicable to the subject site. The project site is not in critical habitat or a recovery plan core area for the California Red-Legged Frog. The project site is not in the United States Fish and Wildlife Service recovery plan boundary for the Pine Hill plants. No impacts would occur.

FINDING: There would be no significant impacts to biological resources with adherence to applicable General Plan policies and the mitigation measures identified above. As such, the impacts in the 'Biological Resources' category would be reduced to a less than significant level for this project with implementation of the mitigation measures.

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

Discussion:

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

- Disrupt, alter, or adversely affect a prehistoric or historic archaeological site or a property or historic or cultural significant to a community or ethnic or social group; or a paleontological site except as a part of a scientific study;
- Affect a landmark of cultural/historical importance;
- Conflict with established recreational, educational, religious or scientific uses of the area; or
- Conflict with adopted environmental plans and goals of the community where it is located.

a & b)

The applicant submitted a "Cultural Resources Study of the Rattlesnake Bar Road Project APN: 104:520:04, 05, & 06 Near Pilot Hill, El Dorado County, California" prepared by Historic Resource Associates in April 2006. According to the study, "following a field investigation of the project area, no significant prehistoric or historic archaeological sites, features, or artifacts were found, nor were any buildings, structures, or objects discovered." (*Cultural Resources Study of the Rattlesnake Bar Road Project APN: 104:520:04, 05, & 06 Near Pilot Hill, El Dorado County, California, Historic Resource Associates, April 2006*) No further cultural resource study is recommended. In the event sub-surface historical, cultural or archeological sites or materials are disturbed during earth disturbances and grading activities on the site, standard conditions are included within Attachment 1 of the staff report to reduce any potential impacts to a less than significant level.

- c) A unique paleontological site would include a known area of fossil bearing rock strata. The project site does not contain

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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any known paleontological sites or know fossil locales. Impacts would be less than significant.

- d) Due to the size and scope of the project, there is a potential to discover human remains outside of a dedicated cemetery. In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the standard conditions within Attachment 1 would be implemented immediately.

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

VI. GEOLOGY AND SOILS. <i>Would the project:</i>			
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X
ii) Strong seismic ground shaking?			X
iii) Seismic-related ground failure, including liquefaction?			X
iv) Landslides?			X
b. Result in substantial soil erosion or the loss of topsoil?			X
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) creating substantial risks to life or property?			X
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X

Discussion:

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

- Allow substantial development of structures or features in areas susceptible to seismically induced hazards such as groundshaking, liquefaction, seiche, and/or slope failure where the risk to people and property resulting from earthquakes could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards;

