

**SUNDANCE PLAZA** - As adopted by the Board of Supervisors December 8, 1998

**DA98-01**

Findings

1. The Development Agreement is consistent with the objectives, policies, general land uses, and programs specified in the County General Plan.
2. The Development Agreement will not be detrimental to the health, safety, and general welfare of persons residing in the immediate area nor detrimental to the general welfare of the residents of the County as a whole.
3. The Development Agreement will not adversely affect the orderly development of property or the preservation of property values.
4. The Development Agreement is consistent with the provisions of Government Code §§ 65864 through 65869.5.
5. The Development Agreement contains a legal description of the subject property.

**Z97-22**

Findings

1. The proposed rezone is consistent with the General Plan Land Use Map and has been found to be supportable after assessment of the criteria in Policy 2.2.5.3.
2. A de minimis finding on the project's effect on fish and wildlife resources cannot be found and the project is therefore subject to the payment of California Department of Fish and Game fees per AB 3158.
3. The decision-making body has independently reviewed and certified the Final Missouri Flat Area and Sundance Plaza and El Dorado Villages Shopping Center EIR, prepared in accordance with State CEQA Guidelines §15132, prior to approving the project. The County has also considered and responded to Agency issues and concerns raised during review of the project (summarized in 'Agency Comments') through design modifications, or attached conditions of approval.
4. Significant and unavoidable impacts were identified in the Final EIR for the project and findings were prepared pursuant to Public Resources Code §21081. A Statement of Overriding Considerations was prepared pursuant to Public Resources Code § 21081(b). An El Dorado Villages Shopping Center Mitigation Monitoring and Reporting Program (MMRP) was prepared pursuant to Public Resources Code §21081.6. The decision-making body has considered the

EIR, the findings and Statement of Overriding Considerations, and the MMRP during the discretionary review of this project.

5. The project, as conditioned, complies with County General Plan policies, and development standards and regulations for Planned Developments, and underlying zoning.
6. The project is not considered detrimental to the public health, safety, and welfare.

**PD97-11**

Findings

1. A Planned Development application was filed in accordance with County Code Chapter 17.04 et. seq. The Planned Development, as conditioned, is found to be consistent with the County General Plan and related County regulations.
2. The decision-makers considered the architectural drawings of elevations of the proposed buildings in accordance with County Code 17.14.130 for applications in a commercial district facing a state highway.
3. The proposed Sundance Plaza is so designed to provide a desirable environment within its own boundaries.
4. The site is physically suited for the proposed uses.
5. Adequate services are available for the proposed uses including, but not limited to, water supply, sewage disposal, roads, and utilities.

**PD97-11**

Conditions

1. Only the following exhibits and documents are approved herein as part of the Development Plan for Sundance Plaza:  
  
Exhibit B: Site Plan  
Exhibit D: Preliminary Grading Plan  
Attachment 4: Preliminary Landscape Concept  
Attachment 6: Proposed Signage  
Building Elevation Exhibit(s) (not attached; on file with the Planning Department)
2. Approval of this development plan authorizes the processing of building and grading permits for projects found to be consistent with the approved Development Plan and conditions of approval noted herein. Such building and grading permit applications are processed as a ministerial permit, and approved by County departments. In those

instances where the development plan establishes specific standards, they shall supercede County standards. In those instances where the development plan does not address an issue or standard, applicable County standards shall apply.

In those situations where, in the opinion of the Planning Director, there is a significant departure from the approved development plan, or if issues are discovered which are not readily clarified in the conditions of approval of the development plan, then the Planning Director shall first present such changes to the Planning Commission at a regular meeting (not requiring hearing notification) to determine if the Planning Commission can make a finding of consistency. If such a finding cannot be made, plans shall be modified to be brought into consistency or an amendment application filed for Planning Commission consideration at a public hearing.

3. Prior to issuance of a building permit, final plans for fire flow, building sprinklers, and fire hydrant locations will be approved by the Diamond Springs/El Dorado Fire Protection District. Fire Department Connections for the Automatic Fire Sprinkler Systems will be located no farther than 50 feet from a fire hydrant.
4. Prior to the issuance of Occupancy Permits, fire extinguishers will be required throughout all commercial buildings. Size and type will be approved by the Diamond Springs/El Dorado Fire Protection District.
5. Prior to initiation of grading, the applicant shall submit and have approved by the El Dorado County APCD, a fugitive dust prevention and control plan.
6. Prior to construction/installation of point source emissions units (e.g., commercial water heaters, gas station, cleaners) at Sundance Plaza, authority to construct applications shall be submitted to the APCD. Submittal of applications will include facility diagram(s), proposed equipment specifications, and emission factors.
7. Prior to issuance of a building permit, the applicant will obtain EID approval of a Facility Plan Report for water and wastewater distribution lines and facilities, requiring the prior payment to EID of \$240 in review fees.
8. Prior to the issuance of a building permit, the applicant will pay a maximum surcharge of \$2,000 per EDU to share in the cost of providing offsite peak flow storage if determined necessary by EID. In addition, the project applicant may be required to improve the sewage lift station along El Dorado Road to receive service. The necessary improvements will be addressed in the Facility Plan Report and installed prior to building occupancy.
9. The project applicant shall provide separated routes for bicycle and pedestrian traffic to allow unimpeded circulation within the property being developed as specified in policies 3.9.1.6 and 3.11.2.3 of the El Dorado County General Plan prior to the issuance of occupancy permits. Said routes shall be shown on the Development Plan and approved by the Planning Director prior to issuance of building permits.

10. The applicant shall receive a “will serve” letter from the franchise refuse hauler, the El Dorado Disposal Company, Inc. prior to building permit issuance.
11. The applicant shall adhere to El Dorado County Ordinance, Section 8.42.600 et. al. regarding loading and collecting solid waste and recyclable materials.
12. The project will be permitted no more than one shopping center pylon sign (announcing various shopping center tenants) of not to exceed 1,021 square feet per side or 50 feet in height along the project frontage on U.S. Highway 50 for Phase 1 development. One additional shopping center pylon sign (announcing various shopping center tenants) of not to exceed 654 square feet per side or 35 feet in height will be allowed along the project frontage on Missouri Flat Road for Phase 2 development. The location of the shopping center pylon signs shall be in accordance with County Code 17.16.050. Minor adjustments may be made to the area of the pylon signs as long as the combined total area of 1,675 square feet is maintained. If individual back lighted letters are used in total or in part for this sign instead of the typical interior lighted “can” sign, a larger area may be allowed if approved by the Planning Commission.
13. No more than two onsite monument shopping center signs, not to exceed 10 feet in height and 80 square feet of area, will be permitted along entrance areas of the project. The final location of the monument signs shall be approved by the El Dorado County Planning Department.
14. One tenant monument sign will be permitted for each free-standing use not to exceed 6 feet in height and 48 square feet in area.
15. Building wall signs will be permitted not to exceed an average of 10 percent of the square footage of the building frontage on which it appears and meet the other standards specified in County Code §17.16.030. The frontage will include parapets or other wall features that extend beyond the structure of the wall.
16. Menu boards and directional signs for the fast food restaurants will be subject to the approval of the Planning Director.
17. Prior to issuance of any building permit, the applicant shall submit a sign design program as a minor amendment to the Development Plan which addresses criteria for color, style, sizes, materials for the pylon, monument, and wall signs. Such criteria, when approved by the Planning Commission, shall be applied to all permitted on-site signs. Temporary signing and banners are not permitted unless standards are provided in the sign program for such signing, including length of time such temporary signs are allowed.
18. All sign locations will comply with El Dorado County site distance requirements as defined in the “Design and Improvements Standards Manual.”

