HELIX Environmental Planning

Forebay Park Improvement Project

Initial Study/Mitigated Negative Declaration
Final

July 2023 | 02504.00011.001

Prepared for:

County of El Dorado
330 Fair Lane
Placerville, CA 95667-4197

Prepared by:

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ACRONYMS AND ABBREVIATIONS

ACHP	Advisory Council on Historic Preservation
ADA	Americans with Disabilities Act
AFY	acre-feet per year
AMSL	above mean sea level
AP	Agricultural Preserve
APN	Assessor's Parcel Number
AST	Above-ground Storage Tank
Bcf/year	Billion cubic feet/ year
BMP	Best Management Practice
BRA	Biological Resources Assessment
BTU	British Thermal Units
CA	California
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CalARP	California Accidental Release Prevention
CALGreen	California Green Building Standards Code
Cal OES	Governor's Office of Emergency Services
Caltrans	California Department of Transportation
CBC	California Building Standards Code
CARB	California Air Resources Board
CDC	California Department of Conservation
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CHP	California Highway Patrol
CIWMB	California Integrated Waste Management Board
CNDDB	California Natural Diversity Data Base
CNPS	California Native Plant Society
County	El Dorado County
CRHR	California Register of Historical Resources
CUPA	Certified Unified Program Agencies
CVRWQCB	Central Valley Regional Water Quality Control Board
CWA	Clean Water Act
DTSC	Department of Toxic Substances Control
EDCAQMD	El Dorado County Air Quality Management District
EIR	Environmental Impact Report
EID	El Dorado Irrigation District
EO	Executive Order

ACRONYMS AND ABBREVIATIONS (cont.)

FAA	Federal Aviation Administration
FEMA	Federal Emergency Management Agency
FERC	Federal Energy Regulatory Commission
FMMP	Farmland Mapping and Monitoring Program
FPA	Z'Berg-Nejedly Forest Practices Act
FPR	Forest Practice Rules
Ft	Feet
GHG	Greenhouse Gas
GWh	Gigawatt hours
HR 6	House of Representatives Bill 6
HVAC	Heating, Ventilation, and Air Conditioning
IPaC	Information for Planning and Conservation
ISA	International Society of Arboriculture
IS/MND	Initial Study/Mitigated Negative Declaration
ITE	Institute of Transportation Engineers
kWh	kilowatt hours
LOS	Level of Service
MCAB	Mountain Counties Air Basin
MhE	McCarthy cobbly loam
MND	Mitigated Negative Declaration
MRZ	Mineral Resource Zone
N/A	Not Applicable
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NEHRP	National Earthquake Hazards Reduction Program
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NHT	National Historic Trail
NHTSA	National Highway Traffic Safety Administration
NIST	National Institute of Standards and Technology
NO_X	Oxides of Nitrogen
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NRT	National Recreation Trails
NSF	National Science Foundation
NST	National Scenic Trails
OEHHA	Office of Environmental Health Hazard Assessment
ORMP	Oak Resources Management Plan

ACRONYMS AND ABBREVIATIONS (Cont.)

OSHA	Occupational Safety and Health Administration
PF	Public Facilities
PM_{10}	Particulate matter, 10 micrometers or less in diameter
$PM_{2.5}$	Particulate matter, 2.5 micrometers or less in diameter
PRC	Public Resources Code
PrD	Placer diggings
RCRA	Resource Conservation and Recovery Act of 1976
RMP	Risk Management Plan
ROG	Reactive Organic Gases
RPF	Registered Professional Forester
RPZ	Root Protection Zone
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SHMA	Seismic Hazards Mapping Act
SIP	State Implementation Plan
SMAQMD	Sacramento Metropolitan Air Quality Management District
SMARA	Surface Mining and Reclamation Act of 1975
SPCC	Spill Prevention, Control, and Countermeasure
SRA	State Responsibility Area
SWPPP	Stormwater Pollution Prevention Plan
TAC	Toxic Air Contaminant
TCR	Tribal Cultural Resource
THP	Timber Harvesting Plan
THPO	Tribal Historic Preservation Officer
UAIC	United Auburn Indian Community of the Auburn Rancheria
U.S.	United States
UST	Underground Storage Tank
USACE	U.S. Army Corps of Engineers
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
UWMP	Urban water management plan

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INITIAL STUDY INFORMATION SHEET

1.	**Project title:**	Forebay Park Improvement Project
2.	**Lead agency name and address:**	County of El Dorado, 330 Fair Lane, Placerville, CA 95667
3.	**Contact person and phone number:**	Vickie Sanders, Parks Manager (530) 621-7538
4.	**Project location:**	Forebay Park; 5581 Gail Drive, Pollock Pines, County of El Dorado, CA
5.	**General plan designation:**	Public Facilities (PF)
6.	**Zoning:**	Recreational Facility High (RF-H)

7. Brief description of project:

The Forebay Park Improvements Project (project) would include the construction of additional recreational facilities, relocation of existing restroom facilities, and improvement of the existing parking lot for the already extant Forebay Park. The proposed project would include additional construction and improvements within an approximately 9.4-acre area of the existing 16.9-acre park. The additional recreation facilities would include a disc golf course, a playground, workout area with outdoor exercise equipment, shared basketball and pickleball courts, picnic areas, and fenced dog park and supporting features such as a new restroom, improved parking, and landscaping. The proposed fenced dog park would replace the current use of the existing ball field as an informal dog park; the ball field would only be used for baseball (no dogs allowed) after proposed improvements. Existing trees would be integrated into the site design, particularly in the dog park and disc golf course areas, to the greatest extent possible. No expansion is proposed for the existing ball field, community center, horseshoe courts, batting cages, and associated outbuildings.

8. Surrounding land uses and setting:

Residential land uses are located north and east of the project site. Forebay Road and the Forebay Reservoir are located immediately west of the project site, and residential land uses are located south of the project site. The land surrounding the parcel on the north, east, and south is, in general, wooded land with single-family residences.

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

- Central Valley Regional Water Quality Control Board Construction General Permit
- Fugitive Dust Plan approval from the El Dorado County Air Quality Management District

The County of El Dorado will act as the Lead Agency as defined by CEQA and will have authority to determine if this environmental document is adequate under CEQA and the State CEQA Guidelines. The County will consider approval of the project and all associated entitlements.

10. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code (PRC) Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources (TCRs), procedures regarding confidentiality, etc.?

Formal invitations to participate in Assembly Bill (AB) 52 consultation on the proposed project were sent by the County to four tribal representatives on March 2, 2023. The representatives included:

- Randy Yonemura, Ione Band of Miwok Indians
- Steven Hutchason, Wilton Rancheria – Environmental Resources Department
- Jason Camp – Tribal Historic Preservation Officer, United Auburn Indian Community of the Auburn Rancheria
- Regina Cuellar, Shingle Springs Band of Miwok Indians

No responses have been received to date.

1.0 INTRODUCTION

1.1 Initial Study

El Dorado County, as Lead Agency, has prepared this Initial Study to provide the general public and interested public agencies with information about the potential environmental impacts of the proposed Forebay Park Improvement Project (project). This Mitigated Negative Declaration (MND) has been prepared in accordance with California Environmental Quality Act (CEQA), Public Resources Code (PRC) Section 21000 et seq., and the CEQA Guidelines, California Code of Regulations Section 15000 et seq. Details about the proposed project are included in Section 3.0 (Project Description) of this Initial Study.

An Initial Study is conducted by a Lead Agency to determine whether a project may have a significant effect on the environment. In accordance with CEQA Guidelines Section 15063, an Environmental Impact Report (EIR) must be prepared if an Initial Study indicates that the proposed project under review may have a potentially significant impact on the environment which cannot be initially avoided or mitigated to a level that is less than significant. A negative declaration may be prepared if the Lead Agency also prepares a written statement describing the reasons why the proposed project would not have a significant effect on the environment and therefore why it does not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a negative declaration is to be prepared for a project subject to CEQA when:

a) The Initial Study shows there is no substantial evidence, in light of the whole record before the agency, that the proposed project may have a significant effect on the environment, or

b) The Initial Study identifies potentially significant effects, but:

    1) Revisions in the project plans or proposals made by or agreed to by the County before the proposed negative declaration is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and

    2) There is no substantial evidence, in light of the whole record before the agency, that the proposed project as revised may have a significant effect on the environment.

If revisions are adopted in the proposed project in accordance with CEQA Guidelines Section 15070(b), including the adoption of mitigation measures included in this document, an MND is prepared.

1.2 Purpose and Document Organization

The purpose of this Initial Study/Mitigated Negative Declaration (IS/MND) is to evaluate the potential environmental impacts of the proposed project. This document is divided into the following sections:

1.0 Introduction – This section provides an introduction and describes the purpose and organization of the document.

2.0 Project Background – This section provides information on project-specific technical studies prepared and incorporated into the analysis included in this IS/MND. A brief description of the existing use of the project site is also provided.

3.0 Project Description – This section discusses the proposed project in detail.

4.0 Environmental Factors Potentially Affected – This section identifies which environmental subject areas would be potentially affected by this project. Environmental subject areas with a check mark indicate that the proposed project would result in a "Potentially Significant Impact" or "Less than Significant with Mitigation Incorporated" for that environmental subject area.

5.0 Determination – This section provides a determination if the project will or will not have a significant impact on the environment. This section determines if the appropriate CEQA document is a negative declaration, MND, EIR, or nothing further is required as the environmental impacts of the project were previously analyzed in a prior CEQA document and potential significant impacts have been avoided or mitigated.

6.0 Environmental Initial Study Checklist – This section provides a description of the environmental setting and impact analysis for each of the environmental subject areas. Project impact analysis is provided in response to subject-specific questions for each environmental subject area, and an impact determination is made for each question. Impact determinations may be "no impact," "less than significant impact," "less than significant impact with mitigation incorporated," or "potentially significant impact" in response to the questions included in the environmental checklist for each environmental subject area.

7.0 References – This section identifies documents, websites, people, and other sources consulted during the preparation of this IS/MND.

8.0 Initial Study Preparers – This section identifies who worked on this IS/MND.

2.0 PROJECT BACKGROUND

The proposed project would include the construction of additional recreational facilities and associated improvements on approximately 9.4 acres of the existing 16.9-acre park. Existing facilities at the park include a gated ball field that is also used as a dog park, horseshoe courts, batting cages, a community center, restroom facilities, associated outbuildings, and two parking lots. The existing ball field is gated and used as a makeshift dog park outside of game and practice times. The west side of Forebay Park has been moderately terraced and graded in some areas to accommodate the existing horseshoe courts, parking lot, and paved access road.

The following project specific technical reports, assessments, and/or surveys were prepared or conducted to support the impact analysis included in this IS/MND and are incorporated by reference:

- Biological Resources Assessment (BRA), September 2022, prepared by HELIX Environmental Planning, Inc.
- Focused Special-Status Plant Botanical Reconnaissance Survey, June 2022, prepared by HELIX Environmental Planning, Inc.
- Oak Resources Technical Report, February 2023, prepared by HELIX Environmental Planning, Inc.
- Cultural Resources Technical Report, July 2022, prepared by HELIX Environmental Planning, Inc.

3.0 PROJECT DESCRIPTION

3.1 Project Location

The project would be located within the existing Forebay Park located at 5581 Gail Drive, Pollock Pines, El Dorado County, California. The project site consists of one 16.9-acre parcel (Assessor's Parcel Number [APN] 101-330-081) located in the northern section of the unincorporated community of Pollock Pines and within central El Dorado County, California. US Route 50 (US-50) is approximately 0.6 mile south of the project site, and the Long Canyon Forebay reservoir is located approximately 100 feet (ft) west of the project site. The project is located north of the intersection of Forebay Road and Deep Haven Road, east of Romer Boulevard. The project site is located in Section 25 of Township 11 North, and Range 12 East of the U.S. Geological Survey (USGS) 7.5-minute "Pollock Pines" quadrangle map. Refer to Figure 1 for a Site Vicinity Map and Figure 2 for a Topographic Map in Appendix A.

3.2 Project Setting and Surrounding Land Uses

The approximately 16.9-acre project site is an existing park named Forebay Park. The area in which the project is located is characterized by rural residential development and recreational space. The project is bounded to the north by a cul-de-sac leading off Forebay Road to a single residential dwelling, to the east by eleven (11) residential lots, and to the south and west by Forebay Road. Long Canyon Forebay reservoir is located south and west of the project site on the other side of Forebay Road.

The topography of the project site varies from a relatively level area in the northeast corner to shallow slopes to the southern boundary and steeper slopes to the western boundary. The elevation ranges approximately 3,870 ft above mean sea level (AMSL) on the eastern high point to 3,820 AMSL on the western boundary. The site currently drains overland to the west across Forebay Road then across a vegetated buffer and ultimately to the Long Canyon Forebay reservoir.

3.3 Project Characteristics

The proposed project would include the construction of additional recreational facilities, reconfiguration of some existing facilities, and associated improvements at the existing Forebay Park located in the northern portion of the unincorporated community of Pollock Pines. Refer to Appendix B, Conceptual Design Plan, for the location of existing and proposed additional park facilities and improvements, and Table 1, *Proposed Additional Park Facilities and Improvements*, for a detailed list of the proposed project components.

Table 1
PROPOSED ADDITIONAL PARK FACILITIES AND IMPROVEMENTS

Proposed Park Component	Size (acres)
Disc Golf Course	3.2
Perimeter Trail	2.75
Dog Park	1.3
Entry Drive, Access Road, and Parking Lots	1.14
Landscape Buffer	0.5
Playground	0.23
Shared Basketball and Pickleball Courts	0.15
Exercise Equipment	0.08

Proposed Park Component	Size (acres)
Restroom	0.03
Group and Individual Picnic Areas	0.03
Total Size	9.41

The proposed project components within approximately 9.4 acres are discussed in detail below.

Disc Golf Course

The proposed project includes the construction of an eighteen-hole disc golf course in the southern portion of the parcel. Nine holes would be located north of the existing horseshoe court, while the other nine holes would be in the southwestern portion of the parcel. The total size of the disc golf course is approximately 3.2 acres. In addition to tees and target baskets, trails connecting the holes would be constructed along with small trail amenities such as picnic tables and/or benches for resting.

Perimeter Trail and Access

An unpaved walking trail loop is also proposed around the border of the park. Pedestrian circulation would consist of walking trails located within the project site. The pedestrian sidewalks allow access to the proposed landscaping areas, playground area, dog park, ball field, basketball and pickleball courts, disc golf field, batting cages, exercise area, horseshoe court, restrooms, group picnic areas, and the community center.

Dog Park

The proposed project includes the construction of a fenced dog park with separate areas for small and large dogs west of the existing ball field. Benches and a drinking fountain are proposed to be provided within the fenced dog park area. The approximate size of the dog park would be 1.3 acres, and it would be secured with 6-foot-tall chain link fencing.

Shared Basketball and Pickleball Courts

The proposed project includes the construction of a fenced area for shared basketball and pickleball courts. The courts would be located north of the existing ball field in the northeast portion of the project parcel and would be in an approximately 6,600 sf (60-ft by 110-ft) area surrounded by standard 10-foot-tall chain link fencing. Three shared pickleball/basketball courts are proposed for construction and would be designed to meet applicable County design guidelines.

Other Park Facilities

Additional proposed facilities include an outdoor exercise area with equipment and a shaded accessible playground divided with areas for 2 to 5- and 5 to 12-year-olds that would be constructed in the east-central portion of the project site. Benches would also be provided in the accessible playground area. Two designated group picnic areas with shade shelters and six (6) picnic tables would be provided with one located adjacent to the west of the dog park and the other adjacent to the west of the accessible playground area.

Parking Lot and Access Improvements

There are two existing parking lots at Forebay Park. The northern paved lot is located adjacent to the existing community center and ballfield and is accessible via Gail Road to the north. The parking lot in the center of the site is dirt and broken into two smaller areas which are accessed by a partially paved and partially gravel access road off of Forebay Road. As part of the proposed project, the existing parking lots would be paved, improved, and expanded to include a total of 58 clearly delineated parking spaces. Four of these parking spaces would be Americans with Disabilities Act (ADA) compliant. The parking areas proposed to be paved with asphalt are 1.14 acres combined. This includes the entry drive, access road, and parking lots as depicted in the Conceptual Design Plan in Appendix B.

The proposed project would improve and widen the two existing vehicle access driveways, one on Forebay Road and the other on Gail Road, to a 24-ft width. The ingress and egress points on Forebay Road and Gail Road would be designed to meet applicable County design requirements.

Reconfiguration of Restroom

An accessible two-stall restroom with safety and security lighting would be constructed immediately north of the southern parking lot and would be located south of the proposed playground and east of the northern 9-hole disk golf course area. This facility will replace the existing restroom building, which will be demolished. The restroom would be constructed on 0.03 acre of the parcel and would be designed to meet applicable County design requirements.

Landscaping and Lighting

There would be a 15-ft landscape buffer on the northern and eastern sides of the project parcel adjoining the residential lots. The design of the proposed landscape buffer area may vary in consideration of input provided by adjacent residents as well as park maintenance and safety.

Safety and security lighting would be added around the parking lots, restroom, and shade shelters. Lighting would be shielded to direct the source of light downward, consistent with the County's lighting ordinance (Ordinance 130.34.020, El Dorado County Code 2022).

Trash and Recycling

A new dumpster enclosure would be constructed and located adjacent to the parking lots or maintenance roads for ease of collection. Additional trash cans would be placed in picnic areas, within the dog park, and as needed for maintenance of the park.

Grading and Drainage

The existing project is located on terrain that gradually slopes westward. The high point of existing grading at the park is labeled on the eastern side of the site on the Conceptual Design Plan in Appendix B. The existing low side of the site is on the western side of the park. The site currently drains overland to the west across Forebay Road then across a vegetated buffer and ultimately to the Long Canyon Forebay reservoir.

No significant grading that would alter the existing drainage patterns is proposed as a part of the improvements. Grading would be required to create level pads for proposed structures, parking areas,

site furnishings, and walking paths throughout the site. It is anticipated that no import or export of earthwork would be required. Any earthwork would be balanced on-site. The project improvements would incorporate low-impact development features such as bioswales, on-site retention, subsurface drainage system, drainage release points, or appropriate plantings as required in accordance with applicable design standards.

Construction Equipment and Schedule

Construction of park facilities and associated improvements would utilize standard construction equipment. Equipment used during project description would vary for each phase of project construction but is expected to include, but not be limited to, excavators, bulldozers, dump trucks, backhoes, cranes, steam rollers, chippers, and various trucks and smaller vehicles. Additionally, hand-operated mechanical equipment such as chainsaws, drills, compactors, and similar tools may be used.

Construction will take place in phases as funding becomes available. Some of the project components, such as the new restroom and exercise equipment, are expected to be constructed starting in Summer 2023 and spanning seven to ten months. The potential construction schedule for the other project components is not known. Construction would typically take place during the spring, summer, or fall to avoid snow. Daily construction activities would follow applicable County codes. Additionally, during construction, the County would implement a Fugitive Dust Plan in accordance with El Dorado County Air Quality Management District Requirements.

3.4 Required Permits and Approvals

A listing and brief description of the approvals and/or regulatory permits required to implement the Forebay Park Improvement project are provided below. This environmental document is intended to address the environmental impacts associated with the following discretionary actions and approvals.

El Dorado County

- **Building Permit**
- **Grading Permit**
- **Design Review**
- **Consideration of the Environmental Document:** El Dorado County will act as the Lead Agency as defined by CEQA and will have authority to determine if the environmental document is adequate under CEQA and the State CEQA Guidelines.
- **Project Approval:** The El Dorado County Board of Supervisors will consider approval of the project and the entitlements described above.

Agencies

- **Central Valley Regional Water Quality Control Board (CVRWQCB):** The State Water Resources Control Board, Division of Water Quality, requires that a Construction General Permit be obtained for projects that disturb more than one acre of soil. Typical conditions issued with such a permit include the submittal of and adherence to a Stormwater Pollution Prevention Plan

(SWPPP), as well as prohibitions on the release of oils, grease, or other hazardous materials during construction. The County and/or construction contractor would be required to file a Notice of Intent with the CVRWQCB.

- **El Dorado County Air Quality Management District:** Approval of the Fugitive Dust Plan to be prepared and implemented during project construction.

4.0 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" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
■ Biological Resources	■ Cultural Resources	☐ Energy
☐ Geology and Soils	☐ Greenhouse Gas Emissions	■ Hazards and Hazardous Materials
☐ Hydrology and Water Quality	■ Land Use and Planning	☐ Mineral Resources
☐ Noise	☐ Population and Housing	☐ Public Services
■ Recreation	☐ Transportation	■ Tribal Cultural Resources
☐ Utilities and Service Systems	■ Wildfire	■ Mandatory Findings of Significance

5.0 DETERMINATION

Based on 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 I) 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 on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
☐	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature _____ Date _____

Printed Name _____ For _____

6.0 ENVIRONMENTAL INITIAL STUDY CHECKLIST

The Lead Agency has defined the column headings in the environmental checklist as follows:

A. "Potentially Significant Impact" is appropriate if there is substantial evidence 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.

B. "Less Than Significant with Mitigation Incorporated" applies where the inclusion of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." All mitigation measures are described, including a brief explanation of how the measures reduce the effect to a less than significant level. Mitigation measures from earlier analyses may be cross-referenced.

C. "Less Than Significant Impact" applies where the project does not create an impact that exceeds a stated significance threshold.

D. "No Impact" applies where a project does not create an impact in that category. "No Impact" answers do not require an explanation if they are adequately supported by the information sources cited by the Lead Agency that show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project specific screening analysis).

The explanation of each issue identifies the significance criteria or threshold used to evaluate each question; and the mitigation measure identified, if any, to reduce the impact to less than significance. 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 [CEQA Guidelines Section 15063(c)(3)(D)]. Where appropriate, the discussion identifies the following:

a) Earlier Analyses Used. Identifies where earlier analyses are available for review.

b) Impacts Adequately Addressed. Identifies which effects from the checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and states 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," describes 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.

I. AESTHETICS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in PRC Section 21099, would the project:					
a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☐	■
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	■
c)	Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	■	☐
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	■	☐

Environmental Setting

The project property is situated in the Sierra Nevada foothills, in a transition zone between oak/gray pine woodland and coniferous woodland typical of the western slope of the Sierras, along with several open areas consisting primarily of seasonal forage grasses. The project site is the currently extant Forebay Park which includes an existing ball field, horseshoe courts, batting cages, community center, restroom facilities, associated outbuildings, and two parking lots. The site consists of gradually sloping terrain with the elevation ranging from approximately 3,815 feet AMSL in the southwest to 3,860 feet AMSL in the northeast. Drainage within the project site generally runs from east to west, and eventually flows over Forebay Road and through an approximately 50-ft-wide vegetated area before entering the Long Canyon Forebay reservoir located west of the project site. The property is bound to the north by a rural residential property, to the west and south by Forebay Road and Long Canyon Forebay reservoir, and to the east by residential developments and sparsely wooded land. The project property is visible by rural residences in the area, with the nearest residence being approximately 93 feet north. The project site would not be visible from US Route 50.

Regulatory Setting

Federal Laws, Regulations, and Policies

No federal regulations are applicable to aesthetics in relation to the proposed project.

State Laws, Regulations, and Policies

In 1963, the California State Legislature established the California Scenic Highway Program, a provision of the Streets and Highways Code, to preserve and enhance the natural beauty of California (Caltrans

2020). The State highway system includes designated scenic highways and those that are eligible for designation as scenic highways.

Local Laws, Regulations, and Policies

The County has several standards and ordinances that address issues relating to visual resources. Many of these can be found in the County Zoning Ordinance (Title 130 of the County Code). The Zoning Ordinance consists of descriptions of the zoning districts, including identification of uses allowed by right or requiring a special-use permit and specific development standards that apply in particular districts based on parcel size and land use density. These development standards often involve limits on the allowable size of structures, required setbacks, and design guidelines. Included are requirements for setbacks and allowable exceptions, the location of public utility distribution and transmission lines, architectural supervision of structures facing a state highway, height limitations on structures and fences, outdoor lighting, and wireless communication facilities.

Visual resources are classified as 1) scenic resources or 2) scenic views. Scenic resources include specific features of a viewing area (or viewshed) such as trees, rock outcroppings, and historic buildings. They are specific features that act as the focal point of a viewshed and are usually foreground elements. Scenic views are elements of the broader viewshed such as mountain ranges, valleys, and ridgelines. They are usually middle ground or background elements of a viewshed that can be seen from a range of viewpoints, often along a roadway or other corridor.

A list of the County's scenic views and resources is presented in Table 5.3-1 of the El Dorado County General Plan EIR (p. 5.3-3). This list includes areas along highways where viewers can see large water bodies (e.g., Lake Tahoe and Folsom Reservoir), river canyons, rolling hills, forests, or historic structures or districts that are reminiscent of El Dorado County's heritage.

Several highways in El Dorado County have been designated by the California Department of Transportation (Caltrans) as scenic highways or are eligible for such designation. These include U.S. 50 from the eastern limits of the Government Center interchange (Placerville Drive/Forni Road) in Placerville to South Lake Tahoe, all of SR 89 within the County, and those portions of SR 88 along the southern border of the County.

Rivers in El Dorado County include the American, Cosumnes, Rubicon, and Upper Truckee rivers. A large portion of El Dorado County is under the jurisdiction of the United States Forest Service (USFS), which, under the Wild and Scenic Rivers Act, may designate rivers or river sections to be Wild and Scenic Rivers. To date, no river sections in El Dorado County have been nominated for or granted Wild and Scenic River status.

Evaluation of Environmental Impacts

a) Have a substantial adverse effect on a scenic vista?

No impact. No officially designated scenic vistas are in the viewshed of the project site. The proposed project would have ***no impact*** on a scenic vista.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. No scenic resources are located within the project area or would be impacted by the proposed additional recreational facilities and associated improvements. The closest officially designated scenic highway is US-50 between Placerville and South Lake Tahoe, located approximately 0.68 mile to the south of the project site. The project site is not visible from the US-50. Therefore, the proposed project would have ***no impact*** on scenic resources.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point).