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- Allow substantial development in areas subject to landslides, slope failure, erosion, subsidence, settlement, and/or expansive soils where the risk to people and property resulting from such geologic hazards could not be reduced through engineering and construction measures in accordance with regulations, codes, and professional standards; or
 - Allow substantial grading and construction activities in areas of known soil instability, steep slopes, or shallow depth to bedrock where such activities could result in accelerated erosion and sedimentation or exposure of people, property, and/or wildlife to hazardous conditions (e.g., blasting) that could not be mitigated through engineering and construction measures in accordance with regulations, codes, and professional standards.
- a) According to the Preliminary Land Capability Report, “ground rupture associated with earthquake activity on the Foothills Fault System is possible but considered very unlikely for the subject site.” (*Preliminary Land Capability Report for Sundance Rattlesnake Bar Road El Dorado County, CA, Carlton Engineering, Inc., April 2009*) Although nearby fault zones are mapped, the CDMG has not identified any special seismic study zones in this portion of the foothills region. Ground shaking caused by earthquake activity centered elsewhere within the Sierra Nevada, western Nevada, and Coastal Ranges of California is possible and likely to occur. However, the impacts from fault ruptures, seismically induced ground shaking, or seismic ground failure or liquefaction are considered to be less than significant. Any potential impact caused by locating structures in the project area would be offset by the compliance with the Uniform Building Code earthquake standards. The possibility of landslide development is considered remote in the areas considered for structural improvement, given the relative competent bedrock conditions and soil cover. (*Preliminary Land Capability Report for Sundance Rattlesnake Bar Road El Dorado County, CA, Carlton Engineering, Inc., April 2009*) Impacts would be less than significant.
- b) According to the submitted drainage report, “the effects of this proposed construction will not significantly increase runoff amounts, will not noticeably change the native time of concentration or affect natural drainage patterns. The proposed project only represents an increase of approximately less than 3%, and should be considered as having a minimal effect on the drainage leaving the site. In order to mitigate this increase in runoff, some mitigation methods may include grassy swales or level spreaders. These methods will decrease velocity and clean the water before it is release. Due to the minimal increase in storm water runoff, detention methods do not seem necessary for this project.” (*Preliminary Stormwater Drainage Study for Sundance Rattlesnake Bar Road El Dorado County, California, Carlton Engineering, Inc., September 2006*) All proposed grading for individual lot and road development, as shown on the preliminary grading and drainage plan, must be in compliance with the El Dorado County Grading, Erosion, and Sediment Control Ordinance which would reduce any potentially significant impact to a less than significant level.
- c) According to the Preliminary Land Capability Report and *Soil Survey of El Dorado Area, California, 1974*, 12 separate soil types are found in the project area: Argonaut, AoB; Boomer Sites, BpD; Cohasset, CmC; Cohasset, CoE; Holland, HgC; Iron Mountain, ImE; Josephine, JrD; Mariposa, MaD; Placer Diggings, PrD; Sites, SkD; Sites, SkE; and Wet Alluvial land, WaB. (*Preliminary Land Capability Report for Sundance Rattlesnake Bar Road El Dorado County, CA, Carlton Engineering, Inc., April 2009*) All grading must be in compliance with the El Dorado County Grading, Erosion, and Sediment Control Ordinance which would reduce any potentially significant impact to a less than significant level.
- d) According to the Preliminary Land Capability Report, “expansive or collapsible soil conditions are not expected within the building and disposal areas based on the soils observed during exploration trench logging and the general lithology of the underlying geologic units. Existing cut and fill slopes on the site were observed to be in a stable, competent condition.. (*Preliminary Land Capability Report for Sundance Rattlesnake Bar Road El Dorado County, CA, Carlton Engineering, Inc., April 2009*) Based upon this information, the impact from expansive soils would be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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e) The project proposes individual septic systems to treat wastewater generated by the 28 potential new primary homes on the site. Field test data and on-site soil evaluations performed on the project site indicate adequate soil conditions for installation of standard septic tank infiltration trench systems with demonstrated soil depths of at least 7.5 feet. (Preliminary Land Capability Report for Sundance Rattlesnake Bar Road El Dorado County, CA, Carlton Engineering, Inc., April 2009) The El Dorado County Department of Environmental Management is responsible for protecting public health and the environment from the potential adverse health and environmental impacts associated with on-site individual sewage disposal systems. An on-site sewage disposal feasibility report was reviewed and approved by the Environmental Management Department on October 1, 2007. (Interoffice Memorandum, Environmental Management Department, October 1, 2007) Impacts would be less than significant.

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

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

Discussion:

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

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- Expose people and property to hazards associated with the use, storage, transport, and disposal of hazardous materials where the risk of such exposure could not be reduced through implementation of Federal, State, and local laws and regulations;
 - Expose people and property to risks associated with wildland fires where such risks could not be reduced through implementation of proper fuel management techniques, buffers and landscape setbacks, structural design features, and emergency access; or
 - Expose people to safety hazards as a result of former on-site mining operations.
- a) No significant amount of hazardous materials would be transported, used, or disposed of for the project. Impacts would be less than significant.
 - b) No significant amount of hazardous materials would be utilized for the project. Current County records indicate that a portion of the subject site is located within the Asbestos Review Area. As such, an asbestos dust mitigation plan application must be submitted to and approved by the AQMD prior to the beginning of project construction. As outlined above in the "Air Quality" section, these measures are included as conditions of project approval and would reduce any impacts in this category to a level of less than significant.
 - c) As proposed, the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
 - d) The project site is not identified on any list compiled pursuant to California Government Code 65962.5 identifying any hazardous material sites in the project vicinity. As such, there would be a less than significant impact from hazardous material sites.
 - e) *The San Francisco Sectional Aeronautical Chart*, last updated March 22, 2001, was reviewed and the project site is not located within two miles of a public airport. As such, the project would not be subject to any land use limitations contained within any adopted Comprehensive Land Use Plan. There would be no impacts to the project site resulting from public airport operations and the over-flight of aircraft in the vicinity of the project.
 - f) *The San Francisco Sectional Aeronautical Chart*, last updated March 22, 2001, was reviewed and the project site is not located within two miles of a privately owned airstrip. As such, there is no significant safety hazard resulting from private airport operations and aircraft overflights in the vicinity of the project site. No impacts would occur.
 - g) The proposed project would not physically interfere with the implementation of the County adopted emergency response and/or evacuation plan for the County. This is based upon the location of the nearest fire station, site access, availability of water for fire suppression, and provisions within the County emergency response plan. The County emergency response plan is located within the County Office of Emergency Services in the El Dorado County Government Center complex in Placerville. Impacts would be less than significant.
 - h) CAL FIRE and the El Dorado County Fire Protection District reviewed the project proposal and concluded that the project would not expose people to a significant risk of loss, injury or death involving wildland fires or wildland fires adjacent to or located in an urbanized area with the implementation of the conditions of approval included in Attachment 1 of the staff report. Conditions of approval include 20-foot wide roadways, unrestricted secondary access to the south, submittal of a fire safe plan, and the installation of sprinkler systems for each proposed residence. Impacts would be less