19. Perimeter landscaping shall be provided within the project site's boundary between the project and U.S. Highway 50, Missouri Flat Road, and Headington Road. A minimum of 5 feet of landscape shall also be provided on the Sundance Plaza site along the Phase 1 and Phase 2 frontage of Prospectors Plaza, along the Lindsay property, and on the portion of site to be excluded parcel (labeled 'N.I.C.') at the center of Phase 1 adjacent to Headington Road, and any other area where parking (including access) is adjacent to any private property.
20. A final landscape plan identifying the number of proposed trees and shrubs, in addition to their planting size (landscape palette provided already) will be provided prior to issuance of a grading permit. The minimum trees and shrubs within perimeter landscaping shall be in accordance with County Code §17.18.090.
21. For each of Phase 1 and Phase 2 of development, parking lot landscaping shall include shade trees, distributed evenly throughout, placed as to provide canopy cover over 50 percent of the total parking within 15 years of securing the first building permit for each development phase. Canopy trees from a minimum fifteen (15) gallon container size or equal shall be planted within the parking lots, and satisfy the requirements of the water conserving landscape ordinance. Parking areas shall contain at least two (2) tree species, with at least one type being a large shade tree and at least one type of accent tree to delineate aisles and announce entries.
22. Planters shall utilize live landscape materials that will ultimately achieve 75 percent coverage of the planter area. Landscape treatments and shrub plantings shall be located as not to impair visibility for pedestrians or motorists. In areas where plants are susceptible to damage by vehicular traffic or pedestrian circulation, the landscape materials shall be protected by appropriate curbs, tree guards, or other acceptable means.
23. Landscape maintenance shall be provided by the applicant or successor shopping center owner, or as agreed through binding tenant agreements. For each month during the first year of planting, the vitality and health of all landscape shall be monitored. During this time, non-living landscape of comparable quality, size, and texture, shall be replaced at the originally planted size (different plants may be used, at the discretion of the Planning Director, if they would provide for a more vigorous or sustainable landscape). Quarterly from the second through the fifth year of planting, the vitality and health of all landscape shall be monitored. During this time, non-living landscape of comparable quality, size, and texture, shall be replaced at the originally planted size (different plants may be used, at the discretion of the Planning Director, if they would provide for a more vigorous or sustainable landscape).
24. In addition to EIR Mitigation Measure 4.3-12, parking lot light poles will be restricted to 30 feet or less and shall be incorporated into the parking lot landscape design.
25. Prior to the issuance of building permits, a color rendering utilizing the submitted texture and color board on file in the Planning Department for the project shall be approved by the Planning Director.

26. For any building facade in excess of 100 feet, the applicant will incorporate recesses and projections along at least 20 percent of the length of the facade. Such recesses or projections shall be a minimum depth of 12 inches.
27. For buildings in excess of 50 feet in length on the front side, the project shall provide variations in roof lines to encourage greater architectural interest in the structure. Variations may be in the form of parapets concealing flat roofs and rooftop equipment, overhanging eaves, slope roofs, and three or more roof slope planes.
28. Screening of roof top equipment shall be provided to prevent visibility of any roof top equipment from passersby traveling along Missouri Flat Road, Headington Road, and U.S. Highway 50. The type and extent of screening shall be approved by the Planning Director.
29. Any trash enclosures situated along frontages of U.S. Highway 50, Missouri Flat Road, and Headington Road will be screened from direct passersby view with architectural treatments (e.g, building finishes and colors) that correspond with adjacent buildings. Trash enclosures shall be a minimum of seven (7) feet in height to minimize outside views of enclosed dumpsters.
30. Prior to the first certificate of occupancy, the applicant shall construct a permanent perimeter fence and locking pedestrian gate, and separate locking vehicle gate for maintenance access at the Missouri Flat cemetery. The pedestrian gate shall remain open during the daylight hours, but be locked each night by 5:00 p.m. The design of the fence shall provide security and reflect the historic era of the cemetery and shall be approved by the El Dorado County Planning Director, with consultation with the El Dorado County Pioneer Cemeteries Commission and El Dorado County Cultural Resources Preservation Commission, with the General Services Director serving as the lead in the matter of impacts on cemeteries.
31. Prior to the first certificate of occupancy, the applicant shall design and install one sign near the cemetery pedestrian access to provide educational historic instruction and to enhance the public's understanding of the purpose and value of such cultural resources. This sign shall be a monument sign not to exceed five (5) feet in height, with a maximum 30 square feet in area.
32. The applicant will establish an endowment, trust fund, or other method, to be approved by the Planning Director and County Counsel, for the clean-up, care, and weed abatement of the cemetery grounds.
33. A letter of compliance with the Parcel Map Conditions of Approval from the local enforcement agencies shall be submitted to the Surveyor's Office prior to filing the parcel map.
34. The parking lot and walk areas shall not be used for outdoor sales or other events. However, an outdoor events plan, if approved by the Planning Commission as a minor

amendment to the Development Plan, may authorize such activities. The outdoor events plan shall at a minimum address the magnitude, frequency, and location of such events.

35. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation for review and approval. The plan shall be in conformance with the County of El Dorado “Design and Improvement Standards Manual,” the “Grading, Erosion and Sediment Control Ordinance,” the “Drainage Manual,” the “Off-Street Parking and Loading Ordinance”, and the State of California Handicapped Accessibility Standards.

### **P97-17**

#### **Conditions**

1. Where the applicant is required to make improvements on lands which neither the applicant nor the County has sufficient title or interest to make such improvements, prior to issuance of a building permit the applicant shall submit the following to the Department of Transportation Director for approval:
  - a. A legal description prepared by a civil engineer or land surveyor of the land necessary to be acquired to complete the off-site improvements;
  - b. Improvement plans prepared by a civil engineer of the required off-site improvements; and
  - c. An appraisal prepared by a professional appraiser of the cost of land necessary to complete the off-site improvements.

Prior to issuance of a building permit, the applicant shall enter into an agreement to complete the required off-site improvements, including the full costs of acquiring any real property interests necessary to complete the required improvements. In addition to the agreement, the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal costs subject to the approval of County Counsel.

2. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation for review and approval.
3. A Drainage Report shall be prepared by the developer to identify any impacts resulting from the increase in runoff due to the buildout of the subject property. A final drainage plan shall be prepared that identifies the improvements necessary to mitigate the impacts indicated in the drainage report. All hydrologic and hydraulic analyses, and the design of improvements shall be in accordance with the provisions of the County of El Dorado Drainage Design Manual.

4. The applicant shall obtain a grading permit and pay appropriate fees commensurate with the scope of the proposed project prior to commencement of any work performed.
5. Prior to issuance of a grading permit, an erosion, slope stabilization and revegetation plan shall be prepared for review and approval by the El Dorado Resource Conservation District and the County Department of Transportation.
6. All grading and erosion control, including driveway construction, shall be in compliance with the requirements of Chapter 15.14 of the El Dorado County Code, Grading, Erosion and Sediment Control Ordinance.
7. The interim alignment of El Dorado Road is classified as a Rural Major Collector and shall have an irrevocable offer of dedication, in fee, along the project frontage, for road and public utility purposes of 30 feet from centerline.
8. Missouri Flat Road is classified as a Rural Minor Arterial and shall have an irrevocable offer of dedication, in fee, of 60 feet from centerline.
9. The project will require encroachment permits onto Missouri Flat Road and El Dorado Road.
10. Prior to recording of the parcel map for Phase 1 of Sundance Plaza, the owner shall provide an access easement for ingress and egress to Prospectors Plaza and the Lindsay project at three locations, as indicated on the parcel map.
11. The applicant shall provide an irrevocable offer of dedication, in fee, of the necessary right-of-way to accommodate the ultimate 4-lane divided roadway for Headington Road, together with any necessary slope, public utility, or pedestrian easements. The location of the Headington Road extension shall be subject to the approval of the County Department of Transportation.
12. Vehicular Access Restriction for parcels adjacent to Missouri Flat Road and Headington Road shall be shown on the parcel map, except for the common access points approved by the Department of Transportation.
13. A Joint Access Agreement needs to be provided prior to filing the parcel map which permits joint use of the parking area and access over all parcels for vehicles, bicycles, and pedestrians. Said agreement is subject to County Counsel review.
14. The Headington Road extension, both on-site and off-site from Missouri Flat Road to El Dorado Road, shall be constructed as a condition of the project subject to the requirements of standard Plan 101A. The roadway design shall be for a two-lane divided road, with Class II bicycle lanes, a center turn lane median, and a six-foot wide sidewalk with curb and gutter along the side of Headington Road that fronts Sundance Plaza only. The applicant shall construct intersection improvements and signalize the Missouri Flat Road/Headington Road intersection concurrent with construction of the Headington



extension. In addition, the County will evaluate whether a portion of the foregoing costs can be funded through a Missouri Flat Area Traffic Impact Mitigation Fee Program or another funding strategy acceptable to the County without creating a conflict with Measure Y.