Less than significant impact. The project site is in use as an active community park with gated ball fields, horseshoe courts, batting cages, a restroom, and two parking lots. The proposed additional recreational facilities and associated improvements would complement the existing park facilities. A 15-ft landscape buffer would be installed on the northern and eastern sides of the project site adjoining the residential lots, and existing trees would be incorporated into the project design to the maximum extent feasible. Therefore, the proposed project would not substantially degrade the existing visual character or quality of public views in the project area. Therefore, the impacts would be ***less than significant.***

d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Less than significant impact. Lighting would be included for safety purposes at the park. Safety and security lighting would be added around the parking lots, restroom, and shade shelters. Lighting would be shielded to direct the source of light downward, consistent with the County's lighting ordinance (Ordinance 130.34.020, El Dorado County Code 2022). Therefore, impacts related to light or glare would be ***less than significant***.

II. AGRICULTURE AND FORESTRY RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	■
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	■
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC Section 12220(g)), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	■
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	■
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non- forest use?	☐	☐	☐	■

Environmental Setting

There are over 100,000 acres of active farmland in El Dorado County. Major crops include fruits, and there are over 80 active vineyards in the County (El Dorado County Department of Agriculture 2021). Cattle grazed on rangeland also comprise a considerable portion of the County's agricultural production. Land cover on the project site includes mixed oak woodland, montane hardwood conifer, sierran mixed conifer, non-native annual grassland, and ruderal/disturbed.

No agricultural activities or timber management occur on or near the project site, and the project site is not designated for those land uses. The California Important Farmland Finder Interactive Map prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Department of Conservation (CDC) classifies most of the project site as urban and built-up land with the southwestern portion of the project site classified as other land (CDC 2023).

Timber harvesting has historically been a major component of El Dorado County's economy (El Dorado County Department of Agriculture 2021), and although some commercial timber harvesting remains in the County, the vast majority is accomplished in elevations greater than those found on the project site because of their more favorable conditions for commercial species. The property has not historically been used for agricultural or timber production.

Regulatory Setting

Federal Laws, Regulations, and Policies

No federal regulations are applicable to agricultural and forestry resources in relation to the proposed project.

State Laws, Regulations, and Policies

Farmland Mapping and Monitoring Program

The Farmland Mapping and Monitoring Program (FMMP), administered by the California Department of Conservation (CDC), produces maps and statistical data for use in analyzing impacts on California's agricultural resources (CDC 2023). FMMP rates and classifies agricultural land according to soil quality, irrigation status, and other criteria. Important Farmland categories are as follows (CDC 2023):

> ***Prime Farmland:*** Farmland with the best combination of physical and chemical features able to sustain long-term agricultural production. These lands have the soil quality, growing season, and moisture supply needed to produce sustained high yields. Prime Farmland must have been used for irrigated agricultural production at some time during the four years before the FMMP's mapping date.
>
> ***Farmland of Statewide Importance:*** Farmland similar to Prime Farmland, but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Farmland of Statewide Importance must have been used for irrigated agricultural production at some time during the four years before the FMMP's mapping date.
>
> ***Unique Farmland***: Farmland of lesser quality soils used for the production of the state's leading agricultural crops. These lands are usually irrigated but might include non-irrigated orchards or vineyards, as found in some climatic zones. Unique Farmland must have been cropped at some time during the four years before the FMMP's mapping date.
>
> ***Farmland of Local Importance:*** Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.

California Land Conservation Act of 1965 (Williamson Act)

The California Land Conservation Act of 1965 (commonly referred to as the Williamson Act) allows local governments to enter contracts with private landowners for the purpose of preventing conversion of agricultural land to non-agricultural uses (CDC 2019b). In exchange for restricting their property to agricultural or related open space use, landowners who enroll in Williamson Act contracts receive property tax assessments that are substantially lower than the market rate.

Z'Berg-Nejedly Forest Practice Act

Logging on private and corporate land in California is regulated by the Z'Berg-Nejedly Forest Practices Act (FPA), which took effect January 1, 1974. The act established the Forest Practice Rules (FPRs) and charged the politically appointed Board of Forestry to oversee their implementation. CAL FIRE works under the direction of the Board of Forestry and is the lead government agency responsible for

approving logging plans and for enforcing the FPRs. A Timber Harvest Plan (THP) must be prepared by a Registered Professional Forester (RPF) for timber harvest on non-federal timberland, with limited exceptions.

Local Laws, Regulations, and Policies

El Dorado County General Plan Agriculture and Forestry Element

Adopted in 2004 and amended in 2015, this element sets the County's priorities for the continued viability of agricultural and forestry activities. Goals of this element include agricultural land conservation, agricultural production, forest land conservation, and sustainable and efficient forest production (El Dorado County 2004).

Evaluation of Environmental Impacts

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No impact. As noted above, the California Important Farmland Finder Interactive Map prepared pursuant to the FMMP of the CDC classifies most of the project site as urban and built-up land with the southwestern portion of the project site classified as other land (CDC 2023). Therefore, there would be ***no impact*** on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No impact. The project site is zoned Recreational Facility High (RF-H; County of El Dorado 2018) and is not in Williamson Act contract. Therefore, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract, and there would be ***no impact***.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC Section 12220(g)), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

No impact. As discussed above under question b), the project site is zoned RF-H and would not conflict with zoning for forest land, timberland, or timberland zoned Timberland Production.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No impact. Forest land, under PRC Section 12220(g), is defined as:

"Land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits."

While the project site hosts multiple native trees, it is not identified as forest land because it is a park. Additionally, the proposed project would integrate the existing trees into the project design to the maximum extent feasible to minimize tree removal. Therefore, the proposed project would not convert forest land to non-forest use, and there would be ***no impact*** on forest land.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No impact. The project site is not in agricultural or forest land use and is not zoned for agricultural or forest land. The project site is located in an area mapped as “Urban and Built-Up Land” and “Other Land” by the FMMP (CDC 2023). There would be ***no impact*** on farmland or forest land.

III. AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	■	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	■	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	■	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	■

Environmental Setting

The project site is located in the western portion of El Dorado County and the Mountain Counties Air Basin (MCAB), which covers an area of approximately 11,000 square miles. The MCAB lies along the northern part of the Sierra Nevada mountains and encompasses El Dorado (western portion), Plumas, Sierra, Nevada, Placer (middle portion), Amador, Calaveras, Tuolumne, and Mariposa counties. The EDCAQMD is responsible for implementing emissions standards and other requirements of federal and state laws in the El Dorado County portion of the MCAB. Attainment plans for meeting the federal air quality standards are incorporated into the State Implementation Plan (SIP), which is subsequently submitted to the U.S. Environmental Protection Agency (USEPA), the federal agency that administrates the Federal Clean Air Act (CAA) of 1970, as amended in 1990.

Ambient air quality is described in terms of compliance with state and national standards, and the levels of air pollutant concentrations considered safe, to protect the public health and welfare. These standards are designed to protect people most sensitive to respiratory distress, such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and people engaged in strenuous work or exercise. The USEPA has established national ambient air quality standards (NAAQS) for several air pollution constituents. As permitted by the CAA, California has adopted the more stringent California Ambient Air Quality Standards (CAAQS) and expanded the number of regulated air constituents.

The California Air Resources Board (CARB) is required to designate areas of the state as attainment, nonattainment, or unclassified for the ambient air quality standards. An “attainment” designation for an area signifies that pollutant concentrations do not violate the standard for that pollutant in that area. A “nonattainment” designation indicates that a pollutant concentration violated the standard at least

once. The air quality attainment status of the western El Dorado County portion of MCAB is shown in Table 2, *Western El Dorado County Attainment Status.* below.

Table 2
WESTERN EL DORADO COUNTY ATTAINMENT STATUS

Pollutant	State of California Attainment Status	Federal Attainment Status
Ozone	Nonattainment	Nonattainment
Coarse Particulate Matter (PM10)	Nonattainment	Unclassified
Fine Particulate Matter (PM2.5)	Unclassified	Nonattainment
Carbon Monoxide	Unclassified	Unclassified/Attainment
Nitrogen Dioxide	Attainment	Unclassified/Attainment
Lead	Attainment	Unclassified/Attainment
Sulfur Dioxide	Attainment	Unclassified/Attainment
Sulfates	Attainment	No Federal Standard
Hydrogen Sulfide	Unclassified	No Federal Standard
Visibility Reducing Particles	Unclassified	No Federal Standard

Source: CARB 20017a; CARB 2018a.

The western portion of El Dorado County is designated as nonattainment for the state and federal ozone standards. The Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan was developed by the air districts in the Sacramento region to bring the region into attainment. The plan is a joint project between the Sacramento Metropolitan Air Quality Management District (SMAQMD), EDCAQMD, and three other air districts in the Sacramento region (SMAQMD 2017). The plan includes the MCAB portion of western El Dorado County, and thus the project site. In addition to not attaining the federal or state ozone standards, the region is classified nonattainment for the federal PM2.5 standard and the state PM10 standard. The EDCAQMD and other Sacramento region air districts have submitted a PM2.5 Implementation/Maintenance Plan and Re-Designation Requests to fulfill CAA requirements to re-designate the region from nonattainment to attainment of the PM2.5 NAAQS (SMAQMD 2013).

Ground-level ozone is not emitted directly into the environment but is generated from complex chemical reactions between Reactive Organic Gases (ROG), or non-methane hydrocarbons, and Oxides of Nitrogen (NOX) that occur in the presence of sunlight. PM10 and PM2.5 is generated from a variety of sources, including road dust, diesel exhaust, fuel combustion, tire and brake wear, construction operations and windblown dust. In addition, PM10 and PM2.5 can also be formed through chemical and photochemical reactions in the atmosphere. Anthropogenic ROG, NOX, PM10, and PM2.5 sources in the county include motor vehicles and other transportation sources, residential wood burning for heating, and open burning of vegetation related to agriculture and wildfire fuel management. El Dorado County is mostly rural and sparsely populated, and sources of ROG, NOX, PM10 and PM2.5 within the county are limited. The County's nonattainment status for ozone, PM10 and PM2.5, is primarily due to the transport of pollutants from population centers and intense agriculture activity in California's Central Valley to the west.

Evaluation of Environmental Impacts

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less than significant impact. The proposed project includes the construction of additional park facilities and associated improvements at an existing park site. No permanent on-site generators or other on-site sources of air quality emissions are required for operation. As a local park facility, sources of emissions would generally be from leaf blowers, small hand tools, or other small to moderately sized equipment used for regular park maintenance, but the associated emissions would be only for the duration of use and would be intermittent.

During construction, various grading and earth-moving activities would take place. Disturbance associated with the proposed project would include road paving, limited digging to build fences, trails, site furnishing pads for the sheltered picnic areas and relocated restroom, construction of the shared basketball and pickle ball courts, and construction of the playground area. Dust emissions from soil disturbance would take place; however, the project would be required to obtain a standard Fugitive Dust Plan approval from the El Dorado County Air Quality Management District, as described in the project description. Along with implementation of standard construction Best Management Practices during project construction, there would be a ***less than significant*** impact with regard to air quality plans.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard?

Less than significant impact. As a local park facility, sources of emissions would generally be from leaf blowers, small hand tools, or other small to moderately sized equipment used for regular park maintenance. Cumulative increase of criteria pollutants would be minor and ***less than significant***.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less than significant impact. As discussed under question a), implementation of a Fugitive Dust Plan and construction Best Management Practices would minimize air quality impacts during construction and would not expose nearby sensitive receptors (park users and adjacent residences) to substantial pollutant concentrations. Operational emission sources would be related to regular maintenance, such as leaf blowers, hand tools, and maintenance vehicles. Operational pollutant concentrations associated with the proposed project would not be substantial. Therefore, the proposed project would have a ***less than significant*** impact on nearby sensitive receptors.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

No impact. As a local park, no odors are anticipated (such as those that may be produced by industrial land uses). The proposed project would have ***no impact***.

IV. BIOLOGICAL RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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 Wildlife or U.S. Fish and Wildlife Service?	☐	■	☐	☐
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 Wildlife or US Fish and Wildlife Service?	☐	■	☐	☐
c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	■
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?	☐	■	☐	☐
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	■	☐	☐
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?	☐	☐	☐	■

Environmental Setting

The discussion below is based on the *Biological Resources Assessment* (Appendix C), *Oak Resources Technical Report* (Appendix D), and *Special-Status Plant Survey Report* (Appendix E) prepared by HELIX Environmental Planning, Inc. (HELIX; HELIX 2023, 2022a, 2022b). The California Natural Diversity Data Base (CNDDB), California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants, and U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) databases were reviewed in September 2022 during preparation of the BRA (HELIX 2022a; Appendix C). The project site is characterized by montane hardwood conifer, Sierran mixed conifer, and developed/disturbed habitats (refer to Figure 5, Habitat Map, in Appendix C). Aquatic resources and riparian habitat were not observed within the Study Area or project site.

See Appendices C through E for detailed information on the regulatory framework, methodology of desktop reviews and on-site surveys, and detailed discussions of existing habitats communities on-site. The results and conclusions of the findings of the report are provided below.

Evaluation of Environmental Impacts

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 Wildlife or U.S. Fish and Wildlife Service?

Less than significant impact with mitigation.

Wildlife. A biological reconnaissance survey was conducted by HELIX Biologist Greg Davis on January 25, 2022. The Study Area was systematically surveyed on foot to ensure total search coverage, with special attention given to portions of the Study Area with the potential to support special-status species and sensitive habitats. There are no wetlands on site. Binoculars were used to further extend site coverage and identify species observed. All plant and animal species observed on-site during the surveys were recorded (Appendix C), and all biological communities occurring on-site were characterized. All resources of interest were mapped with Global Positioning System (GPS)-capable tablets equipped with GPS receivers running ESRI Collector for ArcGIS version 10.6.1 software. Following the field survey, the potential for each species identified in the database query to occur within the Study Area was determined based on the site survey, soils, habitats present within the Study Area, and species-specific information, as shown in Appendix B of Appendix C of this Initial Study.

According to results retrieved from the aforementioned database queries, a total of 14 listed and/or special-status wildlife species have the potential to occur in the project region. Based on field observations, published information, and literature review, the following four listed and special-status wildlife species have the potential to occur within the project site: California red-legged frog (*Rana draytonii*), western pond turtle (*Emys marmorata*), northern goshawk (*Accipiter gentilis*), and bald eagle (*Haliaeetus leucocephalus*).

There is no suitable aquatic habitat for California red legged frog or western pond turtle on the project site; however Long Canyon Forebay reservoir, located approximately 100 feet west of the Study Area, may provide marginal aquatic habitat for this species. Within the project site and Study Area, Sierran mixed conifer provide suitable foraging for northern goshawk and bald eagle, as well as nesting habitat for northern goshawk. Long Canyon Forebay reservoir, located immediately to the west of the Study Area, provides potential foraging habitat for bald eagles. The Study Area and immediate vicinity also provides nesting and foraging habitat for a variety of nesting migratory birds and common raptors such as spotted towhee (*Pipilo maculatus*), mountain chickadee (*Poecile gambeli*), and acorn woodpecker (*Melanerpes formicivorus*). While active nests were not observed during biological surveys (HELIX 2022a), a variety of birds have the potential to nest in and adjacent to the Study Area, in trees, shrubs, and on the ground in vegetation. Within five miles of the Study Area, there is one documented CNDDB occurrence of California red-legged frog and one documented CNDDB occurrence of western pond turtle (CDFW 2022). The nearest CNDDB record for northern goshawk is approximately eight (8) miles northwest of the Study Area, and the nearest CNDDB record for bald eagle is approximately twelve (12) miles northeast of the Study Area (CDFW 2022). In summary, the Study Area and adjacent space include potential habitat for California red-legged frog and western pond turtle as well as potential foraging and nesting habitat for northern goshawk and bald eagle.

Project activities such as clearing and grubbing that occur during the avian breeding season (February 1 through August 31) could result in injury or mortality of eggs and chicks directly through destruction or indirectly through forced nest abandonment due to noise and other disturbance. If California red-legged frog, western pond turtle, bald eagle, or northern goshawk are found within the final project design's impact area, the impact is potentially significant. Implementation of Mitigation Measure BIO-1 requiring pre-construction surveys and Mitigation Measure BIO-2 requiring environmental awareness training would reduce potential impacts to less than significant. Therefore, impacts to special-status wildlife would *be less than significant with mitigation*.

Mitigation Measures

BIO-1 **Conduct pre-construction surveys**. Conduct pre-construction surveys for California red-legged frog, western pond turtle, northern goshawk, bald eagle, and nesting migratory birds and raptors (during the nesting season [February 1 through August 31]) 14 days prior to the initiation of construction or ground disturbing activities. If construction or ground disturbing activities do not commence within 14 days, or halt for more than seven days, additional surveys are required prior to resuming or starting work, as detailed below:

- If no California red-legged frog or western pond turtles are observed, then a letter report shall be prepared to document the results of the survey and provided to the project proponent, and no additional measures are recommended for California red-legged frog or western pond turtle. If construction does not commence within 14 days of the pre-construction survey, or halts for more than seven days, an additional survey is required prior to resuming or starting work.

  If California red-legged frog or western pond turtles are present in the project site, then agency consultation with the appropriate wildlife agencies shall be required to determine appropriate buffers and additional measures to reduce impacts to these species. Additional avoidance measures may include, but are not limited to, having a qualified biologist conduct a second pre-construction survey within 24 hours prior to commencement of construction activities or having a qualified biologist present on-site during initial ground-clearing and grading activities for the purpose of relocating any California red-legged frogs or western pond turtle found out of the construction footprint and into agency-approved relocation areas.

- If development activities occur during the nesting season, a qualified biologist should conduct a nesting bird survey within the project footprint to determine the presence of any active nests that may be impacted by construction activities. Additionally, the surrounding 500 feet of the project footprint should be surveyed for active raptor nests, where accessible, and with binoculars, as necessary. The nesting bird survey should be conducted within 14 days prior to commencement of ground-disturbing or other development activities. If the nesting bird survey shows that there is no evidence of active nests, a letter report should be prepared to document the survey and provided to the project proponent, and no additional measures are recommended. If development does not commence within 14 days of the nesting bird survey, or halts for more than seven days, an additional survey is required prior to starting or resuming work.

- If active nests are found, the qualified biologist should establish species-specific buffer zones to prohibit development activities and minimize nest disturbance until the young have successfully fledged or the biologist determines that a nest is no longer active. Buffer distances may range from 50 feet for most songbirds up to 250 to 500 feet for most raptors. Nest monitoring may also be warranted during certain phases of development to ensure nesting birds are not adversely impacted by construction activities. If active nests are found within any trees slated for removal, an appropriate buffer should be established around the tree and all trees within the buffer should not be removed until a qualified biologist determines that the nest has successfully fledged and is no longer active.

BIO-2 **Environmental Awareness Training**. A qualified biologist shall conduct environmental awareness training for all construction personnel prior to the initiation of work. The training shall include identification of California red-legged frog, western pond turtles, special status birds, and nesting birds; required practices to be implemented prior to and during construction; general measures that are being implemented to conserve the species as they relate to the project; penalties for non-compliance, boundaries of the non-disturbance buffer zones; and what to do/whom to contact should any sensitive wildlife or plant species, or nesting birds be observed on-site during construction. Upon completion of the training, all construction personnel shall sign a form stating that they have attended the training and understand all the measures. Proof of this instruction shall be kept on file with the project proponent.

Plants. According to results retrieved from CNDDB and IPaC (CDFW 2022, USFWS 2022; and CNPS 2022), a total of 16 special-status plants have the potential to occur in the project region. However, based on the literature review, published information, soil types present in the Study Area, and the habitats present in the Study Area, two special-status plant species including Pleasant Valley mariposa lily (*Calochortus clavatus* var. *avius*) and Stebbins' phacelia (*Phacelia stebbinsii*) were determined to have the potential to occur within the Study Area (see Appendix C). These special-status plant species were not observed during the June 15, 2022, focused botanical survey (HELIX 2022b; see Appendix E) and are presumed to be absent from the site.

Within the project site, volcanic soils and montane coniferous tree species provide habitat for Pleasant Valley mariposa lily; Sierran mixed conifers provide habitat for Stebbins' phacelia. Within two miles of the Study Area, there are two documented CNDDB occurrences of Pleasant Valley mariposa lily and within 2.5 miles of the Study Area there are two documented CNDDB occurrences of Stebbins' phacelia. Neither species was observed during the June 15, 2022, focused botanical survey and are presumed to be absent from the site. Therefore, impacts to special-status plants would be ***less than significant.***

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Less than significant impact with mitigation. Sensitive habitats include those that are of special concern to resource agencies or those that are protected under CEQA. Riparian areas are regulated under Section 1600 of the California Fish and Game Code, wetlands and other waters of the U.S. are regulated under Sections 401 and 404 of the Clean Water Act; however, aquatic resources and riparian habitat were not observed within the Study Area. Oak trees and oak woodland habitat are protected under the

specific policies outlined in the El Dorado County Oak Resources Management Plan. As discussed in more detail in the response to question e) below, the proposed project would result in the removal of one individual oak tree and 0.77 acre of montane hardwood conifer habitat. With implementation of Mitigation Measure BIO-3, the proposed project would have a ***less than significant impact with mitigation.***

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No impact. As discussed above, there are no aquatic resources on the project site. Therefore, the proposed project would have no impact on state or federally protected wetlands. There would be ***no impact***.

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?

Less than significant impact with mitigation. The El Dorado County General Plan identifies a number of Important Biological Corridors (IBC). The Study Area is not located within an IBC. The proposed project will not cause a significant reduction in the ecological functions or current ability to facilitate wildlife movement, as a result of minimal structures developed within a small portion of the Study Area.

Migratory birds and raptors have high potential to nest on or adjacent to the project site. Suitable nest locations may include, but are not limited to, trees, shrubs, and herbaceous vegetation, bare ground, stockpiles, and human-made structures. Ground-disturbing and other development activities, including grading, vegetation clearing, or tree removal could impact nesting birds if these activities occur during the nesting season (February 1 to August 31). Implementation of Mitigation Measures BIO-1 would reduce the impact to a level that is less than significant. Therefore, the proposed project would have a ***less than significant impact with mitigation***.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less than significant impact with mitigation. The proposed project is subject to compliance with the El Dorado County Oak Resources Management Plan (ORMP; County of El Dorado 2017). The ORMP designates three classes of protected oak resources: oak woodlands, Heritage oak trees, and individual native oak trees. The project site was surveyed by an ISA-Certified Arborist to assess protected oak resources (HELIX 2023). The project is expected to remove one individual oak tree and 0.77 acre of montane hardwood conifer habitat (see Appendix E for the Oak Resources Technical Report). Without mitigation, this impact is potentially significant. Implementation of Mitigation Measure BIO-3 would reduce impacts to a level that is less than significant. Therefore, impacts to protected oak trees would be ***less than significant with mitigation.***

BIO-3 **Oak Woodland Removal Permit.** The project proponent will obtain an oak woodland removal permit. Required mitigation will be implemented on-site and integrated into the landscape plan. If on-site mitigation is not feasible, then mitigation will be completed through off-site mitigation or payment of in-lieu fees in accordance with the ORMP.

Oak Tree Protection Measures. For all protected trees to be preserved within 20 feet of the impact area, protection measures shall be implemented in order minimize impacts to protected trees. Protection measures include:

- Install tree protection fencing, consisting of a minimum four-foot tall high-visibility fence (orange plastic snow fence or similar) on steel posts placed a maximum of eight-feet on center, shall be placed at the edge of the woodland habitat and around the perimeter of the root protection zone (RPZ; dripline radius x 1.3) for the trees to remain, whichever is greater. The RPZ is the minimum distance for placing protective fencing, but tree protection fencing should be placed as far outside of the RPZ as possible.

- Tree and vegetation removal will be limited to the extent needed to facilitate project construction and access to the site.

- If permanent site improvements (e.g., paving, buildings, and structures) encroach into the protected area, install fence at limit of work. If temporary impacts (e.g., grading, utility installation) require encroachment into the protected area, move fence to limit of work during active construction of item and return to edge of protected area once work is completed.

- Protection fencing shall not be moved without prior authorization from the Project Arborist or County of El Dorado or as detailed on approved plans.

- Avoid paving within protected area. If paving cannot be avoided, porous materials will be used.

- No parking, portable toilets, dumping or storage of any construction materials, including oil, gas, or other chemicals, or other infringement by workers or domesticated animals is allowed in the protected area.

- No signs, ropes, cables, metal stakes, or any other items shall be attached to a protected tree, unless recommended by an ISA-Certified Arborist.

- Grading, excavation, or trenching within RPZ of existing native oaks should be avoided to the greatest extent possible. Under no circumstances shall fill soil be placed against the trunk of an existing tree.

- Underground utilities should be avoided in the RPZ, but, if necessary, shall be bored or drilled.

- No trenching is allowed within the RPZ unless specifically approved by the Project Arborist.

- Pruning of living limbs or roots shall be done under the supervision of an ISA-Certified Arborist or as approved by the County.

- All pruning shall be done by hand, air knife, or water jet, in accordance with ISA standards using tree maintenance best practices. Climbing spikes shall not be used on living trees. Limbs shall be removed with clean cuts just outside the crown collar.
- Cover exposed roots or cut root ends in trenches with damp burlap to prevent drying out.
- Minimize disturbance to the native ground surface (grass, leaf, litter, or mulch) under preserved trees to the greatest extent feasible.
- Native woody plant material (trees and shrubs to be removed) may be chipped or mulched on the project site and placed in a four- to six-inch-deep layer around existing trees to remain. Do not place mulch in contact with the trunk of preserved trees.
- If a tree to remain has had roots cut during construction, the tree shall be deep-watered once a month during summer/fall months until construction is complete.
- Appropriate fire prevention techniques shall be employed around all trees to be preserved. This includes cutting tall grass, removing flammable debris within the RPZ, and prohibiting the use of tools that may cause sparks, such as metal-bladed trimmers or mowers.
- No open flames shall be permitted within 15 feet of the tree canopy.
- Damage to any protected tree during construction shall be immediately reported to the County of El Dorado Planning Services. Damage shall be corrected as required by the County representative.

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?

No impact. The project is not anticipated to conflict with a Natural Community Conservation Plan/Habitat Conservation Plan, or other approved local, regional, or state habitat conservation plan. Based on a review of CDFW's Natural Community Conservation Planning website, no regional, state, or local Natural Community Conservation Plans/Habitat Conservation Plans are in El Dorado County (CDFW 2020). There would be ***no impact***.

V. CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	■	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	■	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	■	☐	☐

Environmental Setting

The discussion below is based on the *Cultural Resources Assessment for the Forebay Park Improvement Project* prepared by HELIX Environmental Planning, Inc. (HELIX 2022). The Cultural Resources Assessment is confidential and on file with the County.

Area of Potential Effect

The Area of Potential Effects (APE) for the proposed project is defined as the geographic area where project activities may directly or indirectly cause changes in the character or use of historical resources or historic properties of prehistoric or historic age, if any such properties exist. The extent of the APE included in the Cultural Resources Assessment covered a 12.6-acre area and included all areas proposed for additional recreation facilities and improvements associated with the proposed project. Due to the fact that the project is currently in the planning stages the vertical dimensions of the APE are still unknown. The existing baseball field, horseshoe courts, batting cages, and associated outbuildings would not be affected by the proposed project and were therefore excluded from the APE.

Records Searches

HELIX Archaeologists conducted a records search at the North Central Information Center (NCIC) on February 8, 2022, which revealed that 17 cultural resource surveys have been conducted within a 0.25-mile radius of the project's APE, and that two of these studies included the APE as part of their survey area. No cultural resources have been previously recorded within the proposed project's APE. While four cultural resources, each associated with historic period water conveyance systems and their associated structural remains, have been previously recorded within a 0.25-mile radius of the APE, all of these resources have been determined ineligible for inclusion in the National Register of Historic Places and the California Register of Historic Resources and none of them are anticipated to be affected by the currently proposed undertaking.

On February 7, 2022, HELIX requested that the Native American Heritage Commission (NAHC) conduct a search of their Sacred Lands File (SLF) for the presence of Native American sacred sites or human remains in the vicinity of the proposed project area. A written response received from the NAHC on March 21, 2022, stated that the results of the SLF search were negative. Subsequently, on March 23, 2022, HELIX sent letters to ten Native American contacts that were recommended by the NAHC as potential sources of information related to cultural resources in the vicinity of the project area. The

letters advised the tribes and specific individuals of the proposed project and requested information regarding cultural resources in the immediate area, as well as any feedback or concerns they may have related to the proposed project. As of the date of this report no responses have been received.

Pedestrian Survey

HELIX Staff Archaeologist Jentin Joe conducted an intensive pedestrian survey of the project area on February 12, 2022. The survey involved the systematic investigation of the APE's ground surface by walking in parallel 10-meter (m) transects. During the survey, the ground surface was examined for artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools, fire-affected rock, prehistoric ceramics), soil discoloration that might indicate the presence of a prehistoric cultural midden, soil depressions, and features indicative of the former presence of structures or buildings (e.g., standing exterior walls, postholes, foundations, wells) or historic debris (e.g., metal, glass, ceramics). Ground disturbances such as gopher holes, burrows, cut banks, and drainage banks were also visually inspected.

Evaluation of Environmental Impacts

a) Cause a substantial adverse change in the significance of a historical resource pursuant to PRC Section 15064.5?

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Less than significant impact with mitigation. The records search conducted by HELIX on February 8, 2022, determined that four previously recorded cultural resources are located within 0.25 mile of the current APE, but outside of the APE itself. All four of the sites within 0.25 mile of the APE have been determined as ineligible for listing in the NRHP and CRHR, and the proposed project is not anticipated to affect any of these sites. No other archaeological resources within the APE or in the project vicinity have been previously documented and listed within the CHRIS records system.

On February 7, 2022, HELIX requested that the NAHC conduct a search of their Sacred Lands File for the presence of Native American sacred sites or human remains in the vicinity of the proposed project site. A written response received from the NAHC on March 21, 2022, stated that the Sacred Lands File failed to indicate the presence of Native American cultural resources in the immediate area. On March 23, 2022, HELIX sent letters to ten Native American contacts that were recommended by the NAHC as potential sources of information related to cultural resources in the vicinity of the project site. The letters advised the tribes and specific individuals of the proposed project and requested information regarding cultural resources in the immediate area, as well as any feedback or concerns related to the proposed project. To date, no responses have been received.

The results of records searches conducted by HELIX and the negative findings of the pedestrian survey led HELIX to recommend that there would be no effect on historical resources or historic properties, including archaeological and built-environment resources, as a result of project implementation. No additional studies, archaeological work, or construction monitoring are recommended. HELIX recommends that the Worker Awareness Training Program and Accidental Discovery of Cultural Resources protocols are implemented to prepare the project team for the unlikely event that human remains or cultural resources are encountered during excavation and construction activities. Without mitigation, the impact is potentially significant. Implementation of CUL-1, Worker Awareness Training, and CUL-2, Unanticipated Discovery Procedures would reduce the impact to less than significant.

Therefore, the impact on historical and archaeological resources pursuant to PRC Section 15064.5 would be ***less than significant with mitigation*** for questions a) and b).

Mitigation Measures

CUL-1 **Worker Awareness Training Program**. All construction personnel involved in ground disturbing activities shall be trained in the recognition of possible cultural resources and protection of such resources. The training will inform all construction personnel of the procedures to be followed upon the discovery of archaeological materials, including Native American burials. Construction personnel will be instructed that cultural resources must be avoided and that all travel and construction activity must be confined to designated roads and areas. The training will include a review of the local, state, and federal laws and regulations related to cultural resources, as well as instructions on the procedures to be implemented should unanticipated resources be encountered during construction, including stopping work in the vicinity of the find and contacting the appropriate environmental compliance specialist.

CUL-2 **Accidental Discovery of Cultural Resources.** If cultural resources are exposed during ground-disturbing activities, construction activities should be halted within 100 feet of the discovery. Cultural resources could consist of but are not limited to stone, bone, wood, or shell artifacts, or features including hearths, structural remains, or historic dumpsites. If the resources cannot be avoided during the remainder of construction, an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards should then be retained, in coordination with the County to assess the resource and provide appropriate management recommendations. If the discovery proves to be CRHR- or NRHP-eligible, additional work, such as data recovery excavation, may be warranted and should be discussed in consultation with the County.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

Less than significant with mitigation. Surveys conducted for preparation of the Cultural Resources Assessment for the project (HELIX 2022) did not find indications of precontact cultural resources. However, the possibility exists that ground-disturbing activities during construction may inadvertently uncover previously unknown buried human remains or cultural resources. Although it is highly unlikely that there would be an impact to cultural resources from project development and no additional studies are recommended, there is always the possibility that ground-disturbing activities during construction may uncover previously unknown buried human remains or cultural resources. Therefore, implementation of Mitigation Measure CUL-3, Accidental Discovery of Human Remains, would ensure that impacts related to the inadvertent discovery of human remains remain less than significant. Impacts would be ***less than significant with mitigation***.

Mitigation Measures

CUL-3 **Accidental Discovery of Human Remains.** Although considered highly unlikely, there is always the possibility that ground disturbing activities during construction may uncover previously unknown human remains. In the event of an accidental discovery or recognition of any human remains, PRC Section 5097.98 must be followed. Once

project-related earthmoving begins and if there is a discovery or recognition of human remains, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the specific location, or any nearby area reasonably suspected to overlie adjacent human remains, until the El Dorado County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains are Native American, the coroner shall contact the NAHC within 24 hours, and the NAHC shall identify the person or persons it believes to be the "most likely descendant" of the deceased Native American. The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in PRC Section 5097.98, or

2. Where the following conditions occur, the landowner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendent or on the project area in a location not subject to further subsurface disturbance:

    a. The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission;

    b. The descendent identified fails to make a recommendation; or

    c. The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the NAHC fails to provide measures acceptable to the landowner.

VI. ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	■	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	■	☐

Environmental Setting

This section provides an evaluation of existing energy production and consumption conditions, as well as potential energy use and related impacts from the proposed project. The following discussion is consistent with and fulfills the intent of Appendix F Energy, from the State CEQA Guidelines.

The unit of energy used in this section are the British thermal units (BTU) and kilowatt hours (kWh). A BTU is the quantity of heat required to raise the temperature of one pound of water one-degree Fahrenheit (°F) at sea level. Because the other units of energy can all be converted into equivalent BTU, the BTU is used as the basis for comparing energy consumption associated with different resources. A kWh is a unit of electrical energy, and one kWh is equivalent to approximately 3,413-BTU, taking into account initial conversion losses (i.e., from one type of energy, such as chemical, to another type of energy, such as mechanical) and transmission losses. Natural gas consumption is described typically in terms of cubic feet or therms; one cubic foot of natural gas is equivalent to approximately 1,050-BTU, and 1-therm represents 100,000-BTU.

California Energy Overview:

Electricity

California's electricity needs are satisfied by a variety of entities, including investor-owned utilities, publicly owned utilities, electric service providers and community choice aggregators. In 2020, the California power mix totaled 277,764 gigawatt hours (GWh). In-State generation accounted for 194,127 GWh, or 70 percent, of the State's power mix. The remaining electricity came from out-of-State imports (CEC 2022). Table 3, *California Electricity Sources 2021*, below provides a summary of California's electricity sources as of 2021.

Natural Gas

Natural gas provides the largest portion of the total in-State capacity and electricity generation in California, with nearly 45 percent of the natural gas burned in California used for electricity generation in a typical year. Much of the remainder is consumed in the residential, industrial, and commercial sectors for uses such as cooking, space heating, and as an alternative transportation fuel. In 2012, total natural gas demand in California for industrial, residential, commercial, and electric power generation was 2,313 billion cubic feet per year (bcf/year), up from 2,196 bcf/year in 2010 (CEC 2022).

Table 3
CALIFORNIA ELECTRICITY SOURCES 2021

Fuel Type	Percent of California Power (%)
Coal	3.0
Large Hydro	9.2
Natural Gas	37.9
Nuclear	9.3
Oil	0.0
Other (Petroleum Coke/Waste Heat)	0.2
Renewables (excluding Large Hydro)	33.6
Unspecified	6.8

Source: CEC 2022

Transportation Fuels

Transportation accounts for a major portion of California's energy budget. Automobiles and trucks consume gasoline and diesel fuel, which are nonrenewable energy products derived from crude oil. Gasoline is the most used transportation fuel in California, with 97 percent of all gasoline being consumed by light-duty cars, pickup trucks, and sport utility vehicles (SUVs). In 2015, 15.1 billion gallons of gasoline were sold in California (CEC 2022). Diesel fuel is the second most consumed fuel in California, used by heavy-duty trucks, delivery vehicles, buses, trains, ships, boats, and farm and construction equipment. In 2015, 4.2 billion gallons of diesel were sold in California (CEC 2022).

Regulatory Setting

Federal Laws, Regulations, and Policies

Energy Independence and Security act of 2007

House of Representatives Bill 6 (HR 6), the federal Energy Independence and Security Act of 2007, established new standards for a few equipment types not already subjected to a standard, and updated some existing standards. Perhaps the most substantial new standard that HR 6 established is for general service lighting that is being deployed in two phases. First, phased in between 2012 through 2014, common light bulbs were required to use about 20 to 30 percent less energy than previous incandescent bulbs. Second, by 2020, light bulbs must consume 60 percent less energy than today's bulbs; this requirement would effectively phase out the incandescent light bulb.

Energy Improvement and Extension Act of 2007

The formerly entitled "Renewable Energy and Job Creation Act of 2008," or Division B of HR 1424, was signed into law by President Bush in October 2008. The signed bill contains $18 billion in incentives for clean and renewable energy technologies, as well as for energy efficiency improvements.

State Laws, Regulations, and Policies

California Integrated Energy Policy

Senate Bill 1389, passed in 2002, requires the California Energy Commission (CEC) to prepare an Integrated Energy Policy Report for the governor and legislature every two years, and to provide an

update in the year between reports. The report analyzes data and provides policy recommendations on trends and issues concerning electricity and natural gas, transportation, energy efficiency, renewable energy, and public interest energy research. The 2019 Integrated Energy Policy Report covers a broad range of topics, including decarbonizing buildings, integrating renewables, energy efficiency, energy equity, integrating renewable energy, updates on Southern California electricity reliability, climate adaptation activities for the energy sector, natural gas assessment, transportation energy demand forecast, and the California Energy Demand Forecast.

California Building Standards Code (California Code of Regulations, Title 24)

The 2019 Building Energy Efficiency Standards, comprising Title 24, Parts 1 and 6 of the California Code of Regulations, is mandatory statewide. Local government agencies may adopt and enforce energy efficiency standards for newly constructed buildings, additions, alterations, and repairs provided the California Energy Commission finds that the standards will require buildings to consume no more energy than permitted by Title 24, Part 6. Such local standards may include adopting the requirements of Title 24, Part 6 before their effective date, requiring additional energy conservation measures, or setting stricter energy budgets. Title 24, Part 11 contains additional energy measures that are applicable to the project under the California Green Building Standards Code (CALGreen).

Local Laws, Regulations, and Policies

El Dorado County General Plan

The El Dorado County General Plan Public Services and Utilities Element encourages energy efficiency development within the County by imposing two policies:

- *Policy 5.6.2.1*- Require energy conserving landscaping plans for all projects requiring design review or other discretionary approval.

- *Policy 5.6.2.2*- All new subdivisions should include design components that take advantage of passive or natural summer cooling and/or winter solar access, or both, when possible.

Evaluation of Environmental Impacts

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less than significant impact. While construction activities would result in the temporary consumption of energy resources in the form of vehicle and equipment fuels (gasoline and diesel fuel) and electricity/natural gas (directly or indirectly), such consumption would be incidental and temporary and would not have the potential to result in wasteful, inefficient, or unnecessary consumption of energy resources. Long-term operation of the project would result in energy use from: the direct use of electricity and/or natural gas; the use of fuel (e.g., gasoline, diesel, or electricity) by vehicles of park patrons traveling to and from the project site; and the indirect use of electricity and/or natural gas used for the conveyance and treatment of freshwater and wastewater. As a park serving the local area, it is not anticipated that project-related vehicle trips or direct energy use would substantially increase compared to existing conditions. Therefore, the project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction of operation and the impact would be ***less than significant***.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less than significant impact. As discussed in question a) above, the project would not result in a substantial new demand for energy resources. The proposed renovated/new public restroom would be subject to the California Building Energy Efficiency Standards (Title 24, Part 6), which establishes energy efficiency standards for non-residential buildings constructed in California to reduce energy demand and consumption. Therefore, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency and the impact would be ***less than significant***.

VII. GEOLOGY AND SOILS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	■
	ii. Strong seismic ground shaking?	☐	☐	■	☐
	iii. Seismic-related ground failure, including liquefaction?	☐	☐	☐	■
	iv. Landslides?	☐	☐	☐	■
b)	Result in substantial soil erosion or the loss of topsoil?	☐	☐	■	☐
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?	☐	☐	■	☐
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	■
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	■	☐
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	■	☐

Environmental Setting

The geology of the Western Slope portion of El Dorado County, which the proposed project site is within, is principally hard, crystalline, igneous, or metamorphic rock overlain with a thin mantle of sediment or soil. The topography of the project site is moderately sloped from east to west. The elevation ranges from approximately 3,860 ft above AMSL in the northeastern corner to approximately 3,815 AMSL in the southwestern portion. The site currently drains overland to the west across Forebay Road then across a vegetated buffer and ultimately to the Long Canyon Forebay reservoir. According to the BRA for this project (HELIX 2022), the soil map unit that occurs on the project property is McCarthy cobbly loam, 9 to 50 percent slopes (MhE), which covers 100 percent of the project site. MhE has an

erosion hazard rating of “severe.” "Severe" indicates that erosion is very likely and that erosion-control measures, including revegetation of bare areas, are recommended.

Regulatory Setting

Federal Laws, Regulations, and Policies

National Earthquake Hazards Reduction Act

The National Earthquake Hazards Reduction Act of 1977 (Public Law 95-124) and creation of the National Earthquake Hazards Reduction Program (NEHRP) established a long-term earthquake risk-reduction program to better understand, predict, and mitigate risks associated with seismic events. The following four federal agencies are responsible for coordinating activities under NEHRP: USGS, National Science Foundation (NSF), Federal Emergency Management Agency (FEMA), and National Institute of Standards and Technology (NIST). Since its inception, NEHRP has shifted its focus from earthquake prediction to hazard reduction. The current program objectives (NEHRP 2021) are to:

1. Develop effective measures to reduce earthquake hazards;

2. Promote the adoption of earthquake hazard reduction activities by federal, state, and local governments; national building standards and model building code organizations; engineers; architects; building owners; and others who play a role in planning and constructing buildings, bridges, structures, and critical infrastructure or “lifelines”;

3. Improve the basic understanding of earthquakes and their effects on people and infrastructure through interdisciplinary research involving engineering; natural sciences; and social, economic, and decision sciences; and

4. Develop and maintain the USGS seismic monitoring system (Advanced National Seismic System); the NSF-funded project aimed at improving materials, designs, and construction techniques (George E. Brown Jr. Network for Earthquake Engineering Simulation); and the global earthquake monitoring network (Global Seismic Network).

Implementation of NEHRP objectives is accomplished primarily through original research, publications, and recommendations and guidelines for State, regional, and local agencies in the development of plans and policies to promote safety and emergency planning.

State Laws, Regulations, and Policies

Alquist–Priolo Earthquake Fault Zoning Act

The Alquist–Priolo Earthquake Fault Zoning Act (Public Resources Code Section 2621 *et seq*.) was passed to reduce the risk to life and property from surface faulting in California. The Alquist–Priolo Act prohibits construction of most types of structures intended for human occupancy on the surface traces of active faults and strictly regulates construction in the corridors along active faults (earthquake fault zones). It also defines criteria for identifying active faults, giving legal weight to terms such as “active,” and establishes a process for reviewing building proposals in and adjacent to earthquake fault zones. Under the Alquist-Priolo Act, faults are zoned and construction along or across them is strictly regulated if they are “sufficiently active” and “well defined.” Before a project can be permitted, cities and counties are

required to have a geologic investigation conducted to demonstrate that the proposed buildings would not be constructed across active faults.

Historical seismic activity and fault and seismic hazards mapping in the project vicinity indicate that the area has relatively low potential for seismic activity (El Dorado County 2004). No active faults have been mapped in the project area, and none of the known faults have been designated as an Alquist-Priolo Earthquake Fault Zone.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) of 1990 (Public Resources Code Sections 2690–2699.6) establishes statewide minimum public safety standards for mitigation of earthquake hazards. While the Alquist–Priolo Act addresses surface fault rupture, the SHMA addresses other earthquake-related hazards, including strong ground shaking, liquefaction, and seismically induced landslides. Its provisions are similar in concept to those of the Alquist–Priolo Act. The state is charged with identifying and mapping areas at risk of strong ground shaking, liquefaction, landslides, and other seismic hazards, and cities and counties are required to regulate development within mapped seismic hazard zones. In addition, the act addresses not only seismically induced hazards but also expansive soils, settlement, and slope stability.

Mapping and other information generated pursuant to the SHMA is to be made available to local governments for planning and development purposes. The State requires: (1) local governments to incorporate site-specific geotechnical hazard investigations and associated hazard mitigation, as part of the local construction permit approval process; and (2) the agent for a property seller or the seller if acting without an agent, must disclose to any prospective buyer if the property is located within a Seismic Hazard Zone. Under the SHMA, cities and counties may withhold the development permits for a site within seismic hazard zones until appropriate site-specific geologic and/or geotechnical investigations have been carried out and measures to reduce potential damage have been incorporated into the development plans.

California Building Standards Code

Title 24 CCR, also known as the California Building Standards Code (CBC), specifies standards for geologic and seismic hazards other than surface faulting. These codes are administered and updated by the California Building Standards Commission. CBC specifies criteria for open excavation, seismic design, and load-bearing capacity directly related to construction in California.

Paleontological Resources

The CEQA lead agency having jurisdiction over a project is also responsible to ensure that paleontological resources are protected in compliance with CEQA and other applicable statutes. Paleontological resource management is also addressed in PRC Section 5097.5, “Archaeological, Paleontological, and Historical Sites.” This statute defines as a misdemeanor any unauthorized disturbance or removal of a fossil site or remains on public land and specifies that state agencies may undertake surveys, excavations, or other operations as necessary on state lands to preserve or record paleontological resources. This statute would apply to any construction or other related project impacts that would occur on state-owned or state-managed lands.

Evaluation of Environmental Impacts

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?

No impact. The proposed project is not within an Alquist-Priolo Earthquake Fault Zoning Map (CDC, California Geological Survey 2022).

ii. Strong seismic ground shaking?

Less than significant impact. The proposed project is not located within an Earthquake fault zone. Based on the Fault Activity Map of California (Jennings and Bryant, California Geological Survey 2010) faults mapped in the project area are pre-Quaternary age and are not considered active. There are three pre-Quaternary age faults located approximately 2.5 miles southeast of the project site. The Maidu East Fault, approximately 23.87 miles to the northwest, is of Late Quaternary age and is considered potentially active (Jennings and Bryant, California Geological Survey 2010). The park features, including structures, would be constructed in accordance with building codes. As a result, seismic ground shaking impacts would be ***less than significant***.

iii. Seismic-related ground failure, including liquefaction?

No impact. Areas mapped as landslide and liquefaction zones are present within El Dorado County, however the project is not located within an Earthquake Fault Zone. As a result, the project is not at risk for seismic-related ground failure and there would be ***no impact***.

iv. Landslides?

No impact. The site overall is not at a substantial slope or hillside and is in a level location compared to its surroundings. The site is moderately sloped with elevations ranging from 3,860 feet AMSL in the northeastern portion of the project parcel to approximately 3,815 feet AMSL in the southwestern portion of the project parcel. The project is not in a location at risk for landslides, and there would be ***no impact***.

b) Result in substantial soil erosion or the loss of topsoil?

Less than significant impact. Construction of proposed project components would require grading on-site to create level pads for proposed structures, parking areas, site furnishings, and walking paths throughout the site. It is anticipated that no import or export of earthwork would be required. Any earthwork would be balanced on-site. Soil erosion or loss of topsoil is not anticipated to occur because developed areas of the park would be stabilized, include paved surfaces, or include landscape plantings with wood mulch. During construction, implementation of construction related BMPs would minimize and prevent soil erosion. The project would have a ***less than significant*** impact on soil erosion or loss of topsoil.

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?

Less than significant impact. Development of the proposed project would be required to adhere to California Building Code Regulations and would be required to incorporate appropriate engineering and geotechnical parameters. The project site is relatively level, and on-site soils are not known to be of unstable nature. Impacts with regard to geologic unit or unstable soils would therefore be considered ***less than significant***.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

No impact. Based on review of the Natural Resources Conservation Service (NRCS) soil survey, the project site is on the McCarthy cobbly loam (MhE) soil unit. The MhE soil has a low linear extensibility. (NRCS 2022), which is indicative of a non-expansive soil. This area of California generally contains "little or no swelling clay" (Olive et al., U.S. Geological Survey 1989). There would be ***no impact*** regarding expansive soils.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?

Less than significant impact. The proposed project facilities would tie-in to the existing on-site septic system and/or include a compost toilet. Septic tanks or alternative wastewater disposal would be installed in compliance with County Environmental Management Department requirements. There would be a ***less than significant*** impact regarding soil capabilities and septic tanks or alternative wastewater disposal systems.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less than significant impact. The proposed project site is previously disturbed with various impervious surfaces, and the project area is not known to contain unique geologic features or be sensitive for paleontological resources. Paleontological resources or unique geologic features are not anticipated on site and impacts would be ***less than significant***.

VIII. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	■	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	■	☐

Environmental Setting

Cumulative greenhouse gas (GHG) emissions are believed to contribute to an increased greenhouse effect and global climate change, which may result in sea level rise, changes in precipitation, habitat, temperature, wildfires, air pollution levels, and changes in the frequency and intensity of weather-related events. While criteria air pollutants and TACs are pollutants of regional and local concern (see Section III, Air Quality, above); GHG are global pollutants. The primary land-use related GHG are carbon dioxide (CO_2), methane (CH_4), and nitrous oxides (N_2O). The individual pollutant's ability to retain infrared radiation represents its "global warming potential" and is expressed in terms of CO_2 equivalents; therefore, CO_2 is the benchmark having a global warming potential of 1. CH_4 has a global warming potential of 25 and thus has a 25 times greater global warming effect per metric ton of CH_4 than CO_2. N_2O has a global warming potential of 298. Emissions are expressed in annual metric tons of CO_2 equivalent units of measure (i.e., MT CO_2e per year). Other GHGs include hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF_6), and nitrogen trifluoride (NF_3). While these compounds have significantly higher global warming potentials (ranging in the thousands), these typically are not a concern in land-use development projects and are usually only used in specific industrial processes.

GHG Sources

The primary man-made source of CO_2 is the burning of fossil fuels; the two largest sources being coal burning to produce electricity and petroleum burning in combustion engines. The primary sources of man-made CH_4 are natural gas systems losses (during production, processing, storage, transmission, and distribution), enteric fermentation (digestion from livestock), and landfill off-gassing. The primary source of man-made N_2O is agricultural soil management (fertilizers), with fossil fuel combustion a very distant second. In El Dorado County, the primary source of GHG is fossil fuel combustion mainly in the transportation sector (estimated at 70 percent of countywide GHG emissions). A distant second are residential sources (approximately 20 percent), and commercial/industrial sources are third (approximately 7 percent). The remaining sources are waste/landfill (approximately 3 percent) and agricultural (<1 percent) (EDCAQMD 2020).

Regulatory Setting

Federal Laws, Regulations, and Policies

At the federal level, USEPA has developed regulations to reduce GHG emissions from motor vehicles and has developed permitting requirements for large stationary emitters of GHGs. On April 1, 2010, USEPA and the National Highway Traffic Safety Administration (NHTSA) established a program to reduce GHG emissions and improve fuel economy standards for new model year 2012-2016 cars and light trucks. On August 9, 2011, USEPA and the NHTSA announced standards to reduce GHG emissions and improve fuel efficiency for heavy-duty trucks and buses.

State Laws, Regulations, and Policies

Executive Order (EO) S-3-05 (June 2005) established California's GHG emissions reduction targets and laid out responsibilities among the state agencies for implementing the EO and for reporting on progress toward the targets. This EO established the following targets:

- By 2010, reduce GHG emissions to 2000 levels;
- By 2020, reduce GHG emissions to 1990 levels; and
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

In September 2006, Governor Arnold Schwarzenegger signed Assembly Bill (AB) 32, the *California Climate Solutions Act of 2006* (Stats. 2006, ch. 488) (Health & Safety Code, Section 38500 et seq.). AB 32 provided initial direction on creating a comprehensive multi-year program to limit California's GHG emissions to 1990 levels by 2020 and initiate the transformations required to achieve the State's long-range climate objectives. One specific requirement of AB 32 is for CARB to prepare a "scoping plan" for achieving the maximum technologically feasible and cost-effective GHG emission reductions by 2020 (Health and Safety Code, Section 38561(a)) and to update the plan at least once every five years.