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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than significant with the implementation of CAL FIRE and Fire District requirements included as conditions of approval within Attachment 1 of the staff report.

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

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

Discussion:

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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A substantial adverse effect on Hydrology and Water Quality would occur if the implementation of the project would:

- Expose residents to flood hazards by being located within the 100-year floodplain as defined by the Federal Emergency Management Agency;
 - Cause substantial change in the rate and amount of surface runoff leaving the project site ultimately causing a substantial change in the amount of water in a stream, river or other waterway;
 - Substantially interfere with groundwater recharge;
 - Cause degradation of water quality (temperature, dissolved oxygen, turbidity and/or other typical stormwater pollutants) in the project area; or
 - Cause degradation of groundwater quality in the vicinity of the project site.
- a) The project is located outside the County's Community Region boundary; therefore General Plan Policy 5.3.1.1 allows for projects to rely on on-site septic systems. Wastewater disposal is proposed to be provided by individual septic systems for the proposed lots. Field test data and on-site soil evaluations performed on the project site indicate adequate soil conditions for installation of standard septic tank infiltration trench systems with demonstrated soil depths of at least 7.5 feet. (*Preliminary Land Capability Report for Sundance Rattlesnake Bar Road El Dorado County, CA*, Carlton Engineering, Inc., April 2009) The El Dorado County Department of Environmental Management is responsible for protecting public health and the environment from the potential adverse health and environmental impacts associated with on-site individual sewage disposal systems. An on-site sewage disposal feasibility report was reviewed and approved by the Environmental Management Department on October 1, 2007. (*Interoffice Memorandum, Environmental Management Department, October 1, 2007*). The proposed project's septic system design would be reviewed by the Department to ensure compliance with County Ordinance Chapter 15.32, Private Sewage Disposal System, as well as County Resolution No. 259-99, Design Standards for the Site Evaluation and Design of Sewage Disposal Systems. Review by the Department of Environmental Management and compliance with the existing regulations would ensure that all septic systems constructed as part of the project would function properly and would not violate any water quality standards or waste discharge requirements. Therefore, the potential impacts would be less than significant.
- b) Water supply for the proposed project would be provided by domestic water wells on each proposed lot. According to a hydrogeologic investigations assessment report, "The Sundance Subdivision proposes only 29 lots which is about 58 percent of the number of lots that the long-term annual groundwater safe yield resources can support. The average minimum lot size relative to the 298.16 acre site would be about 10 acres per lot. Therefore, the proposed development has a safety factor of about 1.7 which includes multiple conservative water balance variables. The actual safety factor would be some unknown amount higher, if the conservatism in our water balance analyses are either eliminated or reduced." (*Hydrogeologic Investigation Assessment Report Sundance Subdivision, Pilot Hills, California, Holdrege & Kull, October 20, 2008*) The report further concludes "H & K believes that the long-term annual groundwater safe yield of the Sundance Subdivision site is substantial enough to preclude any significant impacts on adjacent properties that also use the local groundwater resources." (*Hydrogeologic Investigation Assessment Report Sundance Subdivision, Pilot Hills, California, Holdrege & Kull, October 20, 2008*) The Environmental Management Department concluded "the applicant has submitted well water production and water quality data gather from test wells on the project site that demonstrate that adequate water is available for the proposed project." (*Interoffice Memorandum, Environmental Management Department, June 10, 2009*) Impacts would be less than significant.
- c) Proposed grading and ground disturbances associated with the project would not substantially alter the existing drainage patterns on or off the site. The *Grading Erosion and Sediment Control Ordinance* contains specific requirements that limit the impacts to a drainage system (Section 15.14.440 & Section 15.14.590). The standards apply to this project. As such, impacts would be less than significant.

d & e)