15. The Interim El Dorado Road shall be subject to Standard Plan 101B, 36-foot paved roadway with 2-foot shoulders.
16. A 50-foot radius cul-de-sac shall be constructed at the terminus point of Court "A." The developer shall provide an irrevocable offer of dedication, in fee, for a right-of-way of 60 feet radius concentric with the constructed improvements.
17. The project shall be subject to the County Traffic Impact Mitigation (TIM) fee. Pursuant to Resolution 31-98, said fee shall be due upon the issuance of a building permit. If prior to the application for a building permit for said project a revised fee is established, such revised amount shall be paid.
18. The project shall be subject to the State system infrastructure traffic impact mitigation (TIM) fee. Pursuant to Resolution 32-98, said fee shall be due upon the issuance of a building permit. If prior to the application for a building permit for said project a revised fee is established, such revised amount shall be paid.
19. Project entrances shall be provided in accordance with Figure 5 of the Final Report, Traffic Access Study for Sundance Plaza (April 10, 1998), except for the Ultimate realignment of El Dorado Road.
20. The project applicant for Sundance Plaza shall be responsible for constructing a bus turnout and transit shelter along the project site frontage of Headington Road. The type and location of the specific facilities as well as the timing of their installation shall be determined by El Dorado County DOT with input from the El Dorado County Transit Authority. The determination of timing shall ensure that these transit improvements are in place commensurate with the extension of transit service along Headington Road. Also, the applicant shall provide a park-n-ride lot of a minimum 40 spaces on Lot 23. The desired number of spaces is 80. However, the ultimate number of spaces to be provided will depend on the quantity that can be accommodated on Lot 23. The design and landscaping will be subject to approval of the Department of Transportation, El Dorado County Transit Authority, and the El Dorado County Planning Department. The park-n-ride lot shall be constructed prior to final occupancy of any building.
21. The project applicant for Sundance Plaza shall be responsible for the construction of Class II bike lanes along any parcels on the project site that front on Missouri Flat Road. The timing of construction shall be determined by the El Dorado County Department of Transportation.
22. Project approvals shall be operative only upon execution and final approval of a development agreement requiring the applicant to participate in the Missouri Flat Area

Master Circulation and Funding Plan including, but not limited to, participation in the Mello-Roos District to be formed to fund roadway improvements specified in the MC&FP.

23. The applicant shall create a passive neighborhood park, approximately 1.5 to 2 acres in size and including the retention basin, to be located in parcels 24, 25, and 26, bordering on El Dorado Road and property owned by Megee. This passive neighborhood park shall be maintained by the applicant, or successor, along with the retention basin. The improvements and landscaping shall be subject to the approval of the Planning Director. The park shall be completed prior to issuance of the certificate of occupancy for any construction in Phase I that cumulatively exceeds 300,000 square feet.
24. Sundance Plaza shall pay their fair share of the cost of the El Dorado Road/Highway 50 Interchange and the balance of such costs to be funded through the County TIM fee program or any other funding strategy acceptable to the County. In addition, the County will continue to evaluate including the cost of this interchange within the MC&FP without creating a conflict with Measure Y. No building permit shall be issued until the funding source is identified and a fair share is committed.

## **SUNDANCE PLAZA**

### **ENVIRONMENTAL MITIGATION MEASURES**

#### **Land Use Mitigation Measures**

**Mitigation Measure 4.2-1: Change in Land Use.** No feasible mitigation measures are available to reduce this impact to a less-than-significant level.

**Mitigation Measure 4.2-3: Land Use Compatibility.** Implement Mitigation Measures 4.3-9, 4.3-12, 4.5-4, 4.5-12, 4.6-4(a), and 4.6-7. No further feasible mitigation measures are available to reduce this impact to a less-than-significant level.

#### **Visual Resources Mitigation Measures**

**Mitigation Measure 4.3-4: Short-term Visual Changes.** For any properties that will be cleared and graded and that will be exposed for 8 or more months, the applicant shall broadcast seed the property with a native wildflower mix. The seeded area will be irrigated to establish the plant life. Once plant life is established, or after one complete winter season, irrigation may no longer be required to sustain vegetation. For areas that are seeded in the fall, irrigation is not required since it would take advantage of winter and spring rains.

**Mitigation Measure 4.3-9: Long-term Visual Changes.** Sundance Plaza is already required to undergo design review, including the submittal and approval of a landscaping plan, as part of the Planned Development application process. For this mitigation, the landscaping plan approved for the Sundance Plaza project shall include a landscaping theme along the entire frontage of Headington Road (between Missouri Flat Road and El Dorado Road) that incorporates native trees and shrubs.

Prior to issuance of the first occupancy permit at Sundance Plaza, this entire landscape frontage shall be planted. This landscape area shall be irrigated sufficiently to ensure that plants are well-established. The applicant shall ensure, through an agreement with the Sundance Plaza developers, lease agreements with tenants or other mechanisms approved by El Dorado County, that this landscape area is maintained for plant vitality (including on-going irrigation, if necessary) and for weed and trash removal. Any plants that are not successfully established or in a healthy living condition for up to five (5) years after initial planting shall be replaced with in-kind vegetation. There are no additional feasible mitigation measures to reduce significant long-term visual impacts of the Sundance Plaza project.

**Mitigation Measure 4.3-12: Nighttime Lighting.** Approval of any retail project in the MC&FP Area, Sundance Plaza, or El Dorado Villages Shopping Center, shall be subject to the following lighting standards which are fashioned after the draft El Dorado County lighting standards being considered for inclusion in the updated County Zoning Ordinance.

- a. Any commercial, industrial, multi-family, civic, or utility project that proposes to install outdoor lighting shall submit plans for such lighting, to be reviewed by the Planning Director as part of a site plan review. If the project requires a design review, special use permit or development plan application, said lighting plan shall be included as part of that application, and shall be subject to approval by the approving authority.
- b. Lighting plans shall contain, at a minimum, the location and height of all light fixtures, the manufacturer's name and style of light fixture, and specifications for each type of fixture.
- c. All outdoor lighting shall conform to the following standards:
  - 1) Parking lot and other security lighting shall be top and side shielded to prevent the light pattern from shining onto adjacent property or roadways, excluding lights used for illumination of public roads.
  - 2) External lights used to illuminate a sign or the side of a building or wall shall be shielded to prevent the light from shining off of the surface intended to be illuminated. Bottom lighting shall be prohibited.
  - 3) Lights that shine onto a road in a manner which causes excessive glare and may be considered to be a traffic hazard shall be prohibited.
  - 4) Outdoor floodlights shall not be projected above the horizontal plane.
  - 5) Lighting of outdoor display area, including but not limited to vehicle sales and rental, and building material sales, shall be turned off within 30 minutes after the closing of the business. Security lighting, as approved by the Planning Director may remain on after the close of business.

### **Transportation and Circulation Mitigation Measures**

**Mitigation Measure 4.4-1: Phase 1 (Year 2005) - Intersection Operations.** Project applicants for development projects in the MC&FP area shall be responsible for the construction of the following improvement.

- X El Dorado Road/Headington Road - Sundance Plaza shall install a traffic signal and construct southbound left- and right-turn lanes, an eastbound left-turn lane, and a westbound right-turn lane. The improvements at this intersection shall also include the realignment of El Dorado Road directly across from the entrance to Anchor 2 as described in the *Final Report, Traffic Access Study for Sundance Plaza*, Fehr & Peers Associates, Inc., April 10, 1998. The Sundance Plaza applicant shall be reimbursed for this improvement, per the Reimbursement Agreement with the County, with MC&FP funds.

Improvements to this intersection are included in the MC&FP and costs in excess of the applicant's fair share would be considered for reimbursement from

revenues collected through the MC&FP. The specific reimbursement language shall be effected through a Development Agreement between El Dorado County and the Sundance Plaza applicant. Implementation of these improvements would reduce Impact 4.4-1 to less than significant.

**Mitigation Measure 4.4-2: Phases 1 and 2 - Intersection Operations (MC&FP Area).**

Implementation of Phases 1 and 2 of the MC&FP would increase traffic volumes resulting in the deterioration of p.m. peak hour intersection operations to LOS F at the Missouri Flat Road/El Dorado Road intersection and at the El Dorado Road/Mother Lode Drive intersection. This impact is considered significant.

Project applicants for development projects in the MC&FP area shall be responsible for improvements to the following intersections.

- < Missouri Flat Road/El Dorado Road - install a traffic signal and construct exclusive eastbound and westbound left-turn lanes on the Missouri Flat Road approaches.
- < El Dorado Road/Mother Lode Drive - install a traffic signal and construct exclusive northbound and southbound left-turn lanes on the El Dorado Road approaches.