EO B-30-15 (April 2015) identified an interim GHG reduction target in support of targets previously identified under EO S-3-05 and AB 32. EO B-30-15 set an interim target goal of reducing GHG emissions to 40 percent below 1990 levels by 2030 to keep California on its trajectory toward meeting or exceeding the long-term goal of reducing GHG emissions to 80 percent below 1990 levels by 2050 as set forth in EO S-3-05. Senate Bill (SB) 32 was adopted in 2016, which codified the 2030 emissions reduction goal of EO B-30-15 by requiring CARB to ensure that statewide GHG emissions are reduced to 40 percent below 1990 levels by 2030.

Evaluation of Environmental Impacts

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less than significant impact. Long-term operation of the project would result in emissions of GHGs from area sources such as the use landscape maintenance equipment; energy sources form the use of electricity or natural gas; mobile sources related to the use of vehicles by park patrons; solid waste sources related to the disposal and decomposition of waste generated by the project; and water sources related to the energy used for the conveyance and treatment of freshwater and wastewater. As the proposed project includes improvements to a community park, the renovated park would offer a nearby destination to the community and could reduce travel to far away destinations for recreation;

correspondingly, mobile source vehicle emissions are not anticipated to substantially increase. Emissions related to maintenance equipment, energy resources, solid waste transport, and water resources would be minor based on the level of development already in the project's surroundings.

Construction GHG emission sources include construction equipment exhaust, on-road hauling trucks exhaust, vendor vehicle exhaust, and worker commuting vehicle exhaust. The proposed project's construction is estimated to commence in 2023 and require approximately seven to ten months to complete. Based on the temporary construction period and relatively small size of the site, construction GHG emissions would be less than significant. Therefore, the proposed project's operational and construction GHG emissions would be ***less than significant***.

b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less than significant impact. As discussed in question a), above, the project is not anticipated to result in substantial GHG emissions. In addition, many long-term GHG reduction plans, including the CARB Scoping Plan, estimate future GHG emissions and corresponding reduction targets based on local and statewide growth estimates. Therefore, the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The impact would be ***less than significant***.

IX. HAZARDS AND HAZARDOUS MATERIALS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	■	☐
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?	☐	☐	■	☐
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	■
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?	☐	☐	☐	■
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 or excessive noise for people residing or working in the project area?	☐	☐	☐	■
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	■
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	■	☐	☐

Regulatory Setting

Hazardous materials and hazardous wastes are subject to extensive federal, State, and local regulations to protect public health and the environment. These regulations provide definitions of hazardous materials; establish reporting requirements; set guidelines for handling, storage, transport, and disposal of hazardous wastes; and require health and safety provisions for workers and the public. The major federal, State, and regional agencies enforcing these regulations are USEPA and the Occupational Safety and Health Administration (OSHA); California Department of Toxic Substances Control (DTSC); California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA); California Governor's Office of Emergency Services (Cal OES); and EDCAQMD.

Federal Laws, Regulations, and Policies

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, also called the Superfund Act; 42 USC Section 9601 *et seq.*) is intended to protect the public and the environment from the effects of past hazardous waste disposal activities and new hazardous material spills. Under CERCLA, USEPA has the authority to seek the parties responsible for hazardous materials releases and to ensure their cooperation in site remediation. CERCLA also provides federal funding (through the "Superfund") for the remediation of hazardous materials contamination. The Superfund Amendments and Reauthorization Act of 1986 (Public Law 99-499) amends some provisions of CERCLA and provides for a Community Right-to-Know program.

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act of 1976 (RCRA; 42 USC Section 6901 *et seq.*), as amended by the Hazardous and Solid Waste Amendments of 1984, is the primary federal law for the regulation of solid waste and hazardous waste in the United States. These laws provide for the "cradle-to-grave" regulation of hazardous wastes, including generation, transportation, treatment, storage, and disposal. Any business, institution, or other entity that generates hazardous waste is required to identify and track its hazardous waste from the point of generation until it is recycled, reused, or disposed of.

USEPA has primary responsibility for implementing RCRA, but individual states are encouraged to seek authorization to implement some or all RCRA provisions. California received authority to implement the RCRA program in August 1992. DTSC is responsible for implementing the RCRA program in addition to California's own hazardous waste laws, which are collectively known as the Hazardous Waste Control Law.

Energy Policy Act of 2005

Title XV, Subtitle B of the Energy Policy Act of 2005 (the Underground Storage Tank Compliance Act of 2005) contains amendments to Subtitle I of the Solid Waste Disposal Act, the original legislation that created the Underground Storage Tank (UST) Program. As defined by law, a UST is "any one or combination of tanks, including pipes connected thereto, that is used for the storage of hazardous substances and that is substantially or totally beneath the surface of the ground." In cooperation with USEPA, SWRCB oversees the UST Program. The intent is to protect public health and safety and the environment from releases of petroleum and other hazardous substances from tanks. The four primary program elements include leak prevention (implemented by Certified Unified Program Agencies [CUPAs], described in more detail below), cleanup of leaking tanks, enforcement of UST requirements, and tank integrity testing.

Spill Prevention, Control, and Countermeasure Rule

USEPA's Spill Prevention, Control, and Countermeasure (SPCC) Rule (40 CFR, Part 112) apply to facilities with a single above-ground storage tank (AST) with a storage capacity greater than 660 gallons, or multiple tanks with a combined capacity greater than 1,320 gallons. The rule includes requirements for oil spill prevention, preparedness, and response to prevent oil discharges to navigable waters and adjoining shorelines. The rule requires specific facilities to prepare, amend, and implement SPCC Plans.

Occupational Safety and Health Administration

OSHA is responsible at the federal level for ensuring worker safety. OSHA sets federal standards for implementation of workplace training, exposure limits, and safety procedures for the handling of hazardous substances (as well as other hazards). OSHA also establishes criteria by which each state can implement its own health and safety program.

Code of Federal Regulations (14 CFR) Part 77

14 CFR Part 77.9 is designed to promote air safety and the efficient use of navigable airspace. Implementation of the code is administered by the Federal Aviation Administration (FAA). If an organization plans to sponsor any construction or alterations that might affect navigable airspace, a Notice of Proposed Construction or Alteration (FAA Form 7460-1) must be filed (if required). The code provides specific guidance regarding FAA notification requirements.

State Laws, Regulations, and Policies

Safe Drinking Water and Toxic Enforcement Act of 1986 – Proposition 65

The Safe Drinking Water and Toxic Enforcement Act of 1986, more commonly known as Proposition 65, protects the state's drinking water sources from contamination with chemicals known to cause cancer, birth defects, or other reproductive harm. Proposition 65 also requires businesses to inform the public of exposure to such chemicals in the products they purchase, in their homes or workplaces, or that are released into the environment. In accordance with Proposition 65, the California Governor's Office publishes, at least annually, a list of such chemicals. OEHHA, an agency under the California Environmental Protection Agency (CalEPA), is the lead agency for implementation of the Proposition 65 program. Proposition 65 is enforced through the California Attorney General's Office; however, district and city attorneys and any individual acting in the public interest may also file a lawsuit against a business alleged to be in violation of Proposition 65 regulations.

The Unified Program

The Unified Program consolidates, coordinates, and makes consistent the administrative requirements, permits, inspections, and enforcement activities of six environmental and emergency response programs. CalEPA and other state agencies set the standards for their programs, while local governments (CUPAs) implement the standards. For each county, the CUPA regulates/oversees the following:

- Hazardous materials business plans;
- California accidental release prevention plans or federal risk management plans;
- The operation of USTs and ASTs;
- Universal waste and hazardous waste generators and handlers;
- On-site hazardous waste treatment;
- Inspections, permitting, and enforcement;
- Proposition 65 reporting; and
- Emergency response.

Hazardous Materials Business Plans

Hazardous materials business plans are required for businesses that handle hazardous materials in quantities greater than or equal to 55 gallons of a liquid, 500 pounds of a solid, or 200 cubic feet (cf) of compressed gas, or extremely hazardous substances above the threshold planning quantity (40 CFR, Part 355, Appendix A). Business plans are required to include an inventory of the hazardous materials used/stored by the business, a site map, an emergency plan, and a training program for employees. In addition, business plan information is provided electronically to a statewide information management system, verified by the applicable CUPA, and transmitted to agencies responsible for the protection of public health and safety (i.e., local fire department, hazardous material response team, and local environmental regulatory groups).

California Occupational Safety and Health Administration

Cal/OSHA assumes primary responsibility for developing and enforcing workplace safety regulations in California. Cal/OSHA regulations pertaining to the use of hazardous materials in the workplace (CCR Title 8) include requirements for safety training, availability of safety equipment, accident and illness prevention programs, warnings about exposure to hazardous substances, and preparation of emergency action and fire prevention plans.

Hazard communication program regulations that are enforced by Cal/OSHA require workplaces to maintain procedures for identifying and labeling hazardous substances, inform workers about the hazards associated with hazardous substances and their handling, and prepare health and safety plans to protect workers at hazardous waste sites. Employers must also make material safety data sheets available to employees and document employee information and training programs. In addition, Cal/OSHA has established maximum permissible radiofrequency RF energy exposure limits for workers (Title 8 CCR Section 5085[b]) and requires warning signs where RF energy might exceed the specified limits (Title 8 CCR Section 5085 [c]).

California Accidental Release Prevention

The purpose of the California Accidental Release Prevention (CalARP) program is to prevent accidental releases of substances that can cause serious harm to the public and the environment, to minimize the damage if releases do occur, and to satisfy community right-to-know laws. In accordance with this program, businesses that handle more than a threshold quantity of regulated substance are required to develop a risk management plan (RMP). This RMP must provide a detailed analysis of potential risk factors and associated mitigation measures that can be implemented to reduce accident potential. CUPAs implement the CalARP program through review of RMPs, facility inspections, and public access to information that is not confidential or a trade secret.

California Department of Forestry and Fire Protection Wildland Fire Management

The Office of the State Fire Marshal and CAL FIRE administer State policies regarding wildland fire safety. Construction contractors must comply with the following requirements in the Public Resources Code during construction activities at any sites with forest-, brush-, or grass-covered land:

- Earthmoving and portable equipment with internal combustion engines must be equipped with a spark arrestor to reduce the potential for igniting a wildland fire (Public Resources Code Section 4442).

- Appropriate fire-suppression equipment must be maintained from April 1 to December 1, the highest-danger period for fires (Public Resources Code Section 4428).
- On days when a burning permit is required, flammable materials must be removed to a distance of 10 feet from any equipment that could produce a spark, fire, or flame, and the construction contractor must maintain the appropriate fire suppression equipment (Public Resources Code Section 4427).
- On days when a burning permit is required, portable tools powered by gasoline fueled internal combustion engines must not be used within 25 feet of any flammable materials (Public Resources Code Section 4431).

California Highway Patrol

California Highway Patrol (CHP), along with Caltrans, enforce and monitor hazardous materials and waste transportation laws and regulations in California. These agencies determine container types used and license hazardous waste haulers for hazardous waste transportation on public roads. All motor carriers and drivers involved in transportation of hazardous materials must apply for and obtain a hazardous materials transportation license from CHP.

Local Laws, Regulations, and Policies

A map of the fuel loading in the County (General Plan Figure HS-1) shows the fire hazard severity classifications of the State Responsibility Areas (SRAs) in El Dorado County, as established by CAL FIRE. The classification system provides three classes of fire hazards: Moderate, High, and Very High. The County's Fire Hazard Ordinance (Chapter 8.08) requires defensible space as described by the State Public Resources Code, including the incorporation and maintenance of a 30-foot fire break or vegetation fuel clearance around structures in fire hazard zones. The County's requirements on emergency access, signing and numbering, and emergency water are more stringent than those required by State law. The Fire Hazard Ordinance also establishes limits on campfires, fireworks, smoking, and incinerators for all discretionary and ministerial developments.

Evaluation of Environmental Impacts

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less than significant impact. Hazardous materials to be used at the park would be commonplace cleaning products or paints used for general upkeep and maintenance purposes. During construction, contractors may transport, use, or dispose of hazardous materials. Handling of hazardous materials during operation and construction would be in accordance with regulations, including applicable OSHA requirements. The proposed project would have a ***less than significant*** impact on hazards to the public as a result of transport, use, or disposal of hazardous materials.

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?

Less than significant impact. As discussed under question a), commonplace cleaning products or paints used for general upkeep and maintenance purposes would be stored and used at the site. Use of such

materials would be required to comply with all applicable local, State, and federal standards associated with the handling and storage of hazardous materials.

With implementation of appropriate storage and handling BMPs, it is not anticipated that the use of these materials would pose a significant hazard. In the event of reasonably foreseeable upset and accident conditions, it is unlikely that these hazardous materials would be released in a manner that would create a significant hazard to the public or the environment. Project impacts would be ***less than significant.***

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No impact. The nearest school is Pine Top Montessori School, 6526 Pony Express Trail, Pollock Pines, CA 95726, approximately 0.48 mile southeast of the project site. The proposed project would have ***no impact*** on hazardous emissions, hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

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?

No impact. The project site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, it would not create a significant hazard to the public or the environment and would have ***no impact*.**

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 or excessive noise for people residing or working in the project area?

No impact. The project site is not located within an airport land use plan, nor is it located within two miles of a public airport or public use airport. The nearest airport is Swansboro Country Airport, 6770 Sluice Street, Placerville, CA 95667, approximately 8.23 miles northwest of the project site. The proposed project would have ***no impact*** on safety hazards or excessive noise.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No impact. Direct access to the existing park is provided via Forebay Road and away from Pony Express Trail, a roadway leading off US Route 50/El Dorado Freeway. Construction and operation of the park improvements would be away from main travel paths for emergency responses and evacuation. The proposed project would have ***no impact*** on an adopted emergency response plan or emergency evacuation plan.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Less than significant impact with mitigation. Much of El Dorado County is rated as being in a Very High Fire Hazard Severity Zone (CAL FIRE 2022), including the project site. However, the project is subject to mandatory compliance with General Plan policies and El Dorado County Fire Department design

requirements, standards, and fire flows. The project site is located near the community of Pollock Pines, and it is provided by urban level of fire protection from the County. The project site is served by the El Dorado Fire Protection District and the nearest station is located approximately 0.46 mile south at 6430 Pony Express Trail, Pollock Pines, CA 95726. As documented in Section 6.XX, Wildfire, the proposed project does not include any development or improvements that would increase the long-term risk of wildland fires or expose people or structures to wildland fires. However, equipment used during construction activities may create sparks that could ignite dry grass. With implementation of Mitigation Measure HAZ-1, impacts relating to potential wildfire hazards due to construction would be minimized.

Operation of the project site would include two ingress/egress access points and entry roads would be widened to 24 feet to accommodate fire department access. Additionally, Forebay Park is existing and located adjacent to the east side of the Long Canyon Forebay reservoir. Therefore, with implementation of Mitigation Measure HAZ-1, impacts would be ***less than significant with mitigation***.

Mitigation Measures

HAZ-1 **Prevent Wildland Fires during Construction.** During construction, the County and construction coordinator shall ensure all areas in which work shall be completed using spark-producing equipment are cleared of dried vegetation or other materials that could serve as fire fuel. To the extent feasible, the construction coordinator shall keep these areas clear of combustible materials to maintain a fire break.

X. HYDROLOGY AND WATER QUALITY

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	■	☐
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	■	☐
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
	i. Result in substantial erosion or siltation on- or off-site?	☐	☐	■	☐
	ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off- site?	☐	☐	■	☐
	iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional resources of polluted runoff?	☐	☐	■	☐
	iv. Impede or redirect flood flows?	☐	☐	■	☐
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	■	☐
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	■	☐

Environmental Setting

Most precipitation at the project site is concentrated in the winter and early spring months, with summers being almost completely dry. The topography of the project site is moderately sloped. The elevation ranges from approximately 3,860 ft above AMSL in the northeastern corner to approximately 3,815 AMSL in the southwestern portion. The site currently drains overland to the west across Forebay Road then across a vegetated buffer and ultimately to the Long Canyon Forebay reservoir.

The geology of the Western Slope portion of El Dorado County, which the proposed project site is within, is principally hard, crystalline, igneous, or metamorphic rock overlain with a thin mantle of sediment or soil. Groundwater in this region is found in fractures, joints, cracks, and fault zones within the bedrock mass. These discrete fracture areas are typically vertical in orientation rather than horizontal as in sedimentary or alluvial aquifers. Recharge is predominantly through rainfall infiltrating

into the fractures. Movement of this groundwater is very limited due to the lack of porosity in the bedrock. Existing demand for groundwater in the vicinity of the site is low given the rural and undeveloped nature of much of the surrounding land. The project site is not located within any mapped 100-year flood areas as shown on Firm Panel Number 06017C1000E, revised September 26, 2008 (FEMA 2008).

Regulatory Setting

Federal Laws, Regulations, and Policies

Clean Water Act

The CWA is the primary federal law that protects the quality of the nation's surface waters, including lakes, rivers, and coastal wetlands. The key sections pertaining to water quality regulation for the proposed project are CWA Section 303 and Section 402.

Section 303(d) — Listing of Impaired Water Bodies

Under CWA Section 303(d), states are required to identify "impaired water bodies" (those not meeting established water quality standards), identify the pollutants causing the impairment, establish priority rankings for waters on the list, and develop a schedule for the development of control plans to improve water quality. USEPA then approves the State's recommended list of impaired waters or adds and/or removes waterbodies.

Section 402—NPDES Permits for Stormwater Discharge

CWA Section 402 regulates construction-related stormwater discharges to surface waters through the NPDES, which is officially administered by USEPA. In California, USEPA has delegated its authority to the SWRCB, which, in turn, delegates implementation responsibility to the nine RWQCBs, as discussed below in reference to the Porter-Cologne Water Quality Control Act.

The NPDES program provides for both general (those that cover a number of similar or related activities) and individual (activity- or project-specific) permits. General Permit for Construction Activities: Most construction projects that disturb 1.0 or more acres are required to obtain coverage under SWRCB's General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order 2009-0009-DWQ as amended by 2010-0014-DWQ and 2012-0006-DWQ). The General Permit requires that the applicant file a public notice of intent to discharge stormwater and prepare and implement a SWPPP. SWPPP must include a site map and a description of the proposed construction activities, demonstrate compliance with relevant local ordinances and regulations, and present a list of BMPs that will be implemented to prevent soil erosion and protect against discharge of sediment and other construction-related pollutants to surface waters. Permittees are further required to monitor construction activities and report compliance to ensure that BMPs are correctly implemented and are effective in controlling the discharge of construction-related pollutants.

Municipal Stormwater Permitting Program

SWRCB regulates stormwater discharges from municipal separate storm sewer systems (MS4s) through its Municipal Storm Water Permitting Program (SWRCB 2018). Permits are issued under two phases depending on the size of the urbanized area/municipality. Phase I MS4 permits are issued for medium

(population between 100,000 and 250,000 people) and large (population of 250,000 or more people) municipalities and are often issued to a group of co-permittees within a metropolitan area. Phase I permits have been issued since 1990. Beginning in 2003, SWRCB began issuing Phase II MS4 permits for smaller municipalities (population less than 100,000).

El Dorado County is covered under two SWRCB Regional Boards. The West Slope Phase II Municipal Separate Storm Sewer Systems (MS4) NPDES Permit is administered by the CVRWQCB (Region Five). The Lake Tahoe Phase I MS4 NPDES Permit is administered by the Lahontan RWQCB (Region Six). The proposed project site falls under the jurisdiction of the CVRWQCB. The current West Slope MS4 NPDES Permit was adopted by the SWRCB on February 5, 2013. The Permit became effective on July 1, 2013, for a term of five years and focuses on the enhancement of surface water quality within high priority urbanized areas. The Phase II NPDES permit became effective on July 1, 2013. By July 1, 2015, this State-mandated permit required the County to address storm water runoff from new development and redevelopment projects, both during construction and after construction occurs.

On May 19, 2015, the El Dorado County Board of Supervisors formally adopted revisions to the Storm Water Quality Ordinance (Ordinance 4992). Previously applicable only to the Lake Tahoe Basin, the ordinance establishes legal authority for the entire unincorporated portion of the County. The purpose of the ordinance is to 1) protect health, safety, and general welfare, 2) enhance and protect the quality of Waters of the State by reducing pollutants in storm water discharges to the maximum extent practicable and controlling non-storm water discharges to the storm drain system, and 3) cause the use of BMPs to reduce the adverse effects of polluted runoff discharges on Waters of the State.

National Flood Insurance Program

FEMA administers the National Flood Insurance Program (NFIP) to provide subsidized flood insurance to communities complying with FEMA regulations that limit development in floodplains. The NFIP regulations permit development within special flood hazard zones provided that residential structures are raised above the base flood elevation of a 100-year flood event. Non-residential structures are required either to provide flood proofing construction techniques for that portion of structures below the 100-year flood elevation or to elevate above the 100-year flood elevation. The regulations also apply to substantial improvements of existing structures.

State Laws, Regulations, and Policies

Porter–Cologne Water Quality Control Act

The Porter–Cologne Water Quality Control Act (known as the Porter–Cologne Act), passed in 1969, dovetails with the CWA (see discussion of the CWA above). It established the SWRCB and divided the State into nine regions, each overseen by an RWQCB. SWRCB is the primary State agency responsible for protecting the quality of the State's surface water and groundwater supplies; however, much of the SWRCB's daily implementation authority is delegated to the nine RWQCBs, which are responsible for implementing CWA Sections 401, 402, and 303[d]. In general, SWRCB manages water rights and regulates statewide water quality, whereas RWQCBs focus on water quality within their respective regions.

The Porter–Cologne Act requires RWQCBs to develop water quality control plans (also known as basin plans) that designate beneficial uses of California's major surface-water bodies and groundwater basins and establish specific narrative and numerical water quality objectives for those waters. Beneficial uses

represent the services and qualities of a waterbody (i.e., the reasons that the waterbody is considered valuable). Water quality objectives reflect the standards necessary to protect and support those beneficial uses. Basin plan standards are primarily implemented by regulating waste discharges so that water quality objectives are met. Under the Porter–Cologne Act, basin plans must be updated every three years.

Evaluation of Environmental Impacts

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less than significant impact. The nearest water feature is the Long Canyon Forebay reservoir. It is located just west of the park on the other side of Forebay Road, outside of the project site. As described in Section 3.0, Project Description, project design would integrate construction and post-construction BMPs and low-impact development features, such as bioswales. Correspondingly, impacts to water quality would be ***less than significant***.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Less than significant impact. Due to the relatively small footprint of the project, substantial decrease in groundwater supplies or interference with recharge would not take place. Project-related impacts on groundwater would be ***less than significant***.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

    i. Result in substantial erosion or siltation on- or off-site?

Less than significant impact. As described in Section 3.0, Project Description, post-construction low-impact development features/BMPs, such as bioswales, would be incorporated into project design to protect water quality, while construction BMPs detailed within the project Stormwater Pollution Prevention Plan (SWPPP) would be implemented during construction to prevent erosion or siltation during construction. Impacts related to erosion or siltation would therefore be ***less than significant***.

    ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off- site?

Less than significant impact. Existing impervious surfaces present on the project site, including Gail Drive, total approximately 25,000 square feet. The proposed removal of the existing restroom building and proposed construction of parking lots, new restroom building, shared basketball and pickleball courts, playground, and sheltered picnic areas would increase the impervious surface areas within the project site. However, the majority of the Forebay Park site would still be pervious following project construction, and with implementation of bioswales and permanent BMPs (incorporated into the final design to facilitate infiltration, accommodate runoff from the site, and protect water quality) in accordance with local codes, development of the proposed project is not anticipated to result in flooding on-or off-site. Impacts would be ***less than significant***.

iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional resources of polluted runoff?

Less than significant impact. The proposed project would increase impervious surface areas at the Forebay park site, and one existing stormwater drainage system is located at the intersection of Gail Road and Forebay Road. No project-related stormwater would be conveyed to existing or planned off-site storm water drainage systems. Low impact development features/post-construction BMPs, such as bioswales, would be incorporated into final project design to facilitate infiltration, reduce runoff from the site, and protect water quality. Impacts related to storm water runoff are therefore considered ***less than significant***.

iv. Impede or redirect flood flows?

Less than significant impact. No significant grading that would alter the existing drainage patterns is proposed as a part of the improvements. The project improvements would incorporate low-impact development features such as bioswales, on-site retention, subsurface drainage system, drainage release points, or appropriate plantings as required in accordance with applicable design standards. Additionally, the project site is mapped within Zone X, and outside of the 100-year floodplain (Federal Emergency Management Agency 2008). Therefore, the impacts would be ***less than significant***.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Less than significant impact. The project is approximately 155 miles inland from the Pacific Ocean and is not subject to tsunamis. While the nearest large body of water is Long Canyon Forebay reservoir, located approximately 100 feet west, seiches are generally generated from seismic activity and this area does not have active faults and it is not in an Alquist-Priolo earthquake zone. There would be a ***less than significant*** impact.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less than significant impact. The project site is located in the South Fork American River watershed, USGS Hydrologic Unit Code (HUC) 18020129. The applicable water quality control plan is the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fifth Edition (RWQCB 2019). The proposed project would include low-impact development features to accommodate stormwater runoff and protect water quality. Correspondingly, the project is not anticipated to conflict with the water quality control plan or groundwater management plan, and the project's impact would be ***less than significant***.

XI. LAND USE AND PLANNING

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Physically divide an established community?	☐	☐	☐	■
b)	Cause significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	■	☐	☐

Environmental Setting

The project property is zoned Recreational Facility High (RF-H) and is designated for Public Facilities (PF) in the El Dorado County General Plan.

Regulatory Setting

California State law requires that each city and county adopt a general plan "for the physical development of the city and any land outside its boundaries which bears relation to its planning." Typically, a general plan is designed to address the issues facing the city or county for the next 15 to 20 years. The general plan expresses the community's development goals and incorporates public policies relative to the distribution of future public and private land uses. The El Dorado County General Plan was adopted in 2004. The County's 2013-2021 Housing Element was adopted in 2013.