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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According to the submitted drainage report, "the effects of this proposed construction will not significantly increase runoff amounts, will not noticeably change the native time of concentration or affect natural drainage patterns. The proposed project only represents an increase of approximately less than 3%, and should be considered as having a minimal effect on the drainage leaving the site. In order to mitigate this increase in runoff, some mitigation methods may include grassy swales or level spreaders. These methods will decrease velocity and clean the water before it is release. Due to the minimal increase in storm water runoff, detention methods do not seem necessary for this project." (Preliminary Stormwater Drainage Study for Sundance Rattlesnake Bar Road El Dorado County, California, Carlton Engineering, Inc., September 2006) All proposed grading for individual lot and road development, as shown on the preliminary grading and drainage plan, must be in compliance with the El Dorado County Grading, Erosion, and Sediment Control Ordinance which would reduce any potentially significant impact to a less than significant level. Therefore, substantial drainage pattern alteration or runoff would not occur. Impacts would be less than significant.

f) The project would not result in substantial degradation of water quality in either surface or sub-surface water bodies in the vicinity of the project area. All stormwater and sediment control methods contained in the *Grading, Erosion and Sediment Control Ordinance* must be met during all construction activities, as well as the required development of any permanent storm drainage facilities and erosion control measures on the project site. As discussed in "b" above, the proposal would have an insignificant impact on local groundwater resources. Impacts would be less than significant.

g & h)

The Flood Insurance Rate Map (Panel 06017C0450E) for the project area establishes that the project site is not located within a mapped 100-year floodplain. No impact would occur.

i) Three small earthfill dams exist on the project site. Two are associated with the unnamed creek running from the southeast to northwest, while the third is associated with a drainage swale located on the eastern portion of the site. Seismic failure of the dams could result in limited flooding and erosion downstream. However, seismic failure of these earthfill dams is unlikely due to low seismicity and relatively strong native soil materials. (Preliminary Land Capability Report for Sundance Rattlesnake Bar Road El Dorado County, CA, Carlton Engineering, Inc., April 2009) Impacts would be less than significant.

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

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

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

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

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

- Result in the conversion of Prime Farmland as defined by the State Department of Conservation;
 - Result in conversion of land that either contains choice soils or which the County Agricultural Commission has identified as suitable for sustained grazing, provided that such lands were not assigned urban or other nonagricultural use in the Land Use Map;
 - Result in conversion of undeveloped open space to more intensive land uses;
 - Result in a use substantially incompatible with the existing surrounding land uses; or
 - Conflict with adopted environmental plans, policies, and goals of the community.
- a) The project would not result in the physical division of an established community. As proposed, the project is compatible with the surrounding rural residential and agricultural land uses and would not create land use conflicts with surrounding properties. The proposed project density of approximately one unit per 10 acres is less than that of surrounding properties which is one unit per five acres. Further, potential incompatibilities with existing agricultural land to the north would be addressed by compliance with applicable General Plan policies concerning 10-acre minimum buffer parcels and special 200-foot agricultural setbacks from the adjoining agricultural land. Impacts would be less than significant.
- b) As proposed, the project is consistent with specific, fundamental, and mandatory land use goals, objectives, and applicable policies of the 2004 General Plan including those policies pertaining to land use density, agricultural protection, wetland/water setbacks, avoidance of grading on slopes in excess of 30 percent, oak tree canopy retention, emergency access, water supply, sewage disposal, and Important Biological Corridor enhanced standards.

The subdivision map would be consistent with the development standards contained within the RE-10 zone district and local subdivision policies. Future lot development would need to meet the standards established by the RE-10 zone district. This project meets the land use objectives established for the property. As no conflict exists between the project and applicable land use policies, potential environmental impacts would be considered to be less than significant.

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

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

X. MINERAL RESOURCES. <i>Would the project:</i>			
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?			X

Discussion:

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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A substantial adverse effect on Mineral Resources would occur if the implementation of the project would:

- Result in obstruction of access to, and extraction of mineral resources classified MRZ-2x, or result in land use compatibility conflicts with mineral extraction operations.
- a) The project site is not mapped as being within a Mineral Resource Zone (MRZ) by the State of California Division of Mines and Geology or in the El Dorado County General Plan. No impact would occur.
- b) The Western portion of El Dorado County is divided into four, 15 minute quadrangles (Folsom, Placerville, Georgetown, and Auburn) mapped by the State of California Division of Mines and Geology showing the location of Mineral and Resource Zones (MRZ). Those areas which are designated MRZ-2a contain discovered mineral deposits that have been measured or indicate reserves calculated. Land in this category is considered to contain mineral resources of known economic importance to the County and/or State. Review of the mapped areas of the County indicates that the subject property does not contain any mineral resources of known local or statewide economic value. No impact would occur.