The specific timing of these improvements will depend on traffic growth at these locations from new development in the MC&FP. El Dorado County DOT shall monitor these locations and determine when signalization would be appropriate. The applicants for Sundance Plaza and El Dorado Villages shall each pay their fair share of the cost of the signals, and the balance of such cost will be funded through the County TIM fee program or any other funding strategy acceptable to the County. In addition, the County will continue to evaluate including the cost of the signals within the MC&FP without creating a conflict with Measure Y.

**Mitigation Measure 4.4-3: Development Projects - Intersection Operations.** The project applicant for Sundance Plaza shall participate in the MC&FP. This plan would result in the implementation of roadway improvements by 2005 that would provide adequate service levels at all study intersections.

Completion of these improvements would not occur until 2005. Therefore, LOS F conditions at the Missouri Flat Road/Highway 50 EB Ramps intersection, the Missouri Flat Road/Highway 50 WB Ramps intersection, and at the Missouri Flat Road/Mother Lode Drive intersection would be exacerbated by Sundance Plaza traffic until 2005. Also, LOS D conditions at the Missouri Flat Road/Prospector Plaza intersection would be exacerbated by Sundance Plaza traffic until 2005.

As a result, Impact 4.4-3 would be significant and unavoidable under the short-term conditions and less than significant under the long-term conditions.

**Mitigation Measure 4.4-4: Development Projects - Intersection Operations.**

Implement Mitigation Measures 4.4-1 and 4.4-3.

Completion of these improvements would not occur until 2005. Therefore, LOS F conditions at the Missouri Flat Road/Highway 50 EB Ramps intersection, the Missouri Flat Road/Highway 50

WB Ramps intersection, and at the Missouri Flat Road/Mother Lode Drive intersection, would be exacerbated by Sundance Plaza traffic until 2005. Also, LOS D conditions at the Missouri Flat Road/Prospector Plaza intersection would be exacerbated by Sundance Plaza traffic until 2005.

As a result, Impact 4.4-4 would be significant under the short-term conditions and less than significant under the long-term conditions.

**Mitigation Measure 4.4-5: Development Projects - Transit Facilities.** The project applicant for Sundance Plaza shall be responsible for constructing a bus turnout and transit shelter along the project site frontage of Headington Road. The type and location of the specific facilities as well as the timing of their installation shall be determined by El Dorado County DOT with input from the El Dorado County Transit Authority. The determination of timing shall ensure that these transit improvements are in place commensurate with the extension of transit service along Headington Road. Implementation of these improvements would reduce Impact 4.4-5 to less than significant.

**Mitigation Measure 4.4-6: Development Projects - Bicycle and Pedestrian Facilities.** The project applicant for Sundance Plaza shall be responsible for the construction of Class II bike lanes along the project site frontage of Missouri Flat Road. The timing of construction shall be determined by the El Dorado County DOT. In addition, the project applicant shall provide separated routes for bicycle and pedestrian traffic to allow unimpeded circulation within the property being developed as specified in policies 3.9.1.6 and 3.11.2.3 of the *El Dorado County General Plan* prior to the issuance of occupancy permits. These routes shall be identified on the tentative map for Sundance Plaza and shall be subject to review and approval by El Dorado County DOT. Implementation of these improvements would reduce Impact 4.4-6 to less than significant.

### **Air Quality Mitigation Measures**

**Mitigation Measure 4.5-1: Phase I (Year 2005) or Phase 2 (through Year 2015) Short-term Grading and Construction Air Quality Impacts.** Project applicants for retail development and roadway improvements projects in the MC&FP Area, and applicants for Sundance Plaza and El Dorado Villages Shopping Center projects, shall implement the following measures, including compliance with applicable El Dorado County APCD rules and regulations, as applicable during grading and construction periods:

- a) Comply with El Dorado County APCD Rule 223 (Fugitive Dust), as required by the Air Pollution Control Officer. Compliance may include, but is not limited to, implementation of the following measures:

- X Application of water or suitable chemicals or other specified covering on material stockpiles, wrecking activity, excavation, grading, sweeping, clearing of land, solid waste disposal operations, or construction or demolition of buildings or structures (all exposed soil shall be kept visibly moist during grading);

- X Installation and use of hoods, fans and filters to enclose, collect, and clean the emissions of dusty materials;
- X Covering or wetting at all times when in motion of open-bodied trucks, trailers or other vehicles transporting materials which create a nuisance by generating particulate matter in areas where the general public has access.
- X Application of asphalt, oil, water or suitable chemicals on dirt roads;
- X Paving of public or commercial parking surfaces;
- X Removal from paved streets and parking surfaces of earth or other material which has a tendency to become airborne;
- X Alternate means of control as approved by the Air Pollution Control Officer.

- b) Use only low-emission mobile construction equipment (e.g., tractor, scraper, dozer, etc.).
- c) Maintain construction equipment engines in proper operating condition.
- d) Develop and implement construction activity management techniques, such as extending construction period, reducing number of pieces used simultaneously, increasing distance between emission sources, reducing or changing hours of construction, and scheduling activity during off-peak hours.
- e) Comply with El Dorado County APCD Rule 224 (Cutback and Emulsified Asphalt Paving materials).
- f) Comply with El Dorado County APCD Rule 215 pertaining to architectural coatings.
- g) Obtain permission from the APCD and/or the local fire agency prior to burning of wastes from land development clearing, depending upon the time of year the burning is to take place. Only vegetative waste materials may be disposed of using an outdoor fire.

**Mitigation Measure 4.5-2: Short-term Grading and Construction Air Quality Impacts.** Implement Mitigation Measures 4.5-1(a) through (g). No further mitigation measure are available.

**Mitigation Measure 4.5-4: Phase 1 (Year 2005) Regional Operational Emissions.** In addition to compliance with all applicable rules and regulations of the El Dorado County APCD, project applicants for retail development and roadway improvement projects in the MC&FP Area, and applicants for Sundance Plaza and El Dorado Villages Shopping Center projects, shall implement the following measures, as applicable, to the extent allowable under state law:

- a) Proponents of individual point sources of emissions, such as gas stations or dry cleaners, shall submit authority-to-construct applications to the APCD prior to the construction or installation of such facilities. Such applications are required to include facility diagrams, proposed equipment specifications, and emission factors.

- b) Design the site to maximize access to existing transit lines.
- c) Construct lighted transit shelters and/or multimodal transfer stations for transit users (Major projects only).
- d) Design and implement “shop by telephone” or “shop by computer” services (Major projects only).

**Mitigation Measure 4.5-6: Regional Operational Emissions.** Implement Mitigation Measures 4.5-4 (a) through (d). No further mitigation measures are available.

**Mitigation Measure 4.5-12: Exposure of Sensitive Receptors to Toxic Air Contaminants.** Implementation of the following mitigation measures would reduce this impact to a less-than-significant level:

- a) Implement Mitigation Measure 4.5-4(a)
- b) Applicants for authority-to-construct from the El Dorado County APCD shall prepare a health risk assessment for point sources that have the potential to emit toxic air contaminants. Resultant health risks shall not exceed the APCD’s thresholds for cancer and non-cancer risks.

**Mitigation Measure 4.5-13: Exposure of Sensitive Receptors to Toxic Air Contaminants.** Implement Mitigation Measure 4.5-4(a) and Mitigation Measure 4.5-12(b). No further mitigation measures are required.

**Noise Mitigation Measures**

**Mitigation Measure 4.6-1: Phase I (Year 2005) or Phase 2 (Through Year 2015) Short-term Construction Noise Impacts.** Construction activities shall be conducted in accordance with the County noise regulation or limited to the following hours and days:

- Between the hours of 7:00 a.m. and 7:00 p.m. on any weekday
- Between the hours of 8:00 a.m. and 6:00 p.m. on Saturdays
- Prohibited on Sundays and holidays within 150 feet of occupied residences

At the time of the letting of the construction contract, it shall be demonstrated that engine noise from excavation equipment would be mitigated such that resultant noise levels do not exceed those provided in Table 6-2 of the General Plan by keeping engine doors closed during equipment operation. For equipment that cannot be enclosed behind doors, lead curtains shall be used to attenuate noise to levels that do not exceed the County’s non-transportation noise standard (Table 6-2 of the General Plan).