Evaluation of Environmental Impacts

a) Physically divide an established community?

No impact. The project site is an existing park. The proposed park improvements would divide an established community and would not interrupt existing flow or access to adjacent land uses. The proposed project would have ***no impact*** on physically dividing an established community.

b) Cause significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less than significant impact with mitigation. The project site is an existing park. The land use designation is Public Facilities (PF), and the site is zoned Recreational Facility High (RF-H). The proposed project would impact trees protected under the El Dorado County ORMP. Impacts to protected trees would be potentially significant without mitigation. Implementation of Mitigation Measure BIO-3, as discussed in Section 6.IV, Biological Resources, would result in a ***less than significant impact with mitigation.***

XII. MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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?	☐	☐	☐	■
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?	☐	☐	☐	■

Environmental Setting

The western portion of El Dorado County is divided into four, 15-minute quadrangles mapped by the State of California Division of Mines and Geology showing the location of MRZs. 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 project site does not contain any mineral resources of known local or statewide economic value.

Regulatory Setting

Federal Laws, Regulations, and Policies

No federal laws, regulations, or policies apply to mineral resources and the proposed project.

State Laws, Regulations, and Policies

Surface Mining and Reclamation Act

The Surface Mining and Reclamation Act of 1975 (SMARA) requires that the State Mining and Geology Board identify, map, and classify aggregate resources throughout California that contain regionally significant mineral resources. Designations of land areas are assigned by CDC and California Geological Survey following analysis of geologic reports and maps, field investigations, and using information about the locations of active sand and gravel mining operations. Local jurisdictions are required to enact planning procedures to guide mineral conservation and extraction at particular sites and to incorporate mineral resource management policies into their general plans.

The California Mineral Land Classification System represents the relationship between knowledge of mineral deposits and their economic characteristics (grade and size). The nomenclature used with the California Mineral Land Classification System is important in communicating mineral potential information in activities such as mineral land classification, and usage of these terms are incorporated into the criteria developed for assigning mineral resource zones. Lands classified Mineral Resource Zone (MRZ)-2 are areas that contain identified mineral resources. Areas classified as MRZ-2a or MRZ-2b (referred to hereafter as MRZ-2) are considered important mineral resource areas.

Local Laws, Regulations, and Policies

El Dorado County in general is considered a mining region capable of producing a wide variety of mineral resources. Metallic mineral deposits, including gold, are considered the most significant extractive mineral resources. Exhibit 5.9-6 of the General Plan shows the MRZ-2 areas within the County based on designated Mineral Resource (-MR) overlay areas. The -MR overlay areas are based on mineral resource mapping published in the mineral land classification reports referenced above. The majority of the County's important mineral resource deposits are concentrated in the western third of the County.

According to General Plan Policy 2.2.2.7, before authorizing any land uses within the -MR overlay zone that will threaten the potential to extract minerals in the affected area, the County shall prepare a statement specifying its reasons for considering approval of the proposed land use and shall provide for public and agency notice of such a statement consistent with the requirements of Public Resources Code section 2762. Furthermore, before finally approving any such proposed land use, the County shall balance the mineral values of the threatened mineral resource area against the economic, social, or other values associated with the proposed alternative land uses. Where the affected minerals are of regional significance, the County shall consider the importance of these minerals to their market region as a whole and not just their importance to the County.

Where the affected minerals are of Statewide significance, the County shall consider the importance of these minerals to the State and nation. The County may approve the alternative land use if it determines that the benefits of such uses outweigh the potential or certain loss of the affected mineral resources in the affected regional, Statewide, or national market.

Evaluation of Environmental Impacts

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?

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?

No impact. Based on the CDC Mineral Lands Classification Map, the project site does not contain mineral resources. Also, the site is not under an Important Mineral Resource Area (based on Figure CO-1 of the General Plan). Therefore, the proposed project would have ***no impact*** on the availability of known mineral resources for questions a) and b).

XIII. NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	■	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	■	☐
c) For a project located within the vicinity of a private airstrip or 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 levels?	☐	☐	☐	■

Regulatory Setting

El Dorado County General Plan

The El Dorado County General Plan Public Health, Safety, and Noise Element contains Goal 6.5: "Ensure that County residents are not subjected to noise beyond acceptable levels." The following objective and policies from the General Plan would be applicable to the project (El Dorado County 2004):

Objective 6.5.1: Protection of Noise-Sensitive Development. Protect existing noise-sensitive developments (e.g., hospitals, schools, churches and residential) from new uses that would generate noise levels incompatible with those uses and, conversely, discourage noise-sensitive uses from locating near sources of high noise levels.

Policy 6.5.1.2 Where proposed non-residential land uses are likely to produce noise levels exceeding the performance standards of Table 6-2 at existing or planned noise sensitive uses, an acoustical analysis shall be required as part of the environmental review process so that noise mitigation may be included in the project design.

Policy 6.5.1.7 Noise created by new proposed non-transportation noise sources shall be mitigated so as not to exceed the noise level standards of Table 6-2 for noise sensitive uses.

Policy 6.5.1.11 The standards outlined in Tables 6-3, 6-4, and 6-5 shall not apply to those activities associated with actual construction of a project as long as such construction occurs between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, and 8:00 a.m. and 5:00 p.m. on weekends, and on federally recognized holidays. Further, the standards outlined in Tables 6-3, 6-4, and 6-5 shall not apply to public projects to alleviate traffic congestion and safety hazards.

Table 6-2, Noise Level Performance Protection Standards for Noise Sensitive Land Uses Affected by Non-Transportation Sources, of the General Plan establishes noise level standards for sensitive land uses. For rural areas, the noise standard limits are: 50 dBA L_{EQ} and an L_{MAX} of 60 dBA from 7:00 a.m. to 7:00 p.m.; 45 dBA L_{EQ} and an L_{MAX} of 55 dBA from 7:00 p.m. to 10:00 p.m.; and 40 dBA L_{EQ} and an L_{MAX} of 50 dBA from 7:00 a.m. to 7:00 p.m.

Table 6-4, Maximum Allowable Noise Exposure for Non-Transportation Noise Sources in Rural Centers – Construction Noise, of the General Plan establishes construction noise level standards (that occurs outside the hours specified in Policy 6.5.1.11) of: 55 dBA L_{EQ} and an L_{MAX} of 75 dBA from 7:00 a.m. to 7:00 p.m.; 50 dBA L_{EQ} and an L_{MAX} of 65 dBA from 7:00 p.m. to 10:00 p.m.; and 45 dBA L_{EQ} and an L_{MAX} of 60 dBA from 7:00 a.m. to 7:00 p.m.

Each of the noise levels specified above shall be lowered by five dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises. These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g., caretaker dwellings).

The County can impose noise level standards which are up to 5 dB less than those specified above based upon determination of existing low ambient noise levels in the vicinity of the project site.

In Community areas the exterior noise level standard shall be applied to the property line of the receiving property. In Rural Areas the exterior noise level standard shall be applied at a point 100 feet away from the residence. The above standards shall be measured only on property containing noise sensitive land use as defined in Objective 6.5.1. This measurement standard may be amended to provide for measurement at the boundary of a recorded noise easement between all effected property owners and approved by the County.

For the purposes of the Noise Element, transportation noise sources are defined as traffic on public roadways, railroad line operations and aircraft in flight. Control of noise from these sources is preempted by Federal and State regulations. Control of noise from facilities of regulated public facilities is preempted by California Public Utilities Commission (CPUC) regulations. All other noise sources are subject to local regulations. Non-transportation noise sources may include industrial operations, outdoor recreation facilities, HVAC units, schools, hospitals, commercial land uses, other outdoor land use, etc.

El Dorado County Municipal Code

The El Dorado County Municipal Code, Chapter 9.16, Noise, defines and prohibits loud or raucous noise:

Section 9.16.040 – Loud and raucous noises—Definitions.

Loud and raucous noise means:

1. Any noise made by the motor of any automobile, truck, tractor, motorcycle, or aircraft of any kind not reasonably required in the operation thereof under the circumstances and shall include, but not be limited to, backfiring, motor racing, and the buzzing by airplanes;

2. The sound of the discharge of any explosive except by or with the permission of any appropriate State or local licensing agency;

3. The human voice or any record or recording thereof when amplified by any device whether electrical or mechanical or otherwise to such an extent as to cause it to unreasonably carry on to public or private property or to be heard by others using the public highways, public thoroughfares, or public buildings;

4. Any sound not included in the foregoing, which is of such volume, intensity, or carrying power as to interfere with the peace and quiet of persons upon public or private property or other users of the public highways, thoroughfares, and buildings.

Section 9.16.050 – Loud and raucous noises—Prohibited.

> Except as otherwise provided in this chapter, it is unlawful for any person to willfully make, emit, or transmit or cause to be made, emitted, or transmitted any loud and raucous noise upon or from any public highway or public thoroughfare or from any aircraft of any kind whatsoever, or from any public or private property to such an extent that it unreasonably interferes with the peace and quiet of another's private property.

The El Dorado County Municipal Code, Chapter 130, Zoning, is the El Dorado County Zoning Ordinance and establishes the following regarding noise:

Chapter 130.37 of the County Zoning Ordinance complies with General Plan Goal 6.5 (Acceptable Noise Levels), and supplements County Code Chapter 9.16 (Noise) by establishing standards concerning acceptable noise levels for both noise-sensitive land uses and for noise-generating land uses. Per Chapter 130.37, “The following noise sources shall be exempt from the standards of this Chapter: I. Construction (e.g., construction, alteration or repair activities) during daylight hours provided that all construction equipment shall be fitted with factory installed muffling devices and maintained in good working order.” Table 130.37.060.1 contains noise standards for projects which require an acoustic analysis.

Evaluation of Environmental Impacts

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less than significant impact. The proposed project includes the construction of additional park facilities and associated improvements within the currently extant Forebay Park. Construction activities could expose nearby sensitive receptors to increased noise levels. Construction of the project would generate noise from the use of standard construction equipment, including but not limited to, excavators, bulldozers, dump trucks, backhoes, cranes, steam rollers, chippers, and various trucks and smaller vehicles. Additionally, hand-operated mechanical equipment such as chainsaws, drills, compactors, and similar tools may be used. Chapter 130.37 of the County Zoning Ordinance complies with General Plan Goal 6.5 (Acceptable Noise Levels), and supplements County Code Chapter 9.16 (Noise) by establishing standards concerning acceptable noise levels for both noise-sensitive land uses and for noise-generating land uses. Per Section 130.37.020, "The following noise sources shall be exempt from the standards of this Chapter I. Construction (e.g., construction, alteration or repair activities) during daylight hours provided that all construction equipment shall be fitted with factory installed muffling devices and maintained in good working order." Table 130.37.060.1 contains noise standards for projects which require an acoustic analysis (El Dorado County 2022). The County would maintain compliance with the relevant requirements of Chapter 130.37, and construction of the project would not result in the generation of a substantial temporary increase in ambient noise levels in excess of the standards established in the General Plan Noise Element. Contract provisions would be used with construction contractors that would require them to comply with County noise standards while constructing project components. Therefore, construction noise impacts would be less than significant.

Sources of noise resulting from long-term operation of the project would include use of the additional recreational amenities to be constructed. The park currently operates with a little league baseball field that is also informally used as a dog park when there are no practices or games, batting cages, and horseshoe complex. The proposed project includes the construction of a designated dog park, disc golf course, shared basketball and pickleball courts, a playground, outdoor exercise equipment area, and sheltered picnic areas. Outdoor concerts and events utilizing amplified sound system(s) are not activities associated with the proposed project. The closest off-site residence is approximately 93 ft north of the project area.

According to Table 130.37.060.1, Noise Level Performance Standards for Noise Sensitive Land Uses Affected by Non-Transportation Sources, maximum noise levels allowable at community/rural centers is 70 dBA between the hours of 7:00 a.m. and 7:00 p.m., 60 dBA between 7:00 p.m. and 10:00 p.m., and 55 dBA between 10:00 p.m. and 7:00 a.m. The park would continue to be open during daylight hours and no night use is allowed, unless by special event permit for non-routine events. As the park is existing and currently supporting sporting and recreational activities, noise associated with the additional recreational amenities is not anticipated to result in a substantial increase in ambient noise levels in excess of standards established by County Code. Therefore, the impacts would be ***less than significant***.

b) Generation of excessive groundborne vibration or groundborne noise levels?

Less than significant impact. Construction activities known to generate groundborne vibration, such as pile driving, may be conducted to implement the proposed project. A possible source of vibration during

project construction activities would be a grader used during grading of the site furnishing pads. The activities that would cause noise would be made from the excavators, bulldozers, dump trucks, backhoes, cranes, steam rollers, and chippers that would be used during project construction. The closest vibration sensitive land use would be a residence located approximately 93 ft north of the construction activity. However, not all construction equipment would be running simultaneously, and noise and vibration impacts from project construction would be short-term and temporary.

Once operational, the project would not be a source of excessive groundborne vibration and noise. Therefore, the project would not result in generation of excessive groundborne vibration and noise levels, and the impact would be ***less than significant***.

c) For a project located within the vicinity of a private airstrip or 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 levels?

No impact. The project site is not located within an airport land use plan, nor is it located within two miles of a public airport or public use airport. The nearest airport is Swansboro Country Airport, 6770 Sluice Street, Placerville, CA 95667, approximately 8.25 miles northwest of the project site. The proposed project would have ***no impact*** on excessive noise for a project located within the vicinity of a private airstrip.

XIV. POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	■
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	■

Environmental Setting

The project site is an existing park that is surrounded by rural residential to the north and east and Long Canyon Forebay reservoir to the south and west. There are no existing residences on the project site as the site is a park. The nearest residence is 93 ft north of the project site, and single-family residential lots are adjacent to the site's northern and eastern boundaries.

Regulatory Setting

There are no federal regulations pertaining to population or housing that apply to the proposed project.

State Laws, Regulations, and Policies

California Government Code Section 65581

California Government Code Section 65581 *et seq.* requires a Housing Element to be included in all city and county General Plans. State Housing Element law mandates that jurisdictions provide sufficient land to accommodate a variety of housing opportunities for all economic segments of the community. Compliance with this requirement is measured by the jurisdiction's ability to provide adequate land to accommodate a share of the region's projected housing needs for the applicable planning period. This share is known as the Regional Housing Needs Allocation (RHNA).

Local Laws, Regulations, and Policies

The El Dorado County General Plan (adopted 2004) limits residential density on lands designated for Natural Resource (NR). Up to one single family dwelling unit per 40 acres is allowed on NR lands outside of timber production areas (the project site is not located within an area that produces commercial timber). In October of 2013, the El Dorado County Board of Supervisors adopted the 2013-2021 Housing Element to the Adopted General Plan.

Evaluation of Environmental Impacts

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

No impact. The proposed project would not induce unplanned population growth directly or indirectly because it does not include construction of new homes, businesses, or roads. The proposed project would accommodate existing recreational needs of the local community. The proposed project would have ***no impact*** on population growth.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No impact. There are no existing residences on the project site as the site is a park. The proposed project would have ***no impact*** on displacement of people or housing and would not necessitate the construction of replacement housing.

XV. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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, to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?	☐	☐	■	☐
b) Police protection?	☐	☐	■	☐
c) Schools?	☐	☐	☐	■
d) Parks?	☐	☐	■	☐
e) Other public facilities?	☐	☐	☐	■

Regulatory Setting

No relevant federal laws, regulations, or policies are applicable to this section.

State Laws, Regulations, and Policies

California Fire Code

The California Fire Code (Title 24 CCR, Part 9) establishes minimum requirements to safeguard public health, safety, and general welfare from the hazards of fire, explosion, or dangerous conditions in new and existing buildings. Chapter 33 of CCR contains requirements for fire safety during construction and demolition.

California Public Resources Code Division 4: Forests, Forestry and Range and Forage Lands

The project is located in a Very High Fire Hazard Severity Zone.

California PRC Sections 4291 et seq. require that brush, flammable vegetation, or combustible growth within 100 feet of buildings be removed. Vegetation that is more than 30 feet from the building, less than 18 inches high, and important for soil stability, may be maintained as may single specimens of trees or other vegetation that is maintained so as to manage fuels and not form a means of rapid fire transmission from other nearby vegetation to a structure. Requirements regarding hazardous vegetation and fuel management are also contained in Sections 4906 and 4907 of the CFC.

California PRC Section 4290 requires CAL FIRE to adopt regulations implementing minimum fire safety standards for defensible space that would be applicable to lands within the SRA and lands within very high FHSZs. Additional regulations regarding defensible space can be found in Title 14, Sections 1270.00 *et seq*. of the California Code of Regulations.

Evaluation of Environmental Impacts

a) Fire protection?

Less than significant impact. The project site would be served by the El Dorado Fire Protection District and the nearest station is located approximately 0.6 mile to the south at 6430 Pony Express Trail, Pollock Pines, CA 95726. Considering the project site's proximity to a fire station and already developed surroundings to the north, west, and east of the site, the proposed project would not necessitate new fire protection facilities. The proposed project would have a ***less than significant impact*** on fire protection.

b) Police protection?

Less than significant impact. The project site would be served by the El Dorado County Sheriff's Office, and the nearest station is located approximately 14 miles to the southwest at 200 Industrial Drive, Placerville, CA 95667. Considering the project site's proximity to the sheriff's office/station and currently developed surroundings to the east, north, and west of the site, it is anticipated that existing services would be adequate, and the proposed project would not necessitate new police protection facilities. The proposed project would have a ***less than significant*** impact on police protection.

c) Schools?

No impact. The proposed project is not a residential development that would induce growth and draw new people to the area that would impact local schools. Therefore, the proposed project would have ***no impact*** regarding the need for new expanded school facilities.

d) Parks?

Less than significant impact. It is anticipated that use of the park may increase following construction of the proposed park amenities. However, the proposed additional facilities and associated improvements would not accelerate the deterioration of the facility and are intended to accommodate existing demands at the park. The proposed project would not increase the demand for parks requiring the need for new or expanded park facilities. Therefore, the proposed project would have a ***less than significant*** impact on parks.

e) Other public facilities?

No impact. Public facilities improvements beyond the project site boundaries are not needed. While some park patrons are anticipated to bike or walk to the park, parking is available on-site. Connections to water, sewer, electric, and telecommunications utilities would be made to existing utilities provided within the project site. There would be ***no impact*** on other public facilities.

XVI. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) 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?	☐	☐	■	☐
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?	☐	■	☐	☐

Environmental Setting

The proposed project would include the construction of additional recreational facilities and associated improvements on approximately 9.4 acres of the existing 16.9-acre park. The project site is the currently extant Forebay Park. Existing facilities at the park include a gated ball field that is also used as a dog park, horseshoe courts, batting cages, a community center, restroom facilities, associated outbuildings, and two parking lots. The existing ball field is gated and used as a makeshift dog park outside of game and practice times. The west side of Forebay Park has been moderately terraced and graded in some areas to accommodate the existing horseshoe courts, parking lot, and paved access road.

Regulatory Setting

Federal Laws, Regulations, and Policies

National Trails System

The National Trails System Act of 1968 authorized The National Trails System (NTS) to provide additional outdoor recreation opportunities and to promote the preservation of access to the outdoor areas and historic resources of the nation. The Appalachian and Pacific Crest National Scenic Trails were the first two components, and the System has grown to include 20 national trails.

The National Trails System includes four classes of trails:

1. National Scenic Trails (NST) provide outdoor recreation and the conservation and enjoyment of significant scenic, historic, natural, or cultural qualities. The Pacific Coast Trail falls under this category. The Pacific Coast Trail passes through the Desolation Wilderness area along the western plan area boundary.

2. National Historic Trails (NHT) follow travel routes of national historic significance. The National Park Service has designated two National Historic Trail (NHT) alignments that pass through El Dorado County, the California National Historic Trail, and the Pony Express National Historic Trail. The California Historic Trail is a route of approximately 5,700 miles including multiple routes and cutoffs, extending from Independence and Saint Joseph, Missouri, and Council Bluffs,

Iowa, to various points in California and Oregon. The Pony Express NHT commemorates the route used to relay mail via horseback from Missouri to California before the advent of the telegraph.

3. National Recreation Trails (NRT) are in, or reasonably accessible to, urban areas on federal, State, or private lands. In El Dorado County, there are 5 NRTs.

State Laws, Regulations, and Policies

The California Parklands Act

The California Parklands Act of 1980 (Public Resources Code Section 5096.141-5096.143) recognizes the public interest for the state to acquire, develop, and restore areas for recreation and to aid local governments to do the same. The California Parklands Act also identifies the necessity of local agencies to exercise vigilance to see that the parks, recreation areas, and recreational facilities they now have are not lost to other uses.

The California state legislature approved the California Recreational Trail Act of 1974 (Public Resources Code Section 2070-5077.8) requiring that the Department of Parks and Recreation prepare a comprehensive plan for California trails. The California Recreational Trails Plan is produced for all California agencies and recreation providers that manage trails. The Plan includes information on the benefits of trails, how to acquire funding, effective stewardship, and how to encourage cooperation among different trail users.

The 1975 Quimby Act (California Government Code Section 66477) requires residential subdivision developers to help mitigate the impacts of property improvements by requiring them to set aside land, donate conservation easements, or pay fees for park improvements. The Quimby Act gave authority for passage of land dedication ordinances to cities and counties for parkland dedication or in-lieu fees paid to the local jurisdiction. Quimby exactions must be roughly proportional and closely tied (nexus) to a project's impacts as identified through traffic studies required by CEQA. The exactions only apply to the acquisition of new parkland; they do not apply to the physical development of new park facilities or associated operations and maintenance costs.

The County implements the Quimby Act through Section 120.12.090 of the County Code. The County Code sets standards for the acquisition of land for parks and recreational purposes, or payments of fees in lieu thereof, on any land subdivision. Other projects, such as ministerial residential or commercial development, could contribute to the demand for park and recreation facilities without providing land or funding for such facilities.

Local Laws, Regulations, and Policies

The 2004 El Dorado County General Plan Parks and Recreation Element establishes goals and policies that address needs for the provision and maintenance of parks and recreation facilities in the county, with a focus on providing recreational opportunities and facilities on a regional scale, securing adequate funding sources, and increasing tourism and recreation-based businesses. The Recreation Element describes the need for 1.5 acres of regional parkland, 1.5 acres of community parkland, and 2 acres of neighborhood parkland per 1,000 residents. Another 95 acres of park land are needed to meet the General Plan guidelines.

Evaluation of Environmental Impacts

a) 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?

Less than significant impact. The proposed project would include the construction of additional park facilities and associated improvements at Forebay Park. The proposed additional facilities and associated improvements would not accelerate the deterioration of the facility and are intended to accommodate existing demands at the park. Therefore, the proposed project would have a ***less than significant*** impact on increasing the use of existing neighborhood and regional parks or other recreational facilities.

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?

Less than significant impact with mitigation. As documented in Sections 6.IV, Biological Resources, and 6.V, Cultural Resources, the proposed improvements could result in impacts related to biological and cultural resources. However, implementation of proposed mitigation measures BIO-1 through BIO-3 and CUL-1 through CUL-3 discussed in the respective sections would reduce all potentially significant impacts to a level of ***less than significant with mitigation***.

XVII. TRANSPORTATION

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	■	☐
b)	Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☐	☐	■	☐
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	■	☐
d)	Result in inadequate emergency access?	☐	☐	☐	■

Environmental Setting

The project is located north of the intersection of Forebay Road and Deep Haven Road, east of Romer Boulevard. Ingress and egress for Forebay Park are provided along Forebay Road and Gail Road.

Regulatory Setting

Federal Laws, Regulations, and Policies

No federal laws, regulations, or policies apply to transportation/traffic and the proposed project.

State Laws, Regulations, and Policies

Caltrans manages the state highway system and ramp interchange intersections. This State agency is also responsible for highway, bridge, and rail transportation planning, construction, and maintenance.

Local Laws, Regulations, and Policies

According to the transportation element of the County General Plan, Level of Service (LOS) for County-maintained roads and state highways within the unincorporated areas of the county shall not be worse than LOS E in the Community Regions or LOS D in the Rural Centers and Rural Regions. Level of Service is defined in the latest edition of the Highway Capacity Manual (Transportation Research Board, National Research Council). There are some roadway segments that are excepted from these standards and are allowed to operate at LOS F. According to Policy TC-Xe, "worsen" is defined as any of the following number of project trips using a road facility at the time of issuance of a use and occupancy permit for the development project:

A. A two percent increase in traffic during a.m., p.m. peak hour, or daily

B. The addition of 100 or more daily trips, or

C. The addition of 10 or more trips during the a.m. or p.m. peak hour.

Evaluation of Environmental Impacts

a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Less than significant impact. According to County Policy TC-Xe, a project would worsen level of service conditions if a project would result in A) two percent increase in traffic during a.m., p.m. peak hour, or daily, B) the addition of 100 or more daily trips, or C) the addition of 10 or more trips during the a.m. or p.m. peak hour. As discussed below in question b), the proposed project improvements are anticipated to add approximately 21 daily trips per day. Since the proposed project is improvements to a park site and park facilities would be used throughout the day, it is not anticipated that the proposed project would add 10 or more trips during a.m. or p.m. peak hour or generate more than a two percent increase in traffic along the Forebay Road. Therefore, the park improvements would not conflict with County plans, ordinances, or policies addressing the circulation system, and local streets are anticipated to adequately accommodate park users. Potential impacts would be ***less than significant***.

b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Less than significant impact. As an existing community park, the proposed project would offer additional recreational facilities to the community and could reduce travel to far away destinations for recreation; correspondingly, additional vehicle miles traveled associated with the proposed project are not anticipated to substantially increase. Further, it is anticipated that park users would also continue to arrive by biking or walking to the park. Based on ITE 11th Edition, public parks generate a daily trip rate of 2.19 trips per acre. The proposed project would construct additional recreational facilities on approximately 9.4 acres of the 16.9-acre park site. Therefore, the park improvements are estimated to generate approximately 21 additional vehicle trips per day to the existing Forebay Park site. Following construction of the project improvements, the park is anticipated to continue to attract fewer than 100 trips per day, and correspondingly, a traffic impact study is not necessary under the County's *Traffic Impact Study Guidelines* (El Dorado County 2014). Additionally, the *Technical Advisory on Evaluating Transportation Impacts in CEQA* (Office of Planning and Research 2018) screening guidelines recommend that projects attracting fewer than 110 trips per day should be assumed to cause a less than significant impact on vehicle miles traveled. El Dorado County's Board of Supervisors also adopted Resolution 141-2020 on October 6, 2020, which set the County's thresholds of significance for VMT impacts for land use projects. To be consistent with its General Plan Policy TC-Xe, the County set its threshold so that projects generating fewer than 100 daily trips should be assumed to cause a ***less than significant*** impact on VMT.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less than significant impact. The proposed project would improve and widen the two existing vehicle access driveways, one on Forebay Road and the other on Gail Road, to a 24-ft width. The ingress and egress points on Forebay Road and Gail Road would be designed to meet applicable County design requirements. Therefore, the proposed project would not substantially increase hazards due to a geometric design feature and impacts would be ***less than significant***.

d) Result in inadequate emergency access?