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

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

Discussion:

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

- Result in short-term construction noise that creates noise exposures to surrounding noise sensitive land uses in excess of 60dBA CNEL;

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- Result in long-term operational noise that creates noise exposures in excess of 60 dBA CNEL at the adjoining property line of a noise sensitive land use and the background noise level is increased by 3dBA, or more; or
- Results in noise levels inconsistent with the performance standards contained in Table 6-1 and Table 6-2 in the El Dorado County General Plan.

a & c)

The project would not result in a substantial increase in existing ambient noise levels in the project vicinity. The project would not generate noise levels exceeding the performance standards contained in Table 6-1 and Table 6-2 within the General Plan as it involves the creation of 29 lots and related residential noise. Other than temporary noise generated from construction equipment, no significant noise would be expected from the development of the project. Temporary noise impacts would be addressed by standard conditions of approval regarding construction hours within Attachment 1 of the staff report. As such, impacts would be less than significant.

b & d)

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

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

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

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

Discussion:

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

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

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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a,b,c) To avoid impacts associated with an increase in population growth potential displacement of housing or residents, General Plan Policy 2.9.1.2 requires that every five years, as part of the General Plan review and update, actions can be taken to decrease forecasted impacts in areas where higher intensity development is found to have a market demand. A recent study conducted by Bay Area Economics in June 2006 concluded that “Based on the actual growth rates within El Dorado County since 2002 compared to the growth projections contained in the Land Use Forecast Report, it appears that the growth assumptions in the Land Use Forecast Report are reliable, and in fact somewhat conservative from an environmental impact standpoint.” The proposed project could include up to 28 residential units. Assuming 2.8 persons per household² in the primary units, population could increase by approximately 79 persons. Assuming all residential units include a primary and secondary unit, the population could increase to approximately 157 persons. Assuming growth beyond the primary units the additional population would not be considered a significant population growth. Therefore, potential impacts as a result of increased population and displacement of housing or residents would be considered less than significant.

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

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

Discussion:

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

- Substantially increase or expand the demand for fire protection and emergency medical services without increasing staffing and equipment to meet the Department’s/District’s goal of 1.5 firefighters per 1,000 residents and 2 firefighters per 1,000 residents, respectively;
- Substantially increase or expand the demand for public law enforcement protection without increasing staffing and equipment to maintain the Sheriff’s Department goal of one sworn officer per 1,000 residents;
- Substantially increase the public school student population exceeding current school capacity without also including provisions to adequately accommodate the increased demand in services;
- Place a demand for library services in excess of available resources;

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

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- Substantially increase the local population without dedicating a minimum of 5 acres of developed parklands for every 1,000 residents; or
 - Be inconsistent with County adopted goals, objectives or policies.
- a) **Fire Protection:** CAL FIRE and the El Dorado County Fire Protection District currently provide fire protection services to the project area. Development of the project would result in a minor increase in the demand for fire protection services, but would not prevent the Fire District from meeting its response times for the project or its designated service area. The El Dorado County Fire Protection District would review the project improvement plans and final map filing submittal for condition conformance prior to approval. The proposed gating of proposed Road "A" at the intersection with Pilot View Drive would not be permitted. As such, impacts would be less than significant.
- b) **Police Protection:** The project site would be served by the El Dorado County Sheriff's Department with a response time depending on the location of the nearest patrol vehicle. The minimum Sheriff's Department service standard is an 8-minute response to 80% of the population within Community Regions. No specific minimum level of service or response time was established for Rural Centers and Rural Regions. The Sheriff's Department stated goal is to achieve a ratio of one sworn officer per 1,000 residents. The addition of 29 residential lots would not significantly impact current response times to the project area. Impacts would be less than significant.
- c) **Schools:** The project site is located within the Black Oak Mine School District. The affected school district was contacted as part of the initial consultation process, but no comments were submitted. Impacts would be less than significant.
- d) **Parks:** The proposed project would not substantially increase the local population necessitating the development of new park facilities. Section 16.12.090 of County Code establishes the method to calculate the required amount of land for dedication for parkland or the in-lieu fee amount for residential projects. In this case, the tentative subdivision map would be conditioned to require the payment of a parkland dedication in-lieu park fee to the Georgetown Divide Recreation District consistent with the procedures outlined within Section 16.12.090. Impacts would be less than significant.
- e) No other public facilities or services would be substantially impacted by the project. Impacts would be less than significant.