**Mitigation Measure 4.6-2: Short-term Construction Noise.** Implement Mitigation Measure 4.6-1. No further mitigation is required.

**Mitigation Measure 4.6-4: Stationary Noise Source.**



NOTE: Item b. does not apply to Sundance Plaza.

- a. Implementation of the following mitigation measures would ensure that stationary source noise impacts associated with the proposed Sundance Plaza project are reduced to a less-than-significant level:
- X The project applicant for Sundance Plaza shall ensure that loading and unloading activities at the loading area associated with proposed Anchor 1 shall be prohibited during evening (7 p.m. to 10 p.m.) or nighttime (10 p.m. to 7 a.m.) hours while the parcel located approximately 350 feet to the southwest (i.e., APN 327-120-07) remains in residential use.
  - X In the event that the proposed Anchor 1 parcel is used as an automotive service center, the project applicant for Sundance Plaza shall ensure that the use of impact wrenches shall be prohibited during evening (7 p.m. to 10 p.m.) or nighttime (10 p.m. to 7 a.m.) hours while the parcel located approximately 350 feet to the southwest (i.e., APN 327-120-07) remains in residential use.
  - X The project applicant shall ensure that stationary source noise levels from the Sundance Plaza project site do not exceed the levels provided in Table 6-2 of the El Dorado County General Plan.

**Mitigation Measure 4.6-7: Phases 1 and 2 (Through Year 2015) Traffic Noise.**

Implementation of the following mitigation measures would ensure that traffic noise impacts are reduced to a less-than-significant level:

- X The project applicant for the Sundance Plaza project shall contribute on a fair-share basis to the funding of traffic noise attenuation measures, such as sound barriers, noise berms, or setbacks, required to ensure that traffic noise levels do not exceed applicable County standards, as presented in Table 6-1 of the General Plan. The project's fair share shall be determined by the County, in consultation with the project applicant, based on the project's relative contribution to the traffic noise level
- X Prior to the completion of the proposed Headington Road extension, inhabited residences within 200 feet of the roadway centerline shall be equipped with double-pane glass windows, to be paid for by the project applicant.

**Earth Resources Mitigation Measures**

**Mitigation Measure 4.7-2: Liquefaction.** Prior to the issuance of grading permits for Sundance Plaza or El Dorado Villages Shopping Center, applicants shall submit grading plans in accordance with Uniform Building Code (UBC) Appendix Chapter 33 (A33) provisions. According to Section 3305 of the UBC (found in A33, 'Excavation and Grading'), the Appendix "... sets forth rules and regulations to control excavation, grading and earthwork construction,

including fills and embankments; establishes the administrative procedure for issuance of permits; and provides for approval of plans and inspections of grading construction.” Included in Section 3309 of this UBC Appendix are definitions of “engineered grading” and “regular grading” and the grading requirements for each, and standards for the preparation of soils engineering reports and grading geology reports. The criteria for preparation of a liquefaction study are identified. Additional standards regarding cuts and fills (Sections 3312 and 3313, respectively and Section 3314) are included in this Appendix as are standards for drainage and terracing, erosion control, grading inspection and completion of work.

In addition, prior to the issuance of grading permits for Sundance Plaza and El Dorado Villages Shopping Center, the grading plans shall be in accordance with the *County of El Dorado Design and Improvement Standards Manual* (El Dorado County 1990): Volume IV (Erosion Control Requirements and Specifications) which establish the grading and drainage requirements that must be met in grading plans (Section 1), and sets forth the critical area planting construction specification (Section 2); and the standards, as applicable, from Volume V (Design Standard Details) which provides the design standards and detail drawings that are intended to be guidelines for various County roads, cul-de-sacs, storm drain inlets, ditches, utility pole locations, channels, gates, underground trenches, vehicle barriers, swales, slope protection, and others. Any additional specifications required by County DOT shall also be adhered to by the applicant for grading plans.

These plans shall include geotechnical studies and designs appropriate for the site conditions encountered. The earthwork on these projects shall be constructed as engineered fill and will exceed the minimum relative density for liquefaction. Standard construction practices to be employed when wet areas are encountered would include construction of drainage systems to de-water springs and wet areas.

#### **Mitigation Measure 4.7-6: Ground Shaking.**

The California Health and Safety Code requires that buildings be designed to resist stresses developed by earthquakes. Accepted seismic design criteria are presented in the Uniform Building Code (UBC), Chapter 23, regarding wood-frame buildings, and Chapter 16, Division III. Division III provides the design specifications for resist the effects of seismic ground motions; included in this Division are the following: criteria selection for structural systems (e.g., bearing walls, building frame, moment-resisting frame system, dual system) (§1627), engineering standards for minimum design lateral forces and related effects (e.g., the design for the shear forces at the base of structures, vertical distribution of force, and horizontal distribution of shear) (§1628); dynamic lateral-force procedures (§1629); lateral force on elements of structures, nonstructural components and equipment supported by structures (§1630); detail systems design requirements (§1631); and nonbuilding structures (§1632). Although wood-frame buildings of not more than two stories in height in unincorporated areas are exempt under the California Earthquake Protection Law, prior to the issuance of building permits for retail or roadway improvement projects in the MC&FP Area, or for Sundance Plaza or El Dorado Villages Shopping Center, proposed structures shall be designed to the design factors presented for UBC Zone 3, as a minimum. Final design standards shall be in accordance with the findings of detailed geologic and geotechnical analyses for the proposed building sites.

**Mitigation Measure 4.7-10: Slope Stability and Erosion Potential.**

Prior to issuance of grading permits for retail or roadway improvement projects located within the MC&FP Area, or for Sundance Plaza or El Dorado Villages Shopping Center, erosion and ground instability mitigation measures shall be designed in conformance to Chapter A33 of the 1994 edition of the Uniform Building Code (see Mitigation Measure 4.7-2 for description), the County of El Dorado Grading, Erosion and Sediment Control Ordinance (1991), and the El Dorado County grading ordinances found, principally, in the *County of El Dorado Design and Improvement Standards Manual* (El Dorado County 1990) Volume IV (Erosion Control Requirements and Specifications) and Volume V (Design Standard Details), and as specified by County DOT. Prior to the issuance of grading permits, grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations. These findings shall include methods to control soil erosion and ground instability. Measures to control soil erosion include, but are not limited to, the following:

1. Uncemented silty soils are prone to erosion. According to requirements as set forth in Section 402 (p) of the Clean Water Act as amended in 1987, erosion control measures (appropriate Best Management Practices) should be implemented during construction which conform to the National Pollution Discharge Elimination System, Storm Drain Standards, and local standards. Cut slopes and drainage ways within native material shall be protected from direct exposure to water run off immediately following grading activities. All collected runoff flow should outlet on an apron of crushed rip-rap to dissipate the energy of the runoff. Cut and fill surfaces, particularly embankment slopes, should be protected from sheet, rill and gully erosion by revegetation of exposed slopes. If revegetation can not be completed and established prior to the onset of the rainy season, erosion control matting should be stapled to the exposed slopes.

Any cut or fill slopes and their appurtenant drainage facilities shall be designed in accordance with Uniform Building Code guidelines. In general, soil slopes shall be no steeper than 2:1 (horizontal to vertical) unless authorized by a qualified professional. Slope angles shall be designed to conform to the competence of the material into which they are excavated.

2. Drainage facilities shall be lined as necessary to prevent erosion of the site soils immediately following grading activities.
3. During construction, trenches greater than 5 feet in depth shall be shored, sloped back at a 2:1 slope angle, or reviewed for stability by a qualified professional in accordance with the Occupational Safety and Health Administration regulations if personnel are to enter the excavations.
4. Rainfall shall be collected and channeled into an appropriate collection system designed to receive the runoff, minimize erosion, and convey the runoff off-site. Conduits intended to convey drainage water off site shall be protected with energy dissipating devices as appropriate, and in some areas potentially lined with an impermeable, impact-proof material.

5. Parking facilities, roadway surfaces, and buildings all have impervious surfaces which concentrate runoff and artificially change existing drainage conditions. Collection systems shall be designed where possible to divert natural drainage away from structures, to collect water concentrated by these surfaces, and to convey water away from the site in accordance with the National Pollution Discharge Elimination System, Storm Drain Standards, and El Dorado County standards.
6. Where structures are to be constructed between the bedrock exposed in a cut slope and engineered fill, mass grading may include sub-excavation of the bedrock portions of the building pads to a depth of 1 foot below the bottom of the footings and reconstruction of the pads with engineered fill.