No impact. Direct access to the proposed park would be from the east side of Forebay Road, located immediately west of the project site, and from Gail Road. Construction and operation of the park would be away from main travel paths for emergency responses and evacuation. Additionally, as noted above, the access driveways would be widened to 24-ft and would adequately accommodate emergency vehicles in need of accessing the project site. Therefore, the proposed project would have ***no impact*** on emergency access.

XVIII. TRIBAL CULTURAL RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i)	Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k), or	☐	■	☐	☐
ii)	A resource determined by the Lead Agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe.	☐	■	☐	☐

Environmental Setting

Formal invitations to participate in AB 52 consultation on the proposed project were sent by the County to four tribal representatives on March 2, 2023. The representatives included Randy Yonemura of the Ione Band of Miwok Indians; Steven Hutchason of Wilton Rancheria; Jason Camp, Tribal Historic Preservation Officer of the United Auburn Indian Community of the Auburn Rancheria; and Regina Cuellar of Shingle Springs Band of Miwok Indians.

No responses have been received to date.

Regulatory Setting

Federal Laws, Regulations, and Policies

No federal laws, regulations, or policies apply to Tribal Cultural Resources (TCRs) and the proposed project.

State Laws, Regulations, and Policies

Assembly Bill 52

AB 52, which was approved in September 2014 and effective on July 1, 2015, requires that CEQA lead agencies consult with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of a proposed project, if so, requested by the tribe. The bill, chaptered in CEQA

Section 21084.2, also specifies that a project with an effect that may cause a substantial adverse change in the significance of a TCR is a project that may have a significant effect on the environment.

Defined in Section 21074(a) of the Public Resources Code, TCRs are:

1. Sites, features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe that are either of the following:

    a. Included or determined to be eligible for inclusion in the California Register of Historical Resources; or
    b. Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

TCRs are further defined under Section 21074 as follows:

- A cultural landscape that meets the criteria of subdivision (a) is a TCR to the extent that the landscape is geographically defined in terms of the size and scope of the landscape; and

- A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "nonunique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a TCR if it conforms with the criteria of subdivision (a).

Mitigation measures for TCRs must be developed in consultation with the affected California Native American tribe pursuant to newly chaptered Section 21080.3.2, or according to Section 21084.3. Section 21084.3 identifies mitigation measures that include avoidance and preservation of TCRs and treating TRCs with culturally appropriate dignity, considering the tribal cultural values and meaning of the resource.

Evaluation of Environmental Impacts

a) Cause a substantial adverse change in the significance of a TCR, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

    i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k)?

OR

    ii. A resource determined by the Lead Agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1.

In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe?

Less than significant impact with mitigation.

As noted above, formal invitations to participate in AB 52 consultation on the proposed project were sent by the County to four tribal representatives on March 2, 2023, and none of the tribes responded to the County requesting formal consultation or with information regarding the potential for TCRs to occur within the project site. However, as with any ground disturbing activity, inadvertent discovery of cultural resources, including TCRs, is possible. Without mitigation, the impact is potentially significant. Implementation of Mitigation Measures CUL-1, Worker Awareness Training Program, and CUL-2, Accidental Discovery of Cultural Resources (both detailed in Section 6.V, Cultural Resources) would reduce the impact to less than significant. Therefore, the impact would be ***less than significant with mitigation***.

XIX. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	■	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	■	☐
c) 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?	☐	☐	■	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	■	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	■	☐

Regulatory Setting

Federal Laws, Regulations, and Policies

Energy Policy Act of 2005

The Energy Policy Act of 2005, intended to reduce reliance on fossil fuels, provides loan guarantees or tax credits for entities that develop or use fuel-efficient and/or energy efficient technologies (USEPA 2014). The act also increases the amount of biofuel that must be mixed with gasoline sold in the United States (USEPA 2014).

State Laws, Regulations, and Policies

California Integrated Waste Management Act of 1989

The California Integrated Waste Management Act of 1989 (Public Resources Code, Division 30) requires all California cities and counties to implement programs to reduce, recycle, and compost wastes by at least 50 percent by 2000 (Public Resources Code Section 41780). The state, acting through the California

Integrated Waste Management Board (CIWMB), determines compliance with this mandate. Per-capita disposal rates are used to determine whether a jurisdiction's efforts are meeting the intent of the act.

California Solid Waste Reuse and Recycling Access Act of 1991

The California Solid Waste Reuse and Recycling Access Act of 1991 (Public Resources Code Sections 42900-42911) requires that all development projects applying for building permits include adequate, accessible areas for collecting and loading recyclable materials.

California Integrated Energy Policy

Senate Bill 1389, passed in 2002, requires the CEC to prepare an Integrated Energy Policy Report for the governor and legislature every two years, and to provide an update in the year between reports. The report analyzes data and provides policy recommendations on trends and issues concerning electricity and natural gas, transportation, energy efficiency, renewable energy, and public interest energy research. The 2019 Integrated Energy Policy Report covers a broad range of topics, including decarbonizing buildings, integrating renewables, energy efficiency, energy equity, integrating renewable energy, updates on Southern California electricity reliability, climate adaptation activities for the energy sector, natural gas assessment, transportation energy demand forecast, and the California Energy Demand Forecast.

Title 24–Building Energy Efficiency Standards

The CALGreen (CCR Title 24, Part 11) is a code with mandatory requirements for new residential and nonresidential buildings throughout California. The code is Part 11 of the California Building Standards Code in Title 24 of the CCR (CBSC 2019). The current 2019 Standards for new construction of, and additions and alterations to, residential and nonresidential buildings went into effect on January 1, 2020.

CALGreen contains requirements for storm water control during construction; construction waste reduction; indoor water use reduction; material selection; natural resource conservation; site irrigation conservation; and more. The code provides for design options allowing the designer to determine how best to achieve compliance for a given site or building condition. The code also requires building commissioning, which is a process for the verification that all building systems, like heating and cooling equipment and lighting systems, are functioning at their maximum efficiency.

Urban Water Management Planning Act

California Water Code Sections 10610 *et seq.* requires that all public water systems providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet per year (AFY), prepare an urban water management plan (UWMP).

Evaluation of Environmental Impacts

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Less than significant impact. The proposed project would tie-in to existing utilities and service systems at the site as part of replacing the existing restroom with a new, relocated restroom and constructing other improvements. A septic tank is reported to be on-site. Domestic water and electrical services also exist on site. A ***less than significant*** impact on utilities would result from the development of the proposed project.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?

Less than significant impact. The proposed project would include the installation of a drinking fountain in the proposed dog park area and replacing an existing restroom with a new, relocated restroom. These minor park improvements are not anticipated to generate a substantial increase in demand for water supplies already provided at the existing park. Therefore, impacts are considered ***less than significant***.

c) 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?

Less than significant impact. Construction of the proposed project would include a single restroom building to replace the existing restroom building that will rely on existing wastewater infrastructure. Development of the proposed project would, therefore, result in ***less than significant*** impacts related to wastewater treatment capacity.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less than significant impact. A new dumpster enclosure would be constructed and located adjacent to the parking lots or maintenance roads for ease of collection. Additional trash cans would be placed in picnic areas, within the dog park, and as needed for maintenance of the park. Solid waste generated from the park would include refuse from park users, and anticipated volumes of solid waste are not anticipated to result in an excess of standards or capacity of infrastructure. There would be a ***less than significant*** impact on solid waste.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less than significant impact. Solid waste disposal at the park would be implemented in compliance with federal, state, and local management and statutes and regulations. Existing trash collection services are provided by El Dorado Disposal Service, which collects trash and transports it to the Western El Dorado Recovery Systems Material Recovery Facility for separation of recyclables. The remaining trash is transported to an approved solid waste landfill. Landfills used by El Dorado Disposal are at Potrero Hills, Forward, and Kiefer, which are projected to be open until 2048, 2021, and 2064 based on projections (El Dorado Community Development Agency Environmental Management Division 2015). Waste

collection services are currently available at the project site and estimated landfill capacity is anticipated to be adequate to meet the disposal needs related to development of the proposed project. Impacts are therefore considered ***less than significant*.**

XX. WILDFIRE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	■
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	■
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	■	☐	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	■

Environmental Setting

The proposed project site is bound to the north by a rural residential property, to the west and south by the Long Canyon Forebay reservoir, and to the east by single-family residences. According to CAL FIRE mapping, the project site is within a very high fire hazard severity zone. The nearest fire department to the project site is the El Dorado County Fire Protection District Station 17 located approximately 0.6 mile south of the project site.

Regulatory Setting

Federal Laws, Regulations, and Policies

No federal laws, regulations, or policies apply to this section, as the project site is on nonfederal land.

State Laws, Regulations, and Policies

California PRC Sections 4291 et seq. require that brush, flammable vegetation, or combustible growth within 100 feet of buildings be removed. Vegetation that is more than 30 feet from the building, less than 18 inches high, and important for soil stability, may be maintained; as may single specimens of trees or other vegetation that is maintained so as to manage fuels and not form a means of rapid-fire transmission from other nearby vegetation to a structure. Requirements regarding hazardous vegetation and fuel management are also contained in Sections 4906 and 4907 of the CFC.

California PRC Section 4290 requires CAL FIRE to adopt regulations implementing minimum fire safety standards for defensible space that would be applicable to lands within very high FHSZs. Additional regulations regarding defensible space can be found in Title 14, Sections 1270.00 *et seq*. of the California Code of Regulations.

Evaluation of Environmental Impacts

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

No impact. The proposed project construction and operation would occur within the existing Forebay Park area and would not block primary access routes that would be used for emergency responses and evacuation. The proposed project would have ***no impact*** on an adopted emergency response plan or emergency evacuation plan.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

No impact. The proposed project includes the construction of additional recreation facilities and other improvements at an existing park. The additional park facilities would not exacerbate wildfire risks and would not thereby expose park users (project occupants) to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Therefore, there would be ***no impact***.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Less than significant impact with mitigation incorporated. The proposed project consists of improvements and installation of additional facilities for the existing Forebay Park located in the central portion of El Dorado County. The proposed project would utilize and connect to the existing utilities and would not construct new infrastructure that would exacerbate fire risk such as power lines. However, as discussed under Section 6.IX, Hazards and Hazardous Materials, equipment used during construction activities may create sparks that could ignite dry grass as the project site is located within a Very High Fire Hazard Severity Zone (CAL FIRE 2022). Also, the use of power tools and/or acetylene torches may increase the risk of wildland fire hazard. Implementation of Mitigation Measure HAZ-1 would ensure potential wildfire risk during construction would be less than significant. Therefore, the increased risk of fire due to project infrastructure and the potential for ongoing impacts due to fire-related infrastructure would be less than significant with implementation of Mitigation Measure HAZ-1.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

No impact. As discussed in question b), the proposed project improvements would be constructed at an existing park. The project does not propose a large new commercial/residential development that clears or exposes a new area to potential fire risk, flooding, or landslides. There would be ***no impact***.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially 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, substantially 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?	☐	■	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present, and probable future projects)?	☐	■	☐	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	■	☐	☐

a) Does the project have the potential to substantially 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, substantially 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?

Less than significant impact with mitigation. All impacts to the environment, including impacts to habitat for fish and wildlife species, fish and wildlife populations, plant and animal communities, rare and endangered plants and animal species, and historical and prehistorical resources were evaluated as part of the analysis in this document. Where impacts were determined to be potentially significant, mitigation measures have been proposed to reduce those impacts to less than significant levels. Accordingly, with incorporation of the proposed mitigation measures (BIO-1 through BIO-3 and CUL-1 through CUL-3), the proposed project would not substantially degrade the quality of the environment, and impacts would be ***less than significant with mitigation.***

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present, and probable future projects)?

Less than significant impact with mitigation. The proposed project, in conjunction with other approved or pending projects within El Dorado County, could contribute to cumulative impacts. However, with

implementation of mitigation measures proposed in Sections 6.I through 6.XX of this IS/MND, the project's contribution to potentially significant impacts would be reduced to a level that is considered less than cumulatively considerable. A full list of project-specific mitigation measures is included in Appendix F, Mitigation Monitoring and Reporting Program.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less than significant impact with mitigation. The project would not result in impacts that would potentially result in substantial adverse effects on human beings. Based on the preceding environmental analysis, mandatory compliance with existing County regulations and incorporation of identified mitigation measures would ensure that all potentially significant environmental impacts associated with the project, including those related to biological resources, cultural resources, and tribal cultural resources, would be minimized or avoided. The project would not result in direct or indirect adverse effects on human beings or the environment, nor would it result in significant cumulative impacts. Therefore, with implementation of proposed mitigation measures (BIO-1 through BIO-3, HAZ-1, CUL-1 through CUL-3), all potentially significant impacts would be reduced to ***less than significant with mitigation***.

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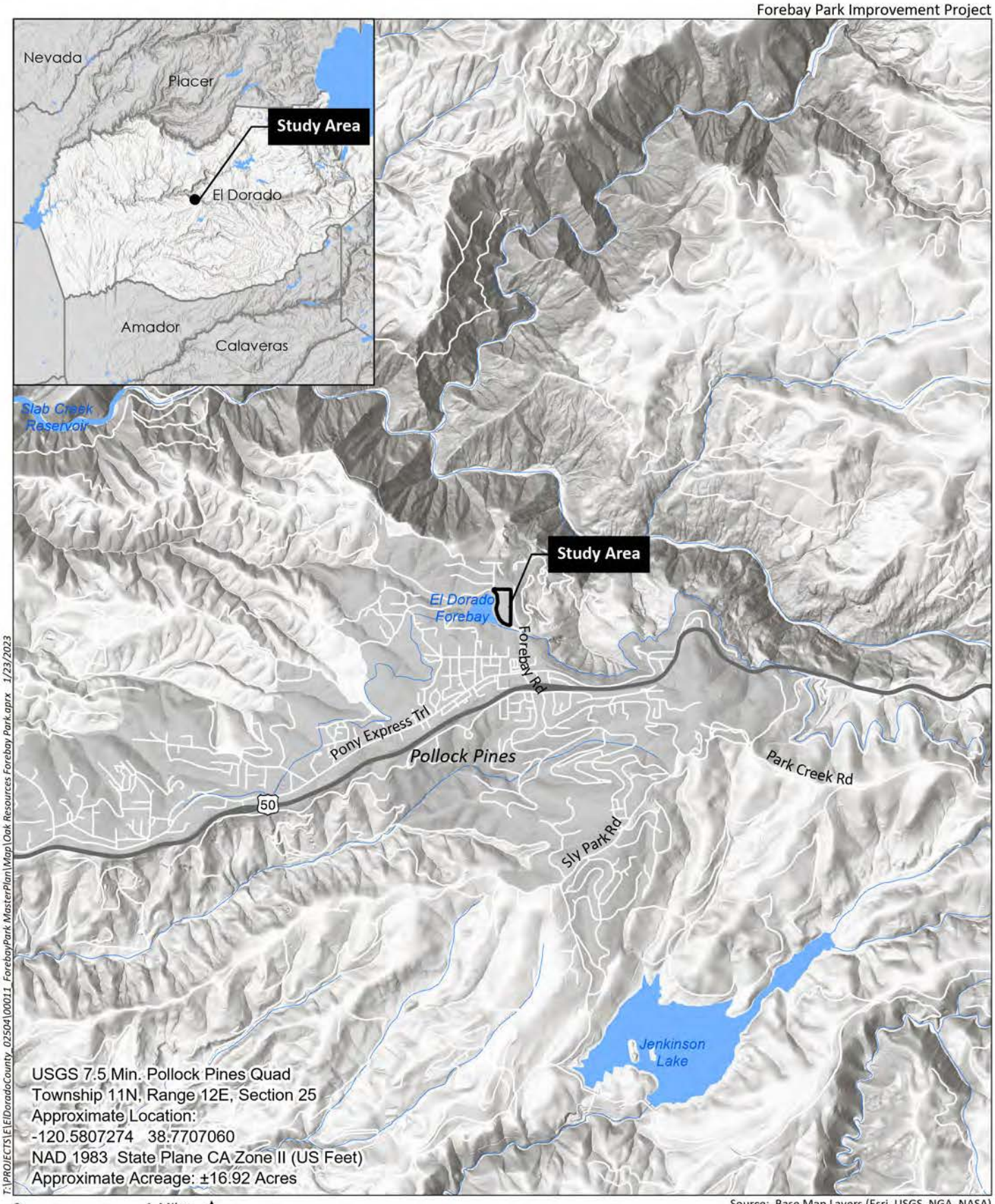
Appendix A

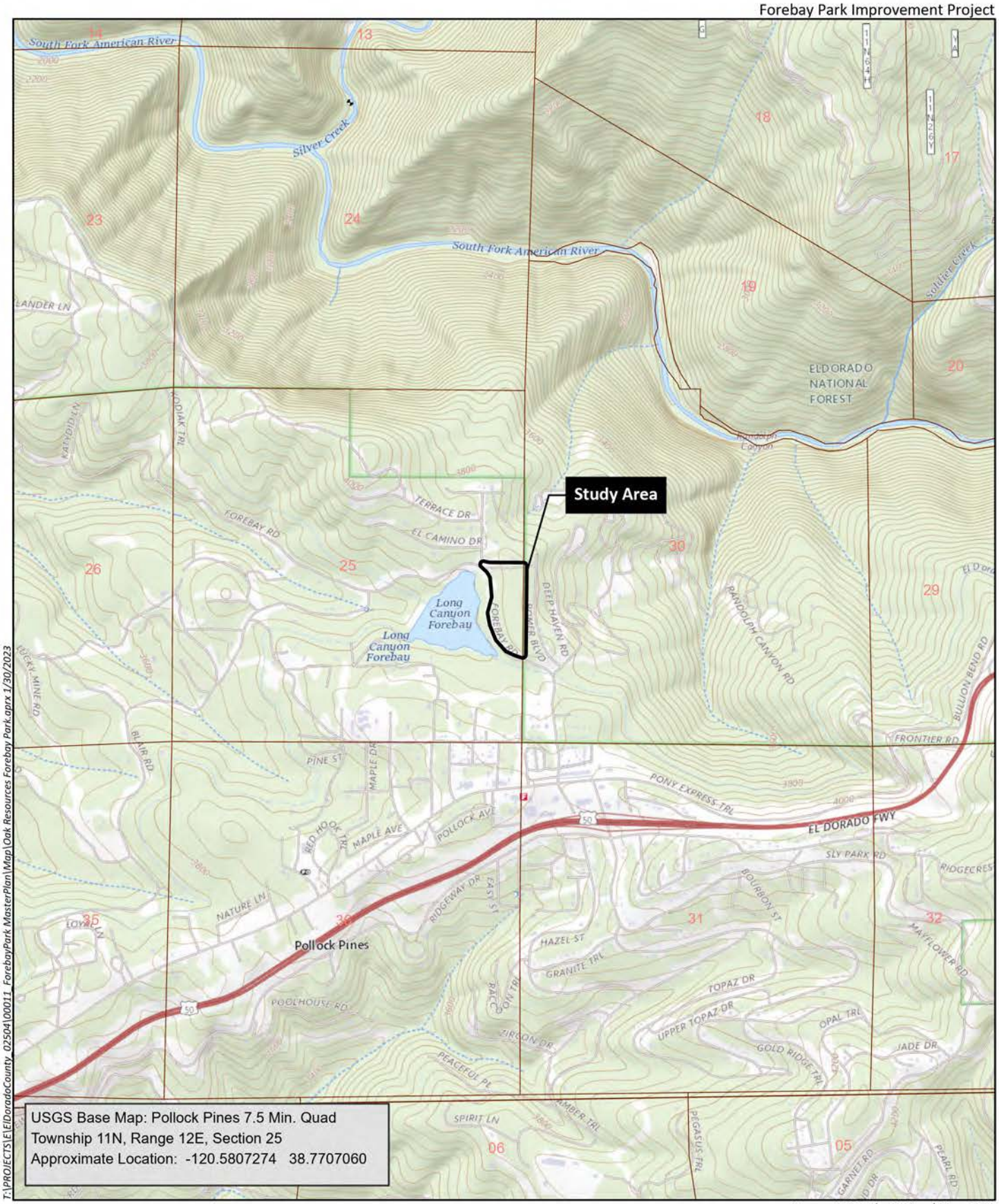
Figures



HELIX Environmental Planning

Site and Vicinity Map

Figure 1



T:\PROJECTS\E\ElDoradoCounty_02504\00011_ForebayPark MasterPlan\Map\Oak Resources Forebay Park.aprx 1/30/2023

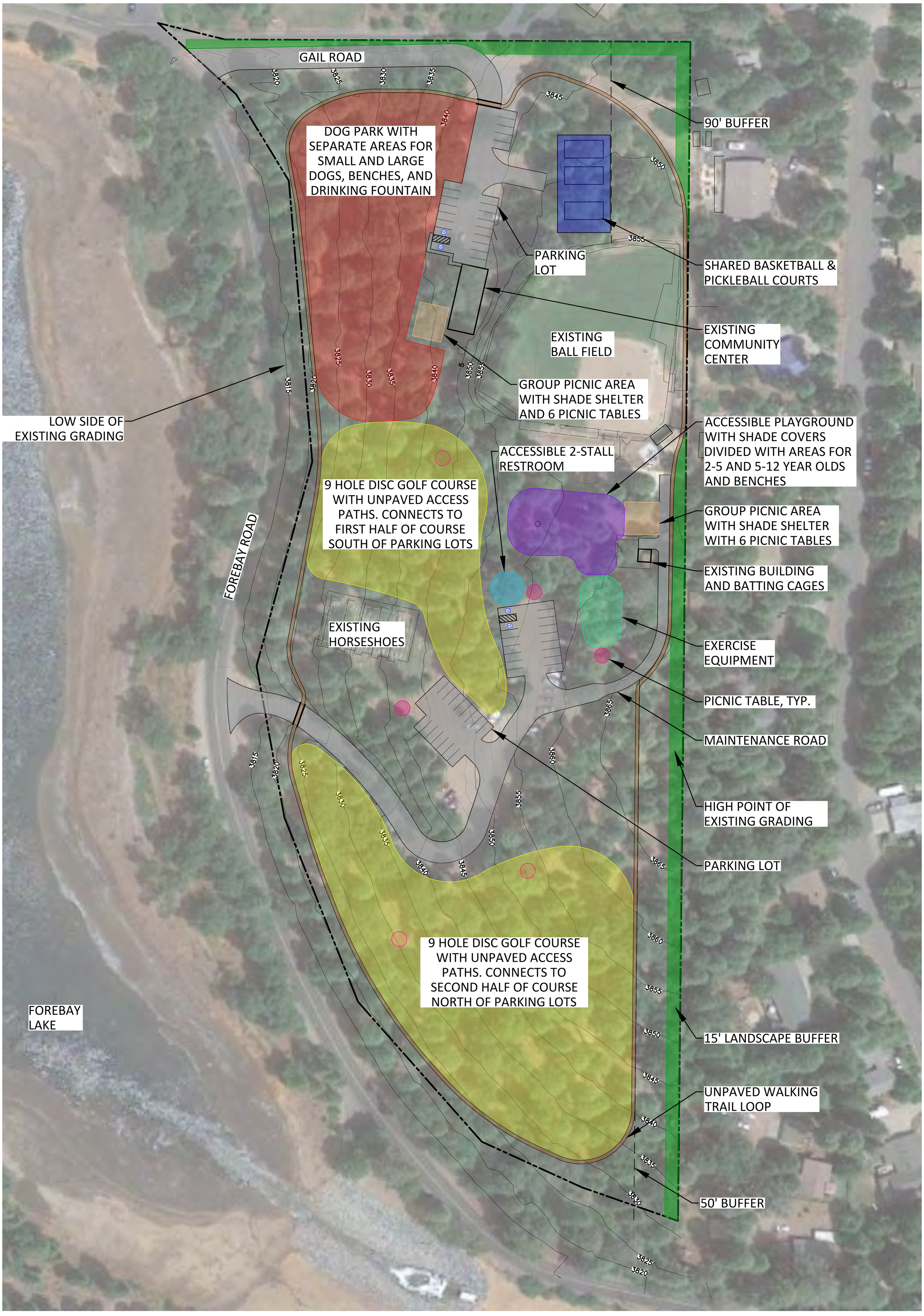
HELIX Environmental Planning

USGS Topographic Map

Figure 2

Appendix B

Conceptual Design Plan



PROJECT WILL INCLUDE SIGNAGE ALONG FOREBAY ROAD WARNING DRIVERS OF UPCOMING PARK AND PEDESTRIANS, PER EDC DOT RECOMMENDATIONS.