FINDING: Adequate public services are available to serve the project. Therefore, there is no potential for a significant impact due to the creation of 28 additional residential lots at the subject site, either directly or indirectly. No significant public service impacts are expected. For this "Public Services" category, the thresholds of significance have not been exceeded.

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

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

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

- Substantially increase the local population without dedicating a minimum of five acres of developed parklands for every 1,000 residents; or
 - Substantially increase the use of neighborhood or regional parks in the area such that substantial physical deterioration of the facility would occur.
- a) Park and recreation services would be provided by the County and special districts, which maintain facilities within the County. Using the standard of five acres of parkland for every 1,000 residents, this project would result in the demand for less than one acre of new parkland. The project applicant would be required to dedicate land or pay a fee pursuant to Section 16.12.090 of the County Subdivision Ordinance to mitigate the increased demand for parkland. As a result, this impact would be considered less than significant.
- b) The project does not propose any on-site recreation facilities and would not be required to construct any new facilities or expand any existing recreation facilities with the scope of this project. No impacts would occur.

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

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

Discussion:

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

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- Result in an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system;
- Generate traffic volumes which cause violations of adopted level of service standards (project and cumulative); or
- Result in, or worsen, Level of Service "F" traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county as a result of a residential development project of 5 or more units.

a & b)

A traffic study was completed and reviewed by the Department of Transportation (DOT) which concluded that the project's impacts would be less than significant at all study intersections. A cumulative analysis is not required since the trip generation for the proposed project is below 2025 year thresholds assumed in the General Plan. Study recommendations are included as standard conditions of approval in Attachment 1 and include payment of traffic impact mitigation (TIM) fees, construction of onsite roadways to DOT standards, and the off-site improvement of Rattlesnake Bar Road and Pilot View Drive to a width of 20 feet from proposed Road "A" to Salmon Falls Road. (*Sundance – Beauchamp (Formerly Rattlesnake Bar) Draft Traffic Impact Study, PRISM Engineering, September 14, 2006*) Proposed project access to the north would be via Rattlesnake Bar Road while the connection of proposed Road "A" to Pilot View Drive would provide access to the south. Impacts would be less than significant.

The 2004 General Plan Policies TC-Xe and TX-Xf (which reflect Measure Y) require that projects that "worsen" traffic by 2%, or 10 peak hour trips, or 100 average daily trips must construct (or ensure funding and programming) of any improvements required to meet Level of Service standards in the General Plan Transportation and Circulation Element. DOT has conditioned the project to address this General Plan consistency issue by requiring payment of traffic impact mitigation fees with each building permit.

- c) The project would not result in a change in established air traffic patterns for publicly or privately operated airports or landing field in the project vicinity. No impacts would occur.
- d) The project would be required to make on-site and off-site road improvements consistent with the provisions of the County's Design Improvement Standards Manual. As such, the proposed project would not include any design features, such as sharp curves or dangerous intersections, or incompatible uses that would substantially increase hazards. According to the traffic study, "a review of sight distance was conducted for the intersections of Salmon Falls Road at Pilot View Drive and Rattlesnake Bar Road and SR 49." Each intersection had at least 300 feet of sight distance consistent with the 2001 ASSHTO Green Book minimum recommended stopping-sight distances. No traffic hazards would result from the project design. Impacts would be less than significant.
- e) CAL FIRE and the El Dorado County Fire Protection District reviewed the project proposal and concluded that the project would not result in inadequate emergency access to any potential residential structure with the implementation of the conditions of approval included in Attachment 1 of the staff report. Impacts would be less than significant.
- f) Future development would be required to meet on-site parking requirements identified by use within the Zoning Ordinance. Future requests for building permits would be reviewed for conformance with parking standards during the review process. Parking requirements for conventional single-family detached homes are two spaces not in tandem. Sufficient space is available on each proposed lot to accommodate this parking requirement. Impacts would be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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g) The proposed project does not conflict with the adopted General Plan policies, and adopted plans, or programs supporting alternative transportation. The El Dorado County Transit Authority reviewed the proposal and had no comments. No bus turnouts would be required for this tentative subdivision map. No impacts would occur.