### **Hydrology and Water Quality Mitigation Measures**

**Mitigation Measure 4.8-1: Runoff Volume.** The following mitigation measure is for the potentially significant impact of runoff quantity associated with development in the MC&FP Area, including the Sundance Plaza and El Dorado Villages Shopping Center projects.

Prior to the approval of a tentative map, or for projects without maps, issuance of a building permit, a project applicant for retail development or roadway improvements in the MC&FP Area, including the project applicants for Sundance Plaza and El Dorado Villages Shopping Center projects, shall submit and obtain approval of the project drainage report by the El Dorado County Department of Transportation. This report shall demonstrate that post-development stormwater peak discharge levels from the project will remain at existing peak levels through the use of one or all of the following alternative mitigation measures. The drainage report shall be prepared by a Certified Civil Engineer and shall be in conformance with the El Dorado County Drainage Manual adopted by the Board of Supervisors in March 1995. The project applicant shall be financially responsible for his/her portion of stormwater drainage facility maintenance requirements and agreements. The drainage report shall include, at a minimum, written text addressing existing conditions, the effects of project improvements, all appropriate calculations, a watershed map, potential increases in downstream flows, proposed onsite improvements, and drainage easements, if necessary, to accommodate flows from the site.

- a) Design and construction of an onsite detention facilities of adequate size to reduce peak discharge to pre-development levels. The detention facility may be incorporated into the parking lot design. If a detention facility is incorporated into the proposed parking lot, parking within the facility area shall be restricted during storm events through the placement of cones to ensure vehicles are not damaged by detained water. Permanent maintenance of the detention facility shall include semi-annual inspections to ensure facility integrity and debris removal as necessary.
- b) Design and construction of a regional detention facility of adequate size to reduce peak discharge to pre-development levels. The detention facility may serve as a regional basin for multiple sites. Permanent maintenance of the detention basin shall include semi-annual inspections to ensure facility integrity and debris removal as necessary.

and/or

- c) Improvements to existing storm drainage system to reduce peak discharge to pre-development levels. This may include up-sizing of pipes, culverts, etc., at downstream locations. Permanent maintenance of the drainage facilities shall include semi-annual inspections to ensure facility integrity and debris removal as necessary.

**Mitigation Measure 4.8-2: Short-Term Surface Water Quality Degradation.**

New developments of generally 5 acres or greater are subject to a National Pollutant Discharge Elimination System (NPDES) permit. The purpose of the permit is to protect water quality from development that would discharge into Waters of the U.S. The need for an NPDES permit would be triggered with any application for development of five acres or greater in the MC&FP Area, and the development of Sundance Plaza and El Dorado Villages Shopping Center. In addition, private development projects are subject to the County of El Dorado Grading, Erosion and Sediment Control Ordinance (1991), which requires the submittal of an erosion control plan. The following mitigation measure is for the significant impact of short-term surface water quality degradation that would occur during the development of the MC&FP Area, and the Sundance Plaza and El Dorado Villages Shopping Center sites as individual projects:

- a) Prior to issuance of a grading permit for a retail or roadway improvement project of 5 acres or greater in the MC&FP Area, or for Sundance Plaza or El Dorado Villages Shopping Center projects, the developer shall obtain from the California State Water Resources Control Board a General Construction Activity Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES) and comply with all requirements of the permit to minimize pollution of stormwater discharges during construction activities.
- b) Prior to issuance of a grading permit for a retail or roadway improvement project in the MC&FP Area, or for Sundance Plaza or El Dorado Villages Shopping Center projects, the project applicant shall submit to the Resource Conservation District and the El Dorado County Department of Transportation, for review and approval, an erosion control plan consistent with the County's Grading, Erosion and Sediment Control Ordinance. The erosion control plan shall indicate that proper control of siltation, sedimentation and other pollutants will be implemented per NPDES permit requirements. The plan shall address storm drainage during construction and proposed BMPs (Best Management Practices) to reduce erosion and water quality degradation. The plan shall include a BMP monitoring program that provides for regular inspections to: 1) ensure proper installation of BMPs; 2) monitor the effectiveness of the BMPs; 3) ensure proper maintenance of the BMPs; and 4) determine if adjustment of the BMPs due to changed drainage patterns is required. All on-site drainage facilities shall be constructed to El Dorado County Department of Transportation specifications, as provided in El Dorado County's Drainage Manual (1995), Grading, Erosion and Sediment Control Ordinance (1991), and Design and Improvement Standards Manual (1990). BMPs shall be implemented throughout the construction process. The following BMPs will be implemented as necessary:

Soil Stabilization Practices

- < Straw Mulching
- < Hydromulching
- < Jute Netting
- < Revegetation
- < Preservation of Existing Vegetation

Sediment Barriers

- < Straw Bale Sediment Barriers
- < Filter Fences
- < Straw Bale Drop Inlet Sediment Barriers

Site Construction Practices

- < Winterization
- < Traffic Control
- < Dust Control

Runoff Control in Slopes/Streets

- < Diversion Dikes
- < Diversion Sales
- < Sediment Trap

**Mitigation Measure 4.8-3: Long-Term Surface Water Quality Degradation.**

The following mitigation measure is for the significant impact of long-term surface water quality degradation that would occur after the retail development and roadway improvements in the MC&FP Area, and the Sundance Plaza and the El Dorado Villages Shopping Center as individual projects:

- a) The developers of retail projects in the MC&FP Area, and developers of Sundance Plaza and El Dorado Villages Shopping Center shall construct on-site detention facilities. These facilities shall be constructed at the commencement of grading, and be maintained throughout the construction period to receive stormwater runoff from graded areas to allow capture and settling of sediment prior to discharge to receiving waters.
- b) Prior to issuance of a grading permit for retail or roadway improvement projects in the MC&FP Area, and Sundance Plaza and El Dorado Villages Shopping Center, the project applicant shall develop a surface water pollution control plan (i.e., parking lot sweeping program and periodic storm drain inlet clearing) to reduce long-term surface water quality impacts. Parking lot sweeping shall occur on a weekly basis, and storm drain inlet clearing shall occur semi-annually. The plan shall also include the installation of oil, gas and grease trap separators in project parking lots. Project plans will incorporate catch basin inserts and filters along with cleaning schedules. As specified under the Monitoring Program and Reporting Requirements sections of the NPDES General Permit, sampling of receiving waters with accompanying laboratory analysis will be conducted for typical stormwater constituents of concern (pH, Total Suspended Solids, Specific Conductance, Total Organic, Carbon, Oil and Grease, and Waste Oil Metals) during two storm events producing significant runoff during the wet season, which is

defined as from October through April. The project applicant shall develop a financial mechanism, to be approved by the El Dorado County Department of Transportation, which ensures the long-term implementation of the program.

### **Biological Resources Mitigation Measures**

#### **Mitigation Measure 4.9-2: Loss of Habitat for California Red-legged Frog.**

- a) Prior to issuance of a grading permit for any MC&FP retail development or roadway improvement projects, a qualified biologist will consult with USFWS to determine whether red-legged frogs could potentially occur on the project site.
- b) If the USFWS determines that there is no potential for the occurrence of red-legged frog on the project site, the species may be assumed absent and no further mitigation is necessary.
- c) If USFWS determines that surveys are necessary to determine whether red-legged frogs could occur on the project site, a survey will be conducted in accordance with the methods outlined in *Guidance on Site Assessment and Field Surveys for California Red-legged Frogs* (USFWS 1997).
- d) Prior to issuance of a grading permit, a red-legged frog survey will be completed for the Sundance Plaza and the El Dorado Villages Shopping Center.
- e) The results of the red-legged frog survey will be summarized in a report to be provided to the USFWS Ecological Services Division, Sacramento Field Office. This report will also include additional information related to survey as described under USFWS protocol (USFWS 1997).
- f) If no red-legged frogs are found during the survey, and the survey results are acceptable to USFWS, this species will be presumed absent and no further mitigation will be necessary.
- g) If red-legged frogs are found, the project proponent will consult with USFWS under Section 7 or Section 10 to determine a future course of action, including whether incidental take authorization is needed. Through consultation and negotiations with USFWS, appropriate mitigation and avoidance measures will be determined and required to be implemented for the take authorizations.

