



RESOLUTION NO.
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO
CERTIFYING THE ENVIRONMENTAL IMPACT REPORT FOR THE
GREEN VALLEY CONVENIENCE CENTER (PD12-0003)

WHEREAS, an application for the Green Valley Convenience Center project for eight self-service fuel pumps under a canopy, a convenience store, fast-food restaurant with a drive-through, self-service car wash, and an approximately 20-foot-tall monument sign was submitted to the County on October 18, 2012 as PD 12-0003; and

WHEREAS, A Mitigated Negative Declaration (MND) was prepared to evaluate the environmental effects of the proposed project, and the impacts were determined to be less than significant, identified mitigation measures to reduce significant impacts to less than significant levels, or there was no impact; and

WHEREAS, The Planning Commission considered the proposed project at a meeting July 11, 2013, where a number of issues were raised, prompting a recirculation of a revised MND in August and September 2013; and

WHEREAS, the Planning Commission approved a revised proposed project September 26, 2013, along with conditions of approval and mitigation measures; and

WHEREAS, September 27, 2013, a Notice of Determination was filed in compliance with Section 21152 of the Public Resources Code; and

WHEREAS, Following approval by the Planning Commission, the approval was appealed to the Board of Supervisors and approved December 12, 2013, along with revised conditions of approval and findings, and the revised MND; and

WHEREAS, On January 13, 2014 a petition for a Writ of Mandamus associated with adoption of the revised MND was filed by Friends of Green Valley and Amy Anders; and

WHEREAS, On August 13, 2014, pursuant to the stipulation of the parties, a Judgement and a Peremptory Writ of Mandamus (collectively, the “Judgement”) was issued requiring preparation of a focused Environmental Impact Report (EIR) to address traffic impacts, on-site and off-site biological and riparian impacts, potentially significant impacts to automobile, pedestrian, and bicycle safety, and site access alternatives including a full deceleration lane and a “pocket lane”; and

WHEREAS, On May 20, 2015, a revised project was submitted for an ARCO-branded convenience center to include an ARCO-branded convenience center to include a 4,872-square-foot open-sided canopy with eight self-service fuel pumps (16 fueling positions and two payment island cashiers) and solar panels on the canopy; two underground fuel storage tanks; a 3,058-square-foot convenience store, a 1,804-square-foot single-bay self-service car wash, with doors at the entrance and exit of the car wash to reduce exterior noise levels to levels that meet County standards; air/water unit and two vacuums; an 18-foot-tall monument site identification sign (67 square feet surface area); on-site parking spaces for vehicles (18 spaces) and bicycles (4 spaces); trash enclosure; on-site stormwater runoff collection system; on-site lighting, consisting of wall lights, canopy lights, and 12-foot-tall pole lights with full cutoff fixtures; and landscaping, hardscaping, and pavement; and

WHEREAS, On December 19, 2014 the County commenced the environmental review process with issuance of a CEQA Notice of Preparation (NOP) soliciting written comments regarding the scope of the focused EIR during a 30-day comment period beginning December 19, 2014 and closing January 20, 2015; and

WHEREAS, A public scoping meeting was held on January 14, 2015, from 6:30 pm to 8:00 pm in the El Dorado Hills Fire Department Conference Room located at 1050 Wilson Boulevard, El Dorado Hills, CA to solicit written comments on the scope of the EIR analysis; and

WHEREAS, the NOP and related materials were also posted on the County's project-dedicated website, e-mail notices were sent out to the subscriber lists, and pursuant to El Dorado County Resolution No. 241-2014 mailed notices were sent to all landowners within a 1-mile radius of the site; and

WHEREAS, The Draft DEIR was released for public review on October 5, 2015 for a 45-day comment period beginning October 6, 2015 and closing November 19, 2015; and

WHEREAS, the Notice of Availability (NOA), Draft EIR, and related materials were posted on the County's project-dedicated website, e-mail notices were sent out to the subscriber lists, and pursuant to El Dorado County Resolution No. 241-2014 mailed notices were sent to all landowners within a 1-mile radius of the site; and

WHEREAS, as stated in the Judgment, the Court found the following environmental issue areas were adequately addressed in the revised MND and did not need to be evaluated in the Draft EIR: aesthetics, agriculture/forestry resources, air quality, cultural resources, geology/soils, hazards/hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, and utilities/service systems; and

WHEREAS, In accordance with the Judgment, the Draft EIR evaluates in detail potential traffic and circulation impacts and biological resources impacts; and

WHEREAS, The Draft EIR identified traffic impacts that would be mitigated to less than significant levels with mitigation measures as identified in the Draft EIR, to include one intersection impact (Green Valley Road/El Dorado Hills-Salmon Falls Road) under Year 2019 conditions, queuing impacts at the Green Valley Road/Sophia Parkway intersection under existing plus project and 2019 plus project conditions, a potential vehicle and pedestrian/bicycle conflict at the Green Valley Road/Sophia Parkway intersection, and temporary construction-related impacts associated with soil import haul truck activities; and

WHEREAS, The Draft EIR identified potentially significant effects on riparian habitat, water quality in the seasonal stream, and migratory birds, and these biological resources impacts would be mitigated to less than significant levels with mitigation measures identified in the Draft EIR; and

WHEREAS, No significant and unavoidable impacts were identified in the Draft EIR; and

WHEREAS, the EIR Response to Comments document released March 11, 2016 contains individual responses to all written comments received during the 45-day comment period on the Draft EIR; and

WHEREAS, Following the public review period, a Final Environmental Impact Report on the Green Valley Convenience Center (SCH #2013062011) has been prepared pursuant to the California Environmental Quality Act (CEQA, Public Resources Code, Section 21000 et seq.) to include copies of public comments and the County's responses to comments pertaining to the environmental analysis presented in the Draft EIR and to analyze the environmental impacts of the planned development;

WHEREAS, the Board of Supervisors independently reviewed the EIR, related staff reports, the record of the Planning Commission, and all evidence including testimony and correspondence received at the Planning Commission and Board hearings, all of which documents and evidence are hereby incorporated by reference into this Resolution;

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

1. Pursuant to Section 15090 of the CEQA Guidelines, the Board of Supervisors hereby certifies that: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the Board of Supervisors, and the Board reviewed and considered the information contained in the Final EIR prior to taking action on the Project; and c) the Final EIR reflects the independent judgment and analysis of the County of El Dorado.
2. The Board of Supervisors finds that the EIR shows a good faith effort at full disclosure of environmental information and provides sufficient analysis to allow decisions to be made regarding the project in contemplation of its environmental consequences.
3. The Board of Supervisors hereby adopts the Mitigation Monitoring Plan attached hereto as Exhibit A (Mitigation Monitoring Plan) to ensure implementation of feasible mitigation measures identified in the EIR. The Board of Supervisors finds that these mitigation measures are fully enforceable as policies and/or implementation measures of the Project, and shall be binding upon the County and affected parties.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the _____ day of _____, 2016, by the following vote of said Board:

Attest: _____
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By: _____
Deputy Clerk

Chairman, Board of Supervisors