HELIX Environmental Planning 1180 IRON POINT ROAD, SUITE 130 FOLSOM, CALIFORNIA 95630 (916) 435-1205 © 2023	FOREBAY PARK EL DORADO COUNTY	APPENDIX B CONCEPTUAL DESIGN PLAN	DATE: 08/25/2022	60 0 60 120 240 SCALE IN FEET

Appendix C

Biological Resources Assessment

Forebay Park Improvements Project

Biological Resources Assessment

September 2022 | 02504.00011.001

Prepared for:

County of El Dorado
Vickie Sanders, Park Manager
3000 Fair Lane Court, Suite 1
Placerville, CA 95667

Prepared by:

HELIX Environmental Planning, Inc.
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ACRONYMS AND ABBREVIATIONS

BRA	Biological Resources Assessment
CDFG	California Department of Fish and Game
CDFW	California Department of Fish and Wildlife
CDP	census-designated place
CESA	California Endangered Species Act
CEQA	California Environmental Quality Act
CNDDB	California Natural Diversity Database
CNPS	California Native Plant Society
CSA	California Special Animals
CWA	Clean Water Act
DBH	diameter at breast height
FESA	Federal Endangered Species Act
HELIX	HELIX Environmental Planning, Inc.
IPaC	Information for Planning and Consultation
MBTA	Migratory Bird Treaty Act
MSL	mean sea level
NEPA	National Environmental Policy Act
NMFS	National Marine Fisheries Service
NPPA	Native Plant Protection Act
NRCS	Natural Resource Conservation Service
OHWM	ordinary high water mark
ORMP	Oak Resources Management Plan
ORTR	Oak Resources Technical Report
RWQCB	Regional Water Quality Control Board
RPZ	root protection zone
SAA	Streambed Alteration Agreement
SSC	Species of Special Concern
SWRCB	State Water Resources Control Board
USACE	U.S. Army Corps of Engineers
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey

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EXECUTIVE SUMMARY

HELIX Environmental Planning, Inc. (HELIX) Biologist Greg Davis conducted a Biological Resources Assessment (BRA) on January 25, 2022 for the Forebay Park Improvements Project (Project) [Assessor's Parcel Number (APN) 101-330-081]. The project site is located at 5581 Gail Drive in the unincorporated community of Pollock Pines in El Dorado County, California. The site is located within Township 11 North, Range 12 East, Section 25 of the USGS 7.5-minute series *Pollock Pines, CA* quadrangle. The approximate location of the Study Area is 38.770375° Latitude, -120.580746° Longitude.

The purpose of this BRA is to summarize the general biological resources on the site, to assess the suitability of the site to support special-status species and sensitive vegetation communities or habitats, and to provide recommendations for any regulatory permitting or further analysis that may be required prior to development activities occurring on the site.

The 16.90-acre Study Area includes an individual parcel associated with Forebay Park and a 50-foot buffer of the subject parcel. The Study Area is comprised of developed/disturbed land (9.06 acres), montane hardwood conifer (1.76 acres), and sierran mixed conifer habitat (6.05 acres). Surrounding land uses include low-density residential to the north/east/south and Forebay Reservoir to the west.

Known or potential biological constraints in the Study Area include:

- Potential upland habitat for California red-legged frog (*Rana draytonii*) and western pond turtle (*Emys marmorata*);
- Potential foraging and nesting habitat for migratory birds, raptors, and special-status birds, including northern goshawk (*Accipiter gentilis*) and bald eagle (*Haliaeetus leucocephalus*); and
- Protected oak trees and oak woodland that contains at least 10 percent oak canopy regulated by El Dorado County. Oak woodland that contains at least 10 percent oak canopy is represented by the montane hardwood conifer habitat within the Study Area.

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1.0 INTRODUCTION

This report summarizes the findings of a Biological Resources Assessment (BRA) completed by HELIX for the Forebay Park Improvements project (Project) located in the unincorporated community of Pollock Pines in El Dorado County, California. This document addresses the on-site physical features, plant communities present, and the common plant and wildlife species occurring or potentially occurring in the Study Area. Furthermore, the suitability of habitats to support special-status species and sensitive habitats are analyzed, and recommendations are provided for any regulatory permitting or further analysis required prior to development activities occurring on the site.

1.1 PROJECT DESCRIPTION

The proposed project includes improvements to the existing park in the Study Area. Detailed plans for the proposed project are not available as of the preparation of this report.

2.0 REGULATORY FRAMEWORK

Federal, State, and local environmental laws, regulations, and policies relevant to the California Environmental Quality Act (CEQA) review process are summarized below. Applicable CEQA significance criteria are also addressed in this section.

2.1 FEDERAL REGULATIONS

2.1.1 Federal Endangered Species Act

The U.S. Fish and Wildlife Service (USFWS) enforces the provisions stipulated within the Federal Endangered Species Act of 1973 (FESA; 16 USC 1531 et seq.). Species identified as federally threatened or endangered (50 CFR 17.11, and 17.12) are protected from take, defined as direct or indirect harm, unless a Section 10 permit is granted to an entity other than a federal agency or a Biological Opinion with incidental take provisions is rendered to a federal lead agency via a Section 7 consultation. Pursuant to the requirements of FESA, an agency reviewing a proposed project within its jurisdiction must determine whether any federally-listed species may be present in the study area and determine whether the proposed project will jeopardize the continued existence of or result in the destruction or adverse modification of critical habitat of such species (16 USC 1536 (a)[3], [4]). Other federal agencies designate species of concern (species that have the potential to become listed), which are evaluated during environmental review under the National Environmental Protection Act (NEPA) or CEQA although they are not otherwise protected under FESA.

2.1.2 Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) of 1918 established federal responsibilities for the protection of nearly all species of birds, their eggs, and nests. The Migratory Bird Treaty Reform Act of 2004 further defined species protected under the act and excluded all non-native species. Section 16 U.S.C. 703–712 of the Act states “unless and except as permitted by regulations, it shall be unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill” a migratory bird. A migratory bird is any species or family of birds that live, reproduce, or migrate within

or across international borders at some point during their annual life cycle. Currently, there are 836 migratory birds protected nationwide by the Migratory Bird Treaty Act, of which 58 are legal to hunt. The U.S. Court of Appeals for the 9th Circuit (with jurisdiction over California) has ruled that the MBTA does not prohibit incidental take (952 F 2d 297 – Court of Appeals, 9th Circuit 1991).

2.1.3 The Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act (Eagle Act) prohibits the taking or possession of and commerce in bald and golden eagles with limited exceptions. Under the Eagle Act, it is a violation to "*take, possess, sell, purchase, barter, offer to sell, transport, export or import, at any time or in any manner, any bald eagle commonly known as the American eagle, or golden eagle, alive or dead, or any part, nest, or egg, thereof.*" Take is defined to include pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, destroy, molest, and disturb. Disturb is further defined in 50 CFR Part 22.3 as "*to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.*"

2.2 STATE JURISDICTION

2.2.1 California Endangered Species Act

The State of California enacted the California Endangered Species Act (CESA) in 1984. CESA is similar to the FESA but pertains to State-listed endangered and threatened species. CESA requires state agencies to consult with the California Department of Fish and Wildlife (CDFW), when preparing CEQA documents. The purpose is to ensure that the State lead agency actions do not jeopardize the continued existence of a listed species or result in the destruction, or adverse modification of habitat essential to the continued existence of those species, if there are reasonable and prudent alternatives available (Fish and Game Code §2080). CESA directs agencies to consult with CDFW on projects or actions that could affect listed species. It also directs CDFW to determine whether jeopardy would occur and allows CDFW to identify "reasonable and prudent alternatives" to the project consistent with conserving the species. CESA allows CDFW to authorize exceptions to the State's prohibition against take of a listed species if the "take" of a listed species is incidental to carrying out an otherwise lawful project that has been approved under CEQA (Fish & Game Code § 2081).

2.2.2 California Code of Regulations Title 14 and California Fish and Game Code

The official listing of endangered and threatened animals and plants is contained in the California Code of Regulations Title 14 §670.5. A state candidate species is one that the California Fish and Game Code has formally noticed as being under review by CDFW to include in the state list pursuant to Sections 2074.2 and 2075.5 of the California Fish and Game Code.

Legal protection is also provided for wildlife species in California that are identified as "fully protected animals." These species are protected under Sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and 5515 (fish) of the California Fish and Game Code. These statutes prohibit take or possession of fully protected species at any time. CDFW is unable to authorize incidental take of fully protected species unless any such take authorization is issued in conjunction with the approval of a

Natural Community Conservation Plan that covers the fully protected species (California Fish and Game Code Section 2835).

2.2.3 California Environmental Quality Act

Under the California Environmental Quality Act of 1970 (Public Resources Code Section 21000 et seq.), lead agencies analyze whether projects would have a substantial adverse effect on a candidate, sensitive, or special-status species (Public Resources Code Section 21001(c)). These "special-status" species generally include those listed under FESA and CESA, and species that are not currently protected by statute or regulation, but would be considered rare, threatened, or endangered under the criteria included CEQA Guidelines Section 15380. Therefore, species that are considered rare are addressed under CEQA regardless of whether they are afforded protection through any other statute or regulation. The California Native Plant Society (CNPS) inventories the native flora of California and ranks species according to rarity; plants ranked as 1A, 1B, 2A, 2B, and 3 are generally considered special-status species under CEQA.[1]

Although threatened and endangered species are protected by specific federal and state statutes, CEQA Guidelines Section 15380(d) provides that a species not listed on the federal or state list of protected species may be considered rare if it can be shown to meet certain specified criteria. These criteria have been modeled after the definition in FESA and the section of the California Fish and Game Code dealing with rare or endangered plants and animals. Section 15380(d) allows a public agency to undertake a review to determine if a significant effect on species that have not yet been listed by either the USFWS or CDFW (i.e., candidate species) would occur.

2.2.4 Native Plant Protection Act

The Native Plant Protection Act (NPPA), enacted in 1977, allows the Fish and Game Commission to designate plants as rare or endangered. There are 64 species, subspecies, and varieties of plants protected under the NPPA. The NPPA prohibits take of endangered or rare native plants, with some exceptions for agricultural and nursery operations and emergencies. Vegetation removal from canals, roads, and other sites, changes in land use, and certain other situations require proper advance notification to CDFW.

2.3 JURISDICTIONAL WATERS

2.3.1 Federal Jurisdiction

Any person, firm, or agency planning to alter or work in "waters of the U.S.," including the discharge of dredged or fill material, must first obtain authorization from the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act (CWA; 33 USC 1344). Permits, licenses, variances, or similar authorization may also be required by other federal, state, and local statutes. Section 10 of the Rivers and Harbors Act prohibits the obstruction or alteration of navigable waters of the U.S. without a permit from USACE (33 USC 403).

[1] The California Rare Plant Rank system can be found at: < http://www.cnps.org/cnps/rareplants/ranking.php>

Waters of the U.S. generally consist of the following four categories of regulated waters:

- The territorial seas and traditional navigable waters;
- Tributaries to those waters;
- Certain lakes, ponds, and impoundments; and
- Wetlands adjacent to jurisdictional waters.

Features generally not considered waters of the U.S. include the following:

- Groundwater
- Diffuse stormwater run-off
- Manmade ditches constructed wholly in uplands
- Prior converted cropland (PCC)
- Artificially irrigated areas
- Artificial lakes and ponds
- Water-filled depressions incidental to mining or construction activity
- Stormwater control features
- Groundwater recharge, water reuse, and wastewater recycling structures
- Waste treatment systems

With non-tidal waters, in the absence of adjacent wetlands, the extent of USACE jurisdiction extends to the ordinary high water mark (OHWM) – the line on the shore established by fluctuations of water and indicated by a clear, natural line impressed on the bank, shelving, changes in soil character, destruction of terrestrial vegetation, or the presence of litter and debris. Wetlands are defined in 33 CFR Part 328 as:

> *"those areas that are inundated or saturated by surface or ground water at a frequency and duration to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions."*

Federal and state regulations pertaining to waters of the U.S., including wetlands, are discussed below.

Clean Water Act (33 USC 1251-1376). The CWA provides guidance for the restoration and maintenance of the chemical, physical, and biological integrity of the nation's waters.

Section 401 requires that an applicant for a federal license or permit that allows activities resulting in a discharge to waters of the U.S. must obtain a state certification that the discharge complies with other provisions of CWA. The Regional Water Quality Control Board (RWQCB) administers the certification program in California and may require State Water Quality Certification before other permits are issued.

Section 402 establishes a permitting system for the discharge of any pollutant (except dredged or fill material) into waters of the U.S.

Section 404 establishes a permit program administered by USACE that regulates the discharge of dredged or fill material into waters of the U.S. (including wetlands). Implementing regulations by USACE are found at 33 CFR Parts 320-332. The Section 404 (b)(1) Guidelines were developed by the USEPA in conjunction with USACE (40 CFR Part 230), allowing the discharge of dredged or fill material for non-water dependent uses into special aquatic sites only if there is no practicable alternative that would have less adverse impacts.

2.3.2 State Jurisdiction

Regional Water Quality Control Board

Any action requiring a CWA Section 404 permit, or a Rivers and Harbors Act Section 10 permit, must also obtain a CWA Section 401 Water Quality Certification. The State of California Water Quality Certification (WQC) Program was formally initiated by the State Water Resources Control Board (SWRCB) in 1990 under the requirements stipulated by Section 401 of the Federal CWA. Although the Clean Water Act is a Federal law, Section 401 of the CWA recognizes that states have the primary authority and responsibility for setting water quality standards. In California, under Section 401, the State and Regional Water Quality Control Boards are the authorities that certify that issuance of a federal license or permit does not violate California's water quality standards (i.e., that they do not violate Porter-Cologne and the Water Code). The WQC Program currently issues the WQC for discharges requiring USACE's permits for fill and dredge discharges within Waters of the United States, and now also implements the State's wetland protection and hydromodification regulation program under the Porter Cologne Water Quality Control Act.

On April 2, 2019, the SWRCB adopted a State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (Procedures), for inclusion in the forthcoming Water Quality Control Plan for Inland Surface Waters and Enclosed Bays and Estuaries and Ocean Waters of California. The Procedures consist of four major elements: 1) a wetland definition; 2) a framework for determining if a feature that meets the wetland definition is a water of the state; 3) wetland delineation procedures; and 4) procedures for the submittal, review, and approval of applications for Water Quality Certifications and Waste Discharge Requirements for dredge or fill activities. The Office of Administrative Law approved the Procedures on August 28, 2019, and the Procedures became effective May 28, 2020.

Under the Procedures and the State Water Code (Water Code §13050(e)), "Waters of the State" are defined as "any surface water or groundwater, including saline waters, within the boundaries of the state." Unless excluded by the Procedures, any activity that could result in discharge of dredged or fill material to Waters of the State, which includes Waters of the U.S. and non-federal Waters of the State, requires filing of an application under the Procedures.

The Porter-Cologne Water Quality Control Act (Porter-Cologne Act, Water Code Section 13000 et seq.) is California's statutory authority for the protection of water quality in conjunction with the federal CWA. The Porter-Cologne Act requires the SWRCB and RWQCBs under the CWA to adopt and periodically update water quality control plans, or basin plans. Basin plans are plans in which beneficial uses, water quality objectives, and implementation programs are established for each of the nine regions in California. The Porter-Cologne Act also requires dischargers of pollutants or dredged or fill material to notify the RWQCBs of such activities by filing Reports of Waste Discharge and authorizes the SWRCB and RWQCBs to issue and enforce waste discharge requirements, National Pollution Discharge Elimination System (NPDES) permits, Section 401 water quality certifications, or other approvals.

California Department of Fish and Wildlife

The CDFW is a trustee agency that has jurisdiction under Section 1600 et seq. of the California Fish and Game Code. Under Sections 1602 and 1603, a private party must notify CDFW if a proposed project will "*substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any*

river, stream, or lake designated by the department, or use any material from the streambeds…except when the department has been notified pursuant to Section 1601." Additionally, CDFW asserts jurisdiction over native riparian habitat adjacent to aquatic features, including native trees over four inches in diameter at breast height (DBH). If an existing fish or wildlife resource may be substantially adversely affected by the activity, CDFW may propose reasonable measures that will allow protection of those resources. If these measures are agreeable to the parties involved, they may enter into an agreement with CDFW identifying the approved activities and associated mitigation measures. Generally, CDFW recommends submitting an application for a Streambed Alteration Agreement (SAA) for any work done within the lateral limit of water flow or the edge of riparian vegetation, whichever is greater.

2.4 CEQA SIGNIFICANCE

Section 15064.7 of the State CEQA Guidelines encourages local agencies to develop and publish the thresholds that the agency uses in determining the significance of environmental effects caused by projects under its review. However, agencies may also rely upon the guidance provided by the expanded Initial Study Checklist contained in Appendix G of the State CEQA Guidelines. Appendix G provides examples of impacts that would normally be considered significant. Based on these examples, impacts to biological resources would normally be considered significant if the project would:

- 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 CDFW or USFWS;

- 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 CDFW or USFWS;

- Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;

- 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;

- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; and

- Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan.

An evaluation of whether or not an impact on biological resources would be substantial must consider both the resource itself and how that resource fits into a regional or local context. Substantial impacts would be those that would diminish, or result in the loss of, an important biological resource, or those that would obviously conflict with local, State, or federal resource conservation plans, goals, or regulations. Impacts are sometimes locally important but not significant according to CEQA. The reason for this is that although the impacts would result in an adverse alteration of existing conditions, they

would not substantially diminish, or result in the permanent loss of, an important resource on a population-wide or region-wide basis.

2.4.1 California Native Plant Society

The CNPS maintains a rank of plant species native to California that have low population numbers, limited distribution, or are otherwise threatened with extinction. This information is published in the *Inventory of Rare and Endangered Vascular Plants of California*. Potential impacts to populations of CNPS-ranked plants receive consideration under CEQA review. The following identifies the definitions of the CNPS Rare Plant Ranking System:

Rank 1A: Plants presumed Extinct in California and either rare or extinct elsewhere

Rank 1B: Plants Rare, Threatened, or Endangered in California and elsewhere

Rank 2A: Plants presumed extirpated in California but common elsewhere

Rank 2B: Plants Rare, Threatened, or Endangered in California, but more common elsewhere

Rank 3: Plants about which we need more information – A Review List

Rank 4: Plants of limited distribution – A Watch List

All plants appearing on CNPS Rank 1 or 2 are considered to meet CEQA Guidelines Section 15380 criteria. While only some of the plants ranked 3 and 4 meet the definitions of threatened or endangered species, the CNPS recommends that all Rank 3 and Rank 4 plants be evaluated for consideration under CEQA. Furthermore, the CNPS Rare Plant Rankings include levels of threat for each species. These threat ranks include the following:

0.1 - Seriously threatened in California (over 80% of occurrences threatened/high degree and immediacy of threat);

0.2 - Moderately threatened in California (20-80% occurrences threatened/moderate degree and immediacy of threat); and

0.3 - Not very threatened in California (less than 20% of occurrences threatened/low degree and immediacy of threat or no current threats known).

Threat ranks do not designate a change of environmental protections, so that each species (i.e., CRPR 1B.1, CRPR 1B.2, CRPR 1B.3, etc.) be fully considered during preparation of environmental documents under CEQA.

2.4.2 California Department of Fish and Wildlife Species of Concern

Some additional invertebrate, fish, amphibian, reptile, bird, and mammal species may receive consideration by CDFW and lead agencies during the CEQA process, in addition to species that are formally listed under FESA and CESA or are fully protected. These species are included on the *Special Animals List*, which is maintained by CDFW. This list tracks species in California whose numbers, reproductive success, or habitat may be in decline. In addition to "Species of Special Concern" (SSC), the *Special Animals List* includes species that are tracked in the California Natural Diversity Database (CNDDB) but warrant no legal protection. These species are identified as "California Special Animals" (CSA).

2.5 COUNTY OF EL DORADO POLICIES AND REGULATIONS

2.5.1 General Plan

In addition to federal and State regulations described above, the *El Dorado County Adopted General Plan* (General Plan) includes goals, objectives, and policies regarding biological resources within the County limits (El Dorado County 2018). Applicable sections of the General Plan are included in Appendix A.

2.5.2 Oak Resources Management Plan

The County of El Dorado (County) adopted the El Dorado County Oak Resources Management Plan (ORMP) on October 24, 2017 and it went into effect on November 23, 2017 (El Dorado County 2017). The ORMP designates three classes of protected oak resources: oak woodlands that have at least 10 percent oak canopy; Heritage trees, defined as native oaks with a total trunk DBH of 36 inches or greater; and individual oak trees, defined as native oak trees with a trunk DBH of 6 inches or greater that are not located in oak woodlands. An oak woodland removal permit is required prior to removal of oak trees that are part of an oak woodland and an oak tree removal permit is required prior to removal of Heritage trees and individual oak trees. Mitigation for impacts to oak woodlands is based on the total area impacted ranging from 1:1 mitigation for zero to 50 percent removal to 2:1 mitigation for more than 75 percent removal. Mitigation may be completed with a combination of the following options: acquisition of an off-site conservation easement, payment of in-lieu fees, or either on- or off-site replacement planting of up to 50 percent of the required mitigation area. Mitigation for removal of Heritage or individual oak trees requires on- or off-site replacement planting or payment of in-lieu fees at a 3:1 or 1:1 ratio, respectively, to the number of trunk inches removed. Any oak woodland preserved on-site and all mitigation planting areas must be protected in perpetuity through deed restrictions or a conservation easement.

3.0 METHODOLOGY

Biological studies consisted of a special-status species evaluation that included a desktop review and database searches to identify known biological resources in the Study Area and vicinity as well as biological field surveys.

3.1 SPECIAL-STATUS SPECIES EVALUATION

For the purposes of this report, special-status species are those that fall into one or more of the following categories, including those:

- Listed as endangered or threatened under the FESA (including candidates and species proposed for listing);
- Listed as endangered or threatened under the CESA (including candidates and species proposed for listing);
- Designated as rare, protected, or fully protected pursuant to California Fish and Game Code;
- Designated as an SSC by the CDFW;

- Considered by CDFW to be a Watch List species with potential to become an SSC;
- Defined as rare or endangered under Section 15380 of CEQA; or
- Having a California Rare Plant Rank (CRPR) of 1A, 1B, 2A, 2B, or 3.

In order to evaluate special-status species and/or their habitats with the potential to occur in the Study Area and/or be impacted by the proposed project, HELIX obtained lists of regionally occurring special-status species from the following information sources:

- California Department of Fish and Wildlife (CDFW). 2022. California Natural Diversity Data Base (CNDDB); For: *Tunnel Hill, Devil Peak, Robbs Peak, Slate Mountain, Pollock Pines, Riverton, Camino, Sly Park, and Old Iron Mountain* U.S. Geological Survey (USGS) 7.5-minute series quadrangles. [Accessed on January 24, 2022];
- California Native Plant Society (CNPS). 2022. Inventory of Rare and Endangered Plants (online edition, v8-03 0.39) For *Tunnel Hill, Devil Peak, Robbs Peak, Slate Mountain, Pollock Pines, Riverton, Camino, Sly Park, and Old Iron Mountain* U.S. Geological Survey (USGS) 7.5-minute series quadrangles). [Accessed on January 24, 2022]; and
- U.S. Fish and Wildlife Service (USFWS). 2022. *Information for Planning and Consultation* (IPaC) *Forebay Park Improvements Project, El Dorado County, California*. [Accessed on January 24, 2022].

Appendix B includes an evaluation of the potential for these species to occur in the Study Area. HELIX also reviewed the following sources for information on-site conditions pertinent to biological resources:

- U.S. Geological Survey (USGS). 2022. *Pollock Pines, California*. 7.5-minute series topographic quadrangle. United States Department of Interior; and
- U.S. Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS). 2022. *Web Soil Survey*. Available at: http://websoilsurvey.sc.egov.usda.gov. Accessed [January 24, 2022] (NRCS 2022).

3.2 BIOLOGICAL SURVEYS

Biological surveys at the site consisted of a biological reconnaissance survey by HELIX Biologist Greg Davis on January 25, 2022, an oak tree survey by HELIX International Society of Arboriculture (ISA) certified arborist Marisa Brilts (#WE-13338A) on February 17, 2022, and a focused botanical survey by HELIX Biologist Greg Davis on June 15, 2022.

3.2.1 Biological Reconnaissance Survey

A biological reconnaissance survey was conducted by HELIX Biologist Greg Davis on January 25, 2022. The Study Area was systematically surveyed on foot to ensure total search coverage, with special attention given to portions of the Study Area with the potential to support special-status species and sensitive habitats. Binoculars were used to further extend site coverage and identify species observed. All plant and animal species observed on-site during the surveys were recorded (Appendix C), and all

biological communities occurring on-site were characterized. All resources of interest were mapped with Global Positioning System (GPS)-capable tablets equipped with GPS receivers running ESRI Collector for ArcGIS version 10.6.1 software. Following the field survey, the potential for each species identified in the database query to occur within the Study Area was determined based on the site survey, soils, habitats present within the Study Area, and species-specific information, as shown in Appendix B.

3.2.2 Oak Tree Survey

The oak tree survey was conducted by ISA certified arborist Marisa Brilts (WE-13338A) on February 21, 2022. The following data were collected for all oak trees with a DBH of six inches or greater on the site: species, trunk diameter at 4.5-feet above the ground (DBH), dripline radius, estimated height, and overall health and structure of the tree. Comments such as number of trunks, irregularities, scars or other growth characteristics or vigor indicators were recorded for each tree. The location of each tree was recorded using a Juniper Geode Global Navigation Satellite System receiver with sub-meter accuracy. Trees on the site were identified in the field with pre-printed numbered tags. The results of the tree survey are summarized in Section 5.1.1.

3.2.3 Focused Botanical Survey

A focused botanical survey was conducted on June 15, 2022 by HELIX Biologist Greg Davis for Pleasant Valley mariposa lily (*Calochortus clavatus* var. *avius*) and Stebbins' phacelia (*Phacelia stebbinsii*). The survey was conducted according to CNPS botanical survey guidelines (https://cnps.org/wp-content/uploads/2018/03/cnps_survey_guidelines.pdf) and CDFW *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* (CDFW 2018). The entire site was surveyed, and all plant species were identified to the taxonomic level necessary to determine whether they were special-status species.