**NOTE: This Mitigation Measure has already been completed. A focused survey for California red-legged frog was conducted according to USFWS protocol, and was found not to be present on the site.**

#### **Mitigation Measure 4.9-8: Raptor Nest Disturbance.**

- a) Prior to issuance of a grading permit for any MC&FP retail development or roadway improvement projects, and Sundance Plaza and El Dorado Villages Shopping Center, it

will be determined whether grading or tree removal is proposed during the raptor nesting season (February 1 to August 31).

- b) If no grading or tree removal will occur during the raptor nesting season, no further mitigation will be necessary.
- c) If grading or tree removal is proposed during the raptor nesting season, a focused survey for raptor nests shall be conducted by a qualified biologist during the nesting season to identify active nests on the project site. The survey will be conducted no less than 14 days, and no more than 30 days prior to the beginning of grading or tree removal. The results of the survey will be summarized in a written report to be submitted to CDFG prior to the beginning of grading.
- d) If nesting raptors are found during the focused survey, no grading or tree removal will occur within 500 feet of an active nest until the young have fledged (as determined by a qualified biologist) or until the project applicant receives written authorization from CDFG to proceed. If nest trees are unavoidable, they shall be removed during the non-breeding season.

**Mitigation Measure 4.9-9: Oak Woodland Degradation.**

- a) Prior to issuance of a grading permit for any MC&FP retail development or roadway improvement projects, and Sundance Plaza and El Dorado Villages Shopping Center, the project proponent shall submit a tree survey to the El Dorado County Planning Department for approval. A map of all oak trees to be removed or disturbed during project construction will be included with the tree survey. The tree survey will also include a determination of the existing canopy cover on the project site (as determined from base line aerial photography or by site surveys performed by a qualified licensed arborist or botanist) and a preservation and replacement plan.
- b) Oaks not approved for removal that are within 200 feet of the grading activity shall be protectively fenced 5 feet beyond the dripline and root zone of each oak tree (as determined by a certified arborist). This fence, which is meant to prevent activities that result in soil compaction beneath the canopy or over the root zone, shall be maintained until all construction activities are complete. No grading, trenching, or movement of construction equipment shall be allowed to occur within fenced areas. Protection for oaks trees on slopes and hillsides will include installation of a silt fence. A silt fence shall be installed at the upslope base of the protective fence to prevent any soil drifting down over the root zone.
- c) To ensure that proposed replacement trees survive, a mitigation monitoring plan, including provisions for necessary replacement of trees, will be incorporated into the preservation and replacement plan. Detailed performance standards will be included to ensure that an 80% survival rate is achieved over a 5-year period. Annual reports identifying planting success and monitoring efforts will be submitted to the El Dorado County Planning Department and CDFG. During monitoring, the following information will be evaluated: average tree height, percent of tree cover, tree density, percent of



woody shrub cover, seedling recruitment, and invasion by non-native species. Temporary irrigation equipment will be installed to facilitate sapling survival during the first several years of growth. During the revegetation process, tree survival will be maximized by using deer screens or other maintenance measures as recommended by a certified arborist.

- d) If the existing canopy cover is less than 10%, no further mitigation will be necessary.
- e) If the existing canopy cover exceeds 10%, the project will be subject to the canopy cover retention and replacement standards presented under Policy 7.4.4.4 of the El Dorado County General Plan.
- f) Mitigation could occur on-site within the slope areas around the project perimeter and potentially within project landscaping, or for Sundance Plaza only, within the park or cemetery. Partial mitigation of this impact may also occur off-site potentially in open space areas of other large projects in El Dorado County, similar to the concept practiced in Serrano open space areas.

**Mitigation Measure 4.9-10: Loss of Jurisdictional Waters of the United States, Including Wetlands.**

Prior to issuance of a grading permit, for the MC&FP (excluding Sundance Plaza site) or roadway improvement projects, a determination, through the formal Section 404 wetlands delineation process, shall be made by a qualified biologist whether potential jurisdictional Waters of the United States, including wetlands are present on the project site.

NOTE: Item a) does not apply to Sundance Plaza.

- b) If wetlands on the site are determined to be jurisdictional and can be avoided, no further mitigation will be required.
- c) If jurisdictional Waters of the United States, including wetlands greater than ½ acre in size, are present and would be filled as a result of the project, authorization of a Section 404 permit shall be secured from USACE and a Section 1600 agreement shall be secured from CDFG, as appropriate.
- d) As part of the permitting process, mitigation of impacts to jurisdictional Waters of the United States, including wetlands, will be identified and implemented. The acreage will be replaced or rehabilitated on a “no-net-loss” basis in accordance with USACE regulations. Habitat restoration, rehabilitation, and/or replacement shall be at a location and by methods agreeable to USACE. Habitat compensation will also be in accordance with El Dorado County which has adopted a “no-net-loss” policy under General Plan Policy 7.3.3.2; this policy allows wetland habitat compensation on- or off-site, but at a minimum 1:1 ratio. Also in accordance with General Plan Policy 7.3.3.2, a wetland study and mitigation monitoring program will be submitted to the County and concerned state and federal agencies (i.e., USACE, CDFG) for review prior to permit approval.

- e) All grading plans will include adequate setback for preserved seasonal and perennial drainages. Measures to minimize erosion and runoff into seasonal and perennial drainages that are preserved will also be included in all grading plans. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation and the potential discharge of pollutants into preserved drainages.
- f) Mitigation could occur on-site within on-site detention ponds, or other natural areas on the site, or for Sundance Plaza within the proposed park; or it could occur off-site within wetland mitigation banks such as the Sheridan Wildlands bank.

**NOTE: A wetlands delineation has been prepared for the project site and has been submitted to the U.S. Army Corps of Engineers for verification.**

### **Cultural Resources Mitigation Measures**

**Mitigation Measure 4.10-1: Disturbance of Cultural Resources.** Implementation of the following mitigation measure would reduce impacts related to the disturbance of known or unknown cultural resources, but not to a less-than-significant level.

NOTE: Items a) and b) do not apply to Sundance Plaza.

- c) If any prehistoric or historic artifacts, or other indications of cultural resources are found once project construction is underway, all work must stop within 20 meters (66 feet) of the find. A qualified archaeologist shall be consulted for an immediate evaluation of the find before resuming ground-breaking construction activities within 20 meters of the find. If the find is determined to be an important archaeological resource, the resource shall be either avoided, if feasible, or recovered consistent with the requirements of Appendix K of the State CEQA Guidelines.
- d) In the event of discovery or recognition of human remains in any location other than a dedicated cemetery, no further excavation or disturbance of a project site or any nearby area reasonably suspected to overlie adjacent human remains can occur until the County Coroner has been informed and determines that no investigation of the cause of death is required. If the remains are of Native American origin, the agency must solicit the Native American Heritage Commission to see whether that agency can identify descendants of the deceased Native American(s). If, within 24 hours of being notified by the Commission, such descendants offer the lead agency recommendations for treating or disposing of the remains and any associated grave goods, such recommendations should be followed, unless the landowner disagrees with the recommendation, in which case the Native American Heritage Commission shall mediate the dispute. If the Native American Commission was unable to identify a descendant, or the descendant fails to offer a recommendation within 24 hours after being notified by the Commission, or the Commission could not mediate a dispute between the descendants and the landowner to the latter's satisfaction, further work on the project may proceed, but the landowner must

rebury the remains and any grave goods “with appropriate dignity on the property in a location not subject to subsurface disturbance.”

**Mitigation Measure 4.10-2: Disturbance of Important Cultural Resources.**

Implementation of the following mitigation measures would reduce potential impacts to “important archaeological resources” or “historical resources”, but not to a less-than-significant level.

- a) To reduce potential impacts to the Missouri Flat cemetery, but not to a less-than-significant level, the Sundance Plaza project applicant shall implement the following measures:
  - 1. Establish the boundaries of the cemetery. Methods used to establish boundaries must include but may not be limited to:
    - A. Conducting test excavations in locations of subsurface anomalies identified in the ground-penetrating radar survey to determine if anomalies are characteristics of gravesites, rock formations, or other deposits.
    - B. Comparing plotted historical (i.e., 1920s) cemetery boundaries with current boundaries to determine the nature of subsurface anomalies identified in the ground-penetrating radar survey to determine if anomalies are characteristics of gravesites, rock formations, or other deposits.
    - C. Completing a sketch map of surface features at the cemetery by a qualified archaeologist.
    - D. Consultation with the El Dorado County Pioneer Cemeteries Commission and El Dorado County Cultural Resources Preservation Commission, with the General Services Director serving as the lead.
  - 2. A fence with locking gate shall be installed around the perimeter of the proposed 2.51-acre cemetery parcel prior to the commencement of construction activities on the Sundance Plaza project site to prevent vandalism during construction and operation of the project. High-visibility orange construction fencing shall be used during construction of the project to prevent disturbance by grading and construction activities. Placement of the fencing shall be monitored by a qualified archaeologist and a representative of the El Dorado County Pioneer Cemeteries Commission.
  - 3. All ground-disturbing activity within 100 feet of the cemetery shall be monitored by a qualified archaeologist.
  - 4. Replace the orange construction fencing with a permanent fence and gate. Post a permanent sign at the cemetery that indicates the name of the cemetery,

describes its historic importance and specifies the laws protecting it and penalties for infractions.