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

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

Discussion:

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

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

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- a) Wastewater disposal is proposed to be provided by individual septic systems for the proposed lots. An on-site sewage disposal feasibility report was reviewed and approved by the Environmental Management Department on October 1, 2007. (*Interoffice Memorandum, Environmental Management Department, October 1, 2007*) Impacts would be less than significant.
- b) Water supply for the proposed project would be provided by domestic water wells on each proposed lot. According to a hydrogeologic investigations assessment report, "The Sundance Subdivision proposes only 29 lots which is about 58 percent of the number of lots that the long-term annual groundwater safe yield resources can support. The average minimum lot size relative to the 298.16 acre site would be about 10 acres per lot. Therefore, the proposed development has a safety factor of about 1.7 which includes multiple conservative water balance variables. The actual safety factor would be some unknown amount higher, if the conservatism in our water balance analyses are either eliminated or reduced." (*Hydrogeologic Investigation Assessment Report Sundance Subdivision, Pilot Hills, California, Holdrege & Kull, October 20, 2008*) The report further concludes "H & K believes that the long-term annual groundwater safe yield of the Sundance Subdivision site is substantial enough to preclude any significant impacts on adjacent properties that also use the local groundwater resources." (*Hydrogeologic Investigation Assessment Report Sundance Subdivision, Pilot Hills, California, Holdrege & Kull, October 20, 2008*) The Environmental Management Department concluded "the applicant has submitted well water production and water quality data gather from test wells on the project site that demonstrate that adequate water is available for the proposed project." (*Interoffice Memorandum, Environmental Management Department, June 10, 2009*) Impacts would be less than significant.
- c) According to the submitted drainage report, "the effects of this proposed construction will not significantly increase runoff amounts, will not noticeably change the native time of concentration or affect natural drainage patterns. The proposed project only represents an increase of approximately less than 3%, and should be considered as having a minimal effect on the drainage leaving the site. In order to mitigate this increase in runoff, some mitigation methods may include grassy swales or level spreaders. These methods will decrease velocity and clean the water before it is release. Due to the minimal increase in storm water runoff, detention methods do not seem necessary for this project." (*Preliminary Stormwater Drainage Study for Sundance Rattlesnake Bar Road El Dorado County, California, Carlton Engineering, Inc., September 2006*) All proposed grading for individual lot and road development, as shown on the preliminary grading and drainage plan, must be in compliance with the El Dorado County Grading, Erosion, and Sediment Control Ordinance which would reduce any potentially significant impact to a less than significant level. Therefore, substantial drainage pattern alteration or runoff would not occur. Impacts would be less than significant.
- d) As discussed above, water supply for the proposed project would be provided by domestic water wells on each proposed lot. According to a hydrogeologic investigations assessment report, "The Sundance Subdivision proposes only 29 lots which is about 58 percent of the number of lots that the long-term annual groundwater safe yield resources can support. The average minimum lot size relative to the 298.16 acre site would be about 10 acres per lot. Therefore, the proposed development has a safety factor of about 1.7 which includes multiple conservative water balance variables. The actual safety factor would be some unknown amount higher, if the conservatism in our water balance analyses are either eliminated or reduced." (*Hydrogeologic Investigation Assessment Report Sundance Subdivision, Pilot Hills, California, Holdrege & Kull, October 20, 2008*) The report further concludes "H & K believes that the long-term annual groundwater safe yield of the Sundance Subdivision site is substantial enough to preclude any significant impacts on adjacent properties that also use the local groundwater resources." (*Hydrogeologic Investigation Assessment Report Sundance Subdivision, Pilot Hills, California, Holdrege & Kull, October 20, 2008*) The Environmental Management Department concluded "the applicant has submitted well water production and water quality data gather from test wells on the project site that demonstrate that adequate water is available for the proposed project." (*Interoffice Memorandum, Environmental Management Department, June 10, 2009*) Impacts would be less than significant.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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- e) Wastewater disposal is proposed to be provided by individual septic systems for the proposed lots. An on-site sewage disposal feasibility report was reviewed and approved by the Environmental Management Department on October 1, 2007. (*Interoffice Memorandum, Environmental Management Department, October 1, 2007*) Therefore, the proposed project would not exceed water quality standards. Impacts would be less than significant.
- f) In December of 1996, direct public disposal into the Union Mine Disposal Site was discontinued and the Material Recovery Facility/Transfer Station was opened. Only certain inert waste materials (e.g., concrete, asphalt, etc.) may be dumped at the Union Mine Waste Disposal Site. All other materials that cannot be recycled are exported to the Lockwood Regional Landfill near Sparks, Nevada. In 1997, El Dorado County signed a 30-year contract with the Lockwood Landfill Facility for continued waste disposal services. The Lockwood Landfill has a remaining capacity of 43 million tons over the 655-acre site. Approximately six million tons of waste was deposited between 1979 and 1993. This equates to approximately 46,000 tons of waste per year for this period.
- After July of 2006, El Dorado Disposal began distributing municipal solid waste to Forward Landfill in Stockton and Kiefer Landfill in Sacramento. Pursuant to El Dorado County Environmental Management Solid Waste Division staff, both facilities have sufficient capacity to serve the County. Recyclable materials are distributed to a facility in Benicia and green wastes are sent to a processing facility in Sacramento. Impacts would be less than significant.
- g) County Ordinance No. 4319 requires that new development provide areas for adequate, accessible, and convenient storing, collecting, and loading of solid waste and recyclables. On-site solid waste collection for the proposed lots would be handled through the local waste management contractor. Adequate space would be available at the site for solid waste collection. Impacts would be less than significant.