5. Landscaping and any restoration at the cemetery shall be done in consultation with qualified professional in historic preservation.
6. Adequate lighting shall be provided so that the cemetery is illuminated at night to help prevent vandalism.
7. Security patrols shall be provided to help guard against vandalism at the cemetery.
8. The applicant shall extend an irrevocable offer of dedication for the entire 2.51-acre parcel to El Dorado County to be used for cemetery purposes. As the alternative, the applicant shall record the 2.51-acre parcel as a separate property with a land use restriction that would prevent any future development or use of the parcel, except as a cemetery.

**Mitigation Measure 4.10-4: Disturbance of Previously Undiscovered Cultural Resources.**  
Apply mitigation measures 4.10-1(c) and (d), and no further mitigation is available to reduce this impact to a less-than-significant level.

**Mitigation Measure 4.10-6: General Plan Consistency--Protection of Cemeteries.**  
Apply mitigation measure 4.10-2(a), and no further mitigation is required.

### **Fire Services Mitigation Measures**

**Mitigation Measure 4.11-3: Phase 1 Response Time.** Prior to the approval of final subdivision maps, or in the case of no subdivision, issuance of building permits, for retail projects in the MC&FP Area, the Fire District shall assess a developer fee to purchase and install signal light pre-emption devices on all Fire District response vehicles. The project applicant for Sundance Plaza shall pay the Fire District for the cost of purchase and installation of such devices, which shall be purchased and installed by the Fire District prior to the signalization of the Missouri Flat Road/Headington Road intersection, as proposed by the Sundance Plaza project applicant. Project applicants for subsequent discretionary projects shall reimburse the Sundance Plaza project applicant, on a fair-share basis, for the cost of such signal light pre-emption devices. Each project's fair-share shall be based on traffic contribution, as determined by the Fire District in consultation with the El Dorado County Department of Transportation.

**Mitigation Measure 4.11-6: Long-term Fire Protection.**  
Implement Mitigation Measure 4.11-3. In addition, prior to approval of Improvement Plans, the project applicant shall be required to design infrastructure necessary to achieve fire flows as specified by the Diamond Springs-El Dorado Fire Protection District and EID.

**Mitigation Measure 4.11-7: Phases 1 and 2 (Through Year 2015) Response Times.**  
Implement Mitigation Measure 4.11-3 and no other mitigation is required.

## **Wastewater Mitigation Measures**

**Mitigation Measure 4.13-1: Phase 1 (Year 2005) Wastewater Treatment.** At the time of final map approval or, in those cases where subdivision maps are not proposed with the project, issuance of building permits for retail projects in the MC&FP Area, project applicants shall pay Facility Capital Charges as required by EID. The fees provide for the project's contribution to increased sewage flows at the wastewater treatment plant as well as infrastructure improvements that may be required as a result of the project's proportional increase in sewage flows.

Prior to the issuance of occupancy permits for retail projects in the MC&FP Area, the project applicants or their successors in interest shall demonstrate to the County through written correspondence or notification from EID that EID has adequate infrastructure and treatment capacity to accommodate the increase in wastewater flow attributable to such projects.

**Mitigation Measure 4.13-3: Phases 1 and 2 (Through Year 2015) Wastewater Treatment.** Implement Mitigation Measure 4.13-1, and no further mitigation is required.

**Mitigation Measure 4.13-4: Phases 1 and 2 (Through Year 2015) Wastewater Infrastructure.**

Implement Mitigation Measure 4.13-1, and no further mitigation is required.

## **Water Mitigation Measures**

**Mitigation Measure 4.14-2: Phases 1 and 2 (Through Year 2015) Water Consumption.**

Prior to the approval of a final subdivision map or, in those instances where subdivision maps are not proposed with the project, issuance of building permits for retail projects in the MC&FP Area or for El Dorado Villages Shopping Center, project applicants shall obtain water meters or equivalent water guarantees from EID or other governing water purveyor in the MC&FP Area. This mitigation measure shall be applied as a mitigation measure or condition of approval for each retail development project in the MC&FP Area, and for El Dorado Villages Shopping Center.

In addition, no grading permit shall be issued for a retail project, or any portion thereof, assumed in Phases 1 or 2 of the MC&FP or for El Dorado Villages Shopping Center, unless and until the landowner has reached final agreement with EID regarding fully vested right to water service to the portion of the project site affected by the grading permit.

**Mitigation Measure 4.14-5: Phases 1 and 2 (Through Year 2015) Water Distribution.**

Prior to approval of a final subdivision map or, in those instances where subdivision maps are not proposed with the project, issuance of building permits for retail projects in the MC&FP Area, or for Sundance Plaza or El Dorado Villages Shopping Center, project applicants shall prepare an FPR in accordance with the requirements of EID or other governing water purveyor in the MC&FP Area, and obtain approval of the FPR for the provision of water distribution facilities. This mitigation measure shall be applied as a mitigation measure or condition of approval for each retail development project in the MC&FP Area, for Sundance Plaza, and for El

Dorado Villages Shopping Center. Prior to issuance of building permits, the FPR specifications shall be incorporated into the improvement plans for each retail project within the MC&FP Area.

Prior to the approval of a final subdivision map or, in those instances where subdivision maps are not proposed with the project, issuance of building permits for retail projects in the MC&FP Area or for Sundance Plaza or El Dorado Villages Shopping Center, El Dorado County shall assure that mitigation measures provided in Sections 4.3 (Visual Resources), 4.5 (Air Quality), 4.6 (Noise), 4.7 (Earth Resources), 4.9 (Biological Resources), and 4.10 (Cultural Resources) that are to be implemented prior to the approval of a final subdivision map or, in those instances where subdivision maps are not proposed with the project, issuance of building permits for retail projects in the MC&FP Area are fully implemented.

### **Hazardous Materials Mitigation Measures**

#### **Mitigation Measure 4.17-1: Potential for Exposure to Existing or Potential Sources of Contamination.**

Note: Item f) is not applicable to Sundance Plaza.

- a) Prior to the approval of a retail project in the MC&FP Area, the project applicant shall conduct, and submit for review by El Dorado County Environmental Management Department, a database search of hazardous materials sites that meets the requirements of Public Resources Code §21092.6.
- b) If the database search reveals the potential for contamination on the project site, then prior to project approval, the project applicant shall submit a Phase I site assessment report, prepared by a qualified professional in compliance with the ASTM E 1527-97 standard, for review by El Dorado County Environmental Management Department.
- c) If the Phase 1 site assessment report indicates the presence of existing or potential onsite contamination, the project applicant shall contact the appropriate local, state, and/or federal agencies. The project applicant shall coordinate with the agency to prepare a remediation plan in accordance with applicable local, state, and federal regulations, requirements, and/or guidelines.
- d) The remediation plan shall be approved by the El Dorado County Environmental Management Department, and made a condition of approval of a tentative map for retail projects in the MC&FP Area (if one is sought), with full remediation to be completed prior to issuance of a final map. If a tentative map is not part of the application request, then the remediation plan shall be approved by the El Dorado County Environmental Management Department prior to issuance of a grading permit, with remediation to be completed prior to issuance of a building permit.
- e) A condition shall be placed on all tentative maps for Sundance Plaza regarding hazardous materials. That condition will state that the project applicant shall prepare, and have approved by the El Dorado County Environmental Management Department and/or other

applicable state and local agencies, a remediation plan to address the hazardous materials identified in the 1990 Ebasco Environmental report, 1997 Youngdahl & Associates report, and electrical transformers, if proposed for disturbance or relocation on the site. Full remediation shall occur in compliance with the remediation plan prior to the issuance of the first final map for each phase of development.