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

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

Discussion:

- a) Subsurface earthwork activities may expose previously undiscovered buried resources. Standard construction cultural resource conditions of approval are incorporated into the project as conditions of approval within Attachment 1 of the

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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staff report. This would ensure that impacts on cultural resources are less than significant. In summary, all potentially significant effects on cultural resources can be reduced to a level of less than significant. Impacts to biological resources would also be less than significant with the implementation of the mitigation measures identified above.

- b) The project would not involve development or changes in land use that would result in an excessive increase in population growth. Impacts due to increased demand for public services associated with the project would be offset by the payment of fees as required by service providers to extend the necessary infrastructure services. The project would not contribute substantially to increased traffic in the area and the project would not require an increase in the wastewater treatment capacity of the County. The project would result in the generation of green house gasses, which could contribute to global climate change. However, the amount of greenhouse gases generated by the project would be negligible compared to global emissions or emissions in the county, so the project would not substantially contribute cumulatively to global climate change. Further, as discussed throughout this environmental document, the project would not contribute to a substantial decline in water quality, air quality, noise, biological resources, agricultural resources, or cultural resources under cumulative conditions. Cumulatively considerable impacts associated with the project are less than significant.
- c) The proposed project has the potential to generate potentially significant impacts to humans with respect to biological resources as discussed in this document. However, as conditioned and mitigated, and with strict adherence to County General Plan policies and permit requirements, this rezone and tentative subdivision map and the residential uses expected to follow, are not likely to cause project-related environmental effects which would result in substantial adverse effects on human beings, either directly or indirectly. Impacts would be less than significant.

SUPPORTING INFORMATION SOURCE LIST

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

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

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

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

El Dorado County General Plan - Volume II - Background Information

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

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

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

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

El Dorado County Design and Improvement Standards

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

Soil Survey of El Dorado Area, California

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

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

PROJECT SPECIFIC REPORTS AND SUPPORTING INFORMATION

Air Quality Assessment for Sundance Equestrian Estates Rattlesnake Bar Road El Dorado County, California, Carlton Engineering, Inc., September 2006.

Biological Resources Evaluation Report for the Sundance Project El Dorado County, CA, Sycamore Environmental Consultants, Inc., November 17, 2006.

Cultural Resources Study of the Rattlesnake Bar Road Project APN: 104:520:04, 05, & 06 Near Pilot Hill, El Dorado County, California, Historic Resource Associates, April 2006.

Hydrogeologic Investigation Assessment Report Sundance Subdivision, Pilot Hills, California, Holdrege & Kull, October 20, 2008.

Interoffice Memorandum, Environmental Management Department, October 1, 2007.

Interoffice Memorandum, Environmental Management Department, June 10, 2009.

Oak Canopy Analysis Update for the Sundance Project, El Dorado County, CA, Sycamore Environmental Consultants, Inc., April 2, 2009.

Preliminary Land Capability Report for Sundance Rattlesnake Bar Road El Dorado County, CA, Carlton Engineering, Inc., April 2009.

Preliminary Jurisdictional Report for the Sundance Project El Dorado County, CA, Sycamore Environmental Consultants, Inc., November 7, 2006.

Preliminary Stormwater Drainage Study for Sundance Rattlesnake Bar Road El Dorado County, California, Carlton Engineering, Inc., September 2006.

Sundance – Beauchamp (Formerly Rattlesnake Bar) Draft Traffic Impact Study, PRISM Engineering, September 14, 2006.

Sundance Project Biological Resources Evaluation Supplemental Letter, Sycamore Environmental Consultants, Inc., April 2, 2009.

Sundance Subdivision, Rick Gutierrez, Owner Garland Ranch, June 7, 2009.

Updated Biological Impact Analysis and Proposed Mitigation Measures for the Sundance Project, El Dorado County, CA, Sycamore Environmental Consultants, Inc., April 13, 2009.