4.0 RESULTS: ENVIRONMENTAL SETTING

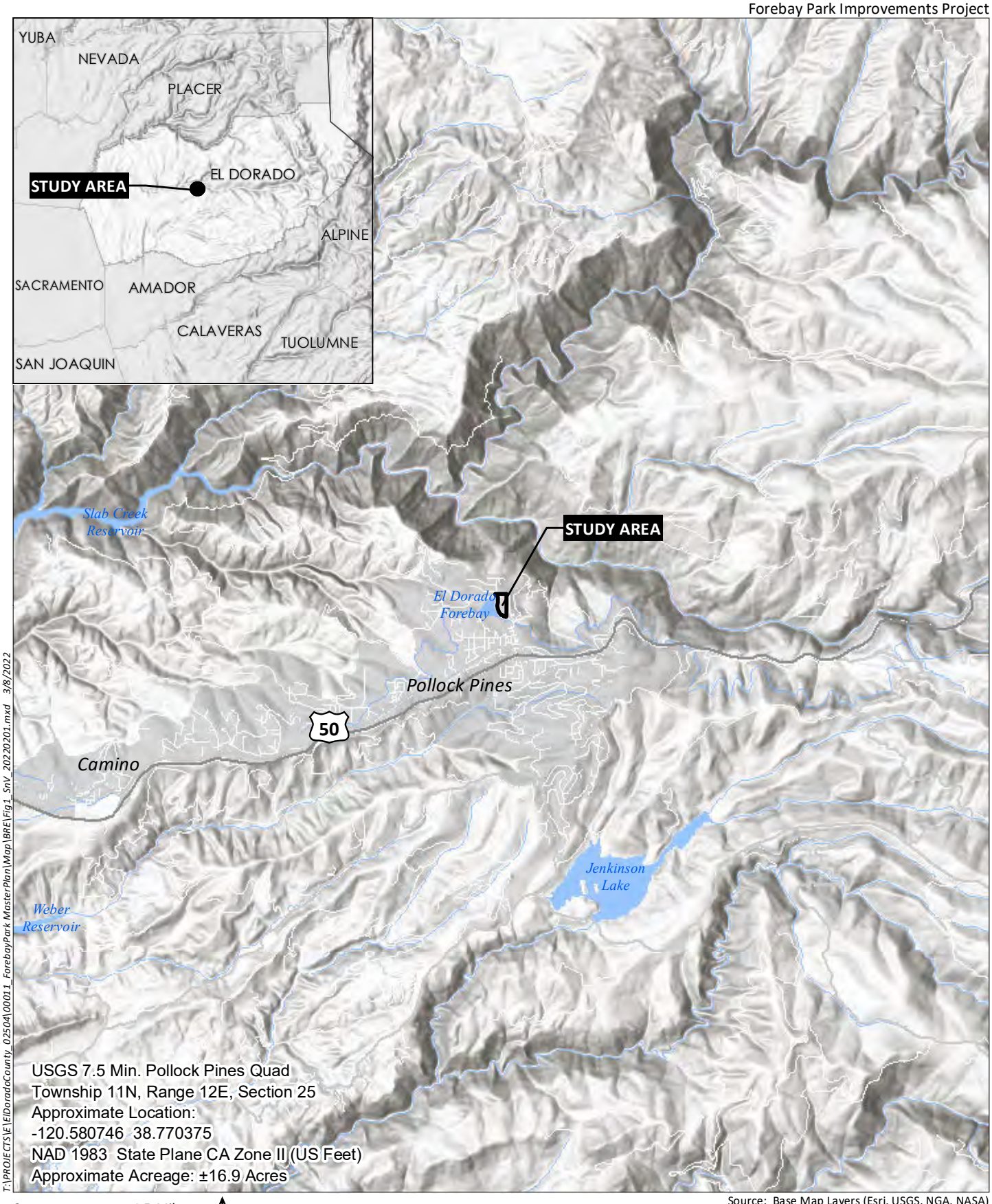
4.1 SITE LOCATION AND DESCRIPTION

The ±16.90-acre Study Area is located in the in the unincorporated community of Pollock Pines in El Dorado County, California (Figure 1, *Vicinity Map*). The Study Area is bordered by Forebay Road/Forebay Reservoir to the west and rural residential development to the north/east/south. The Study Area is located within Township 11 North, Range 12 East, Section 25 of the USGS 7.5-minute series *Pollock Pines, California* quadrangle (Figure 2, *Topographic Map*). The approximate location of the Study Area is 38.770375° Latitude, and -120.580746° Longitude (Figure 1). An aerial of the Study Area is provided in Figure 3, *Aerial Map.*

4.2 PHYSICAL FEATURES

4.2.1 Topography and Drainage

The general topography of the Study Area is mild, with elevations ranging from approximately 3,860 feet (1,177 meters) above mean sea level (MSL) in the northeastern corner to approximately 3,815 feet (1,162 meters) above MSL in the southwestern portion of the Study Area. The Study Area is located in the South Fork American River watershed, USGS Hydrologic Unit Code (HUC) 18020129. The Study Area



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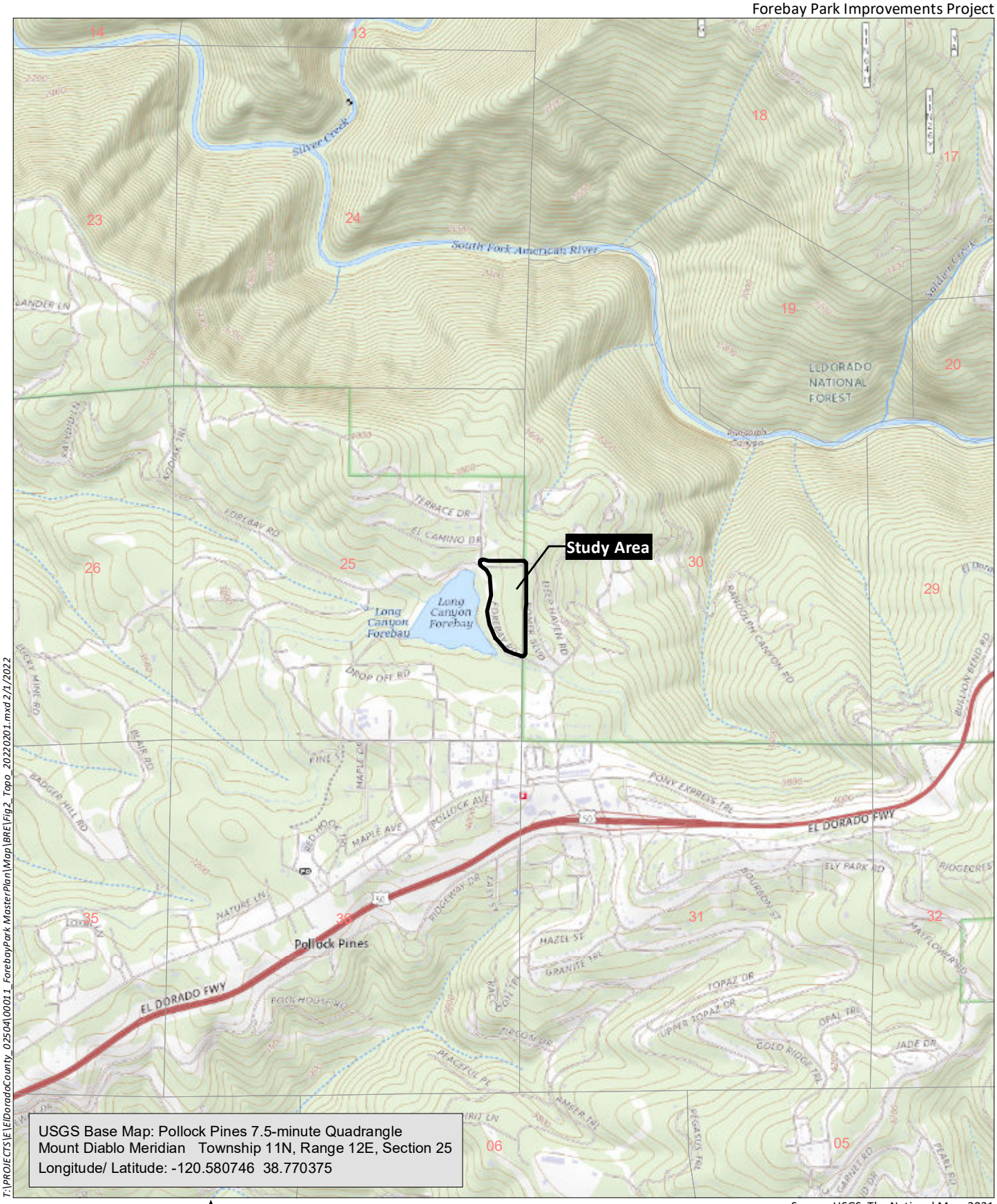
Vicinity Map

Figure 1



USGS Base Map: Pollock Pines 7.5-minute Quadrangle
Mount Diablo Meridian Township 11N, Range 12E, Section 25
Longitude/ Latitude: -120.580746 38.770375

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0 2,000 Feet

Source: USGS, The National Map, 2021

HELIX Environmental Planning

Topographic Map

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0 200 Feet

Source: Aerial (DigitalGlobe, 1/30/2020)

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Aerial Map

is situated along a ridge/saddle and no aquatic resources were observed. Forebay Reservoir (Long Canyon Forebay) is located approximately 100 feet west of the Study Area, on El Dorado Irrigation District (EID) property. The hydrological regime on-site is direct seasonal precipitation, snowfall/melt, and stormwater run-off from the surrounding upland landscape.

4.2.2 Soils

The Natural Resources Conservation Service has mapped one soil unit within the Study Area (Figure 4, *Soils Map*): McCarthy cobbly loam, 9 to 50 percent slopes. The general characteristics and properties associated with this soil type are described below.

(MhE) McCarthy cobbly loam, 9 to 50 percent slopes: This soil type is found along ridges and hillslopes and is derived from andesitic volcanic residuum weathered from conglomerate parent material. A typical soil profile for this map unit is cobbly loam from 0 to 10 inches, very cobbly loam from 10 to 38 inches, and weathered bedrock from 38 to 42 inches. This site is well drained and falls in the Mesic Mountains >40 inches precipitation ecological interpretive group. Minor components of this soil map unit include the Iron Mountain and Cohasset soil series. This soil type occurs throughout the entire Study Area.

4.3 BIOLOGICAL COMMUNITIES

Two biological communities including, developed/disturbed and Sierran mixed conifer occur within the Study Area (Figure 5, *Habitat Map*). These communities are described in more detail below. A comprehensive list of all plant species observed within the Study Area is provided in Appendix C. Representative photographs are included in Appendix D.

4.3.1 Developed/Disturbed

A total of 9.06 acres of developed/disturbed habitat was observed within the majority of the Study Area (Figure 5). The developed/disturbed habitat consists of paved and dirt roads, parking areas, a baseball field, batting cages, sheds/buildings, and horseshoe pits associated with the existing park facility. At the time of the survey, this community had patches of snow on the ground within the Study Area and no dominant herbaceous vegetation was observed, however conifer and hardwood tree species were scattered throughout (see tree species specified below in Section 4.3.2).

4.3.2 Montane Hardwood Conifer

A total of 1.76 acres of montane hardwood conifer habitat was observed in the southern portion of the Study Area (Figure 5). Dominant overstory vegetation was composed of black oak (*Quercus kelloggii*), Douglas fir (*Pseudotsuga menziesii*), and ponderosa pine (*Pinus ponderosa*). This community represents dense groves of black oak that are composed of 10 percent, and greater, canopy cover.

4.3.3 Sierran Mixed Conifer

A total of 6.05 acres of Sierran mixed conifer habitat was observed primarily in the western and southern portions of the Study Area (Figure 5). Dominant overstory vegetation was composed of coniferous tree species and included incense cedar (*Calocedrus decurrens*), ponderosa pine, Douglas fir (*Pseudotsuga menziesii*), and white fir (*Abies concolor*). Non-dominant, hardwood tree species observed

within the Study Area included black oak, tanoak (*Notholithocarpus densiflorus*), and pacific madrone (*Arbutus menziesii*). The understory within this community was relatively sparse, but included species such as Sierran mountain misery (*Chamaebatia foliolosa*), Himalayan blackberry (*Rubus armeniacus*), and white leaf manzanita (*Arctostaphylos viscida* ssp. *viscida*).

5.0 DISCUSSION: EVALUATION OF BIOLOGICAL RESOURCES

5.1 SENSITIVE HABITATS

Sensitive habitats include those that are of special concern to resource agencies or those that are protected under CEQA. Riparian areas are regulated under Section 1600 of the California Fish and Game Code, wetlands and other waters of the U.S. are regulated under Sections 401 and 404 of the Clean Water Act, however aquatic resources and riparian habitat were not observed within the Study Area. Oak trees and oak woodland habitat are protected under the specific policies outlined in the El Dorado County Oak Resources Management Plan.

5.1.1 Oak Trees and Oak Woodland

A total of 75 protected oak trees and 1.76 acres of montane hardwood conifer habitat, which has a canopy composed of at least 10 percent of oak species, were mapped within the Study Area (Appendix E; Figures 5 and 6). Since the project plan has not yet been finalized, impacts to oak resources will be assessed upon determination of a final design. As discussed in Section 2.5, if a project will result in impacts to individual oak trees or oak woodland habitat, then the County would require mitigation for impacts to oak resources or regulated oak trees under the ORMP.

5.1.2 Wildlife Migration Corridors

Wildlife corridors link areas of suitable wildlife habitat that are otherwise separated by rugged terrain, changes in vegetation, or human disturbance. The fragmentation of open space areas by development creates isolated “islands” of wildlife habitat. Fragmentation can also occur when a portion of one or more habitats is converted into another habitat; for instance, when woodland or scrub habitat is altered or converted into grasslands after a disturbance such as fire, mudslide, or grading activities. Wildlife corridors mitigate the effects of this fragmentation by: (1) allowing animals to move between remaining habitats, thereby permitting depleted populations to be replenished and promoting genetic exchange; (2) providing escape routes from fire, predators, and human disturbances, thus reducing the risk of catastrophic events (such as fire or disease) on population or local species extinction; and (3) serving as travel routes for individual animals as they move within their home ranges in search of food, water, mates, and other needs.

During the biological survey, a majority of the site was observed to lack perimeter fencing. Perimeter fencing was observed to the north and east of the Study Area along the existing residences. While the interior of the Study Area appears to be utilized by wildlife, the Study Area does not impede movement from the surrounding landscape. The proposed project development is not anticipated to create barriers that would hinder wildlife movement more than current fencing conditions. Therefore, the proposed project would not create any new barriers to wildlife movements.

Source: NRCS, 2022; Aerial (DigitalGlobe, 1/30/2020)

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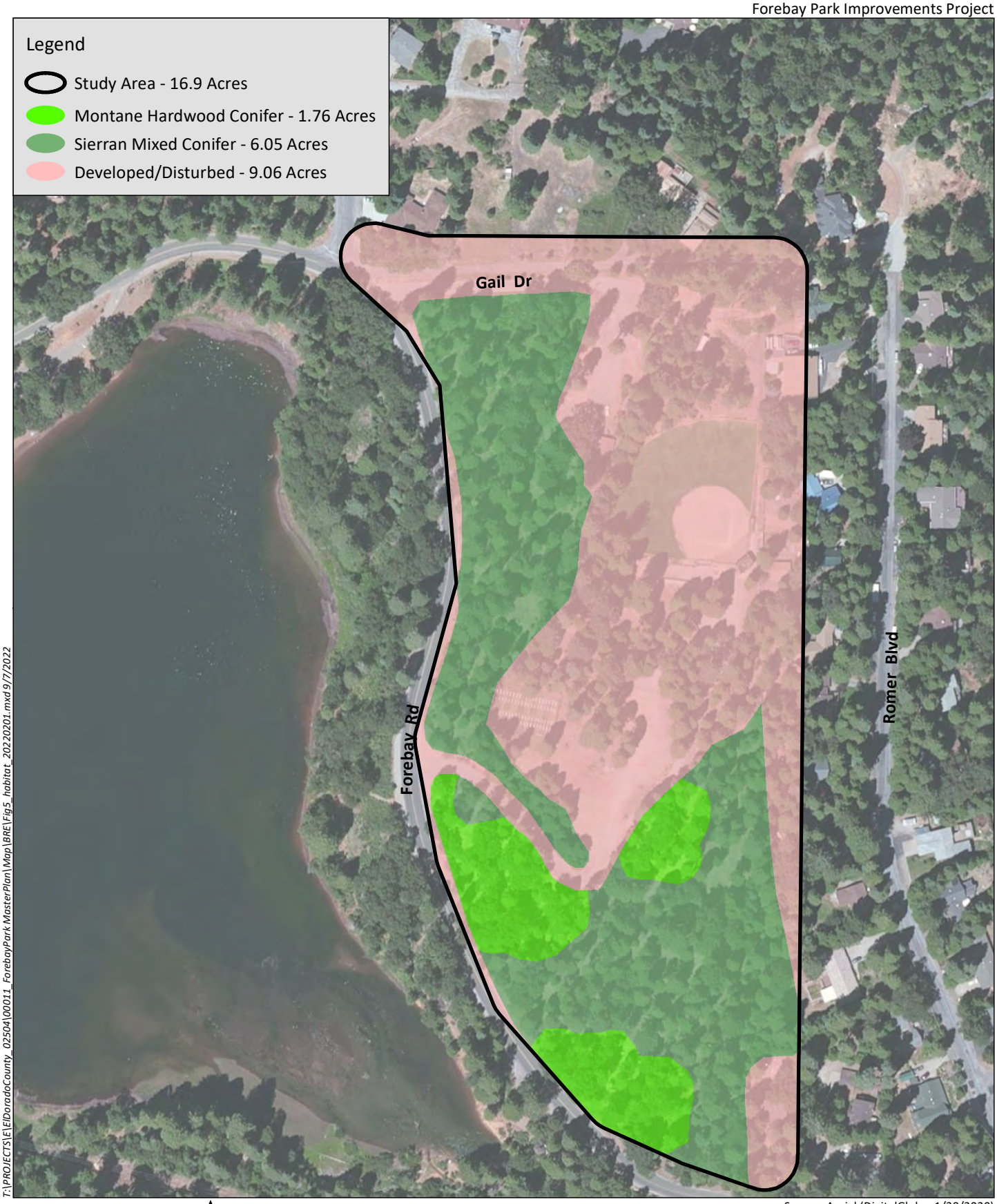
Soils Map



Source: Aerial (DigitalGlobe, 1/30/2020)

HELIX Environmental Planning

Habitat Map

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Source: Aerial Imagery (DigitalGlobe, 1/31/2020)

HELIX Environmental Planning

Approximate Oak Tree Location Map

5.1.3 Important Biological Corridors

The *El Dorado County General Plan* identifies a number of Important Biological Corridors (IBC). The Study Area is not located within an IBC. The proposed project will not cause a significant reduction in the ecological functions or current ability to facilitate wildlife movement, as a result of minimal structures developed within a small portion of the Study Area.

5.2 SPECIAL-STATUS SPECIES

5.2.1 Special-Status Plants

According to the database query, a total of 16 special-status plants have the potential to occur in the project region. However, based on the literature review, published information, soil types present in the Study Area, and the habitats present in the Study Area, two special-status plant species including Pleasant Valley mariposa lily (*Calochortus clavatus* var. *avius*) and Stebbins' phacelia (*Phacelia stebbinsii*) were determined to have the potential to occur within the Study Area (see Appendix B). These special-status plant species were not observed during the June 15, 2022 focused botanical survey and are presumed to be absent from the site, however, both species are further described below.

5.2.1.1 Pleasant Valley Mariposa Lily

Pleasant Valley mariposa lily is ranked as a CNPS 1B species, which indicates that this species is rare, threatened, or endangered in California and elsewhere. This species is not a federal or state-listed plant species. It is a perennial, bulbiferous herb found on Josephine silt loam and volcanic soils in lower montane coniferous forest from 305 to 1,800 meters above MSL. The identification period for this species is from May through July.

There are volcanic soils mapped within the Study Area and much of the Study Area is composed of mixed coniferous tree species. Additionally, there are several documented occurrences of this species within two miles of the Study Area (CDFW 2022). This species was not observed during the June 15, 2022 focused botanical survey and is presumed to be absent from the site

5.2.1.2 Stebbins' Phacelia

Stebbins' phacelia is ranked as a CNPS 1B species but is not a federal or State-listed plant species. It is an annual herb found in cismontane woodland, lower montane coniferous forest, and meadow/seeps habitats from 610 to 2,010 meters above MSL. The identification period for this species is from May through July.

The Sierran mixed conifer community within the Study Area provides suitable habitat for this species. Additionally, there are two documented occurrences of this species within 2.5 miles of the Study Area, with the most recent being from 2015 (CDFW 2022). This species was not observed during the June 15, 2022 focused botanical survey and is presumed to be absent from the site

5.2.2 Listed and Special-Status Wildlife

According to the database queries, a total of 14 listed and/or special-status wildlife species have the potential to occur in the project region. Based on field observations, published information, and

literature review, California red-legged frog (*Rana dratonii*), western pond turtle (*Emys marmorata*), northern goshawk (*Accipiter gentilis*), and bald eagle (*Haliaeetus leucocephalus*), are special-status wildlife species that have the potential to occur within the Study Area. These species are discussed in more detail below. No other special-status wildlife species have the potential to occur in the Study Area. In addition to these special-status wildlife species, other migratory birds and raptors protected under federal and state laws/policies also have potential to occur within the Study Area. Species that were determined to have no potential to occur in the Study Area or be impacted by the proposed project (see Appendix B) are not discussed further in this document.

5.2.2.1 California Red-Legged Frog

Within its range, CRLF occupies a distinct habitat of both aquatic and terrestrial components that consist of aquatic breeding and non-breeding areas embedded within a matrix of habitats used for dispersal, or refugia. Breeding and non-breeding aquatic habitat consists of low-gradient freshwater bodies, including ponds, marshes, sag ponds, dune ponds, stock ponds, lagoons, seeps, springs, and backwaters within streams and creeks. This species does not inhabit water bodies that exceed 70 degrees Fahrenheit if there are no cool, deep portions (USFWS 2002). Important characteristics of aquatic breeding habitat include still or slow-moving fresh water (with salinities of less than 7.0 parts per thousand) deeper than 2.3 feet (0.7 meter) with dense, shrubby emergent or overhanging vegetation that provides egg deposition sites and cover for adult frogs (Jennings and Hayes 1994; USFWS 2002) and that persists for a minimum of 20 weeks following the breeding season to allow tadpoles to mature (USFWS 2010). The breeding season typically occurs from November through April (USFWS 2002) and is likely influenced by local precipitation and ambient temperature. Females typically lay eggs between December and early April. Tadpoles typically metamorphose in 11 to 20 weeks, from July to September, but may overwinter in some sites. The largest populations of CRLF are associated with deep-water pools with dense stands of overhanging willows (Salix spp.) intermixed with cattails. Adults feed primarily on aquatic and terrestrial invertebrates, but may feed on tadpoles, smaller frogs, small mammals, and fish. Juvenile frogs are active diurnally and nocturnally, and adult frogs are largely nocturnal (USFWS 2002).

CRLF are generally found in or near water but may disperse into uplands during the wet season to migrate to breeding habitat or for foraging, or in response to receding water during the driest time of the year. Well-vegetated terrestrial areas within a riparian corridor may provide important sheltering habitat when temperatures are cold in the winter or when water is unavailable during dry periods. CRLF spend considerable time resting and foraging in riparian vegetation when it is present (USFWS 2002). The use of the adjacent riparian corridor during summer is most often associated with drying of creeks in mid- to late-summer (Rathbun in litt., 1994 in USFWS 1996). During dry periods, CRLF remain close to water and often disperse upstream or downstream from their breeding habitat to forage or seek aestivation sites if water is not available (USFWS 2002). This habitat may include shelter under boulders, rocks, logs, industrial debris, agricultural drains, water troughs, small mammal burrows, incised stream channels, or areas with moist leaf litter (Jennings and Hayes 1994; USFWS 2002). Most CRLF do not disperse farther than the nearest suitable cold-shelter or aestivation habitat. CRLF have been found up to 200 feet from water in adjacent dense riparian vegetation (USFWS 2010).

There is one CNDDB record for this species within five miles of the Study Area (CDFW 2022). The Study Area does not provide suitable aquatic habitat; however, Forebay Reservoir, located approximately 100 feet west of the Study Area may provide marginal aquatic habitat for this species. This species was not observed within the Study Area during the biological survey. Forebay Reservoir was observed to generally lack riparian and/or emergent vegetation along its shoreline and is known to host rainbow

trout, a known predator of CRLF. Given this information, there is a low potential for this species to utilize the reservoir, however CRLF cannot be completely ruled out due to there being documented occurrences nearby and marginal aquatic habitat present. Since this species has the potential to occur in Forebay Reservoir, it could also utilize the Sierran mixed conifer community within the Study Area as upland habitat for foraging, dispersal, and aestivation.

5.2.2.2 Western Pond Turtle

Western pond turtle is classified as a California Species of Special Concern. This species is typically found along quiet streams and ponds with basking sites and muddy bottoms, feeding on aquatic plants, fishes, and invertebrates (Zeiner et al. 1988-1990; Rosenberg et al. 2009). They are generally associated with permanent or nearly permanent water sources (CDFW 2022) and prefer areas of deep water with low velocity and high temperatures (Reese and Hartwell 1997a). Upland habitats adjacent to creeks and ponds are used throughout the year for nesting and overwintering. Turtles may also overwinter within a pond by burrowing into the mud on the pond bottom (Riensche et al. 2013). Although studies have shown that the typical terrestrial use area can extend up to 500 meters from the edge of the aquatic habitat, the weighted average of recorded terrestrial use is 94 meters, or approximately 300 feet. Western pond turtles prefer to overwinter in areas with moderate woody vegetation and leaf litter, and are unlikely to use annual grasslands (Reese and Hartwell 1997b; Davis 1998; Pilliod et al. 2013; Rathbun et al. 2002). Eggs are laid between May and August and hatch in approximately 80 days. Hatchlings often stay in or around the nest through the winter. Nests are generally found within 100 feet (30 meters) of water in areas with little vegetative cover and good sun exposure (Rathbun et al. 2002). Little is known about dispersal patterns of western pond turtles, but genetic analysis shows most movement is along drainages (Riensche et al. 2013).

There is one documented CNDDB record for this species within five miles of the Study Area (CDFW 2022). The Study Area does not provide suitable aquatic habitat; however, Forebay Reservoir, located approximately 100 feet west of the Study Area may provide potential aquatic habitat for this species. Therefore, if this species occurs in Forebay Reservoir, then the Sierran mixed conifer habitat provides suitable upland habitat for this species. This species was not observed within the Study Area during the biological survey. Due to the presence of suitable upland habitat, close proximity to Forebay Reservoir, but no documented occurrences within Forebay Reservoir, this species was determined to have a low potential to occur within the Study Area.

5.2.2.3 Northern Goshawk

Northern goshawk is classified as a California Species of Special Concern. This species nests and forages in mature and old-growth forest stands in a broad range of conifer and coniferous hardwood types, including Pacific Ponderosa, Jeffrey and lodgepole pine, mixed conifer, firs, and pinyon-juniper with relatively dense canopies. It may also forage in meadow edges and open sagebrush. The nesting and fledgling period is typically between March 1 and August 15 (Woodbridge and Hargis 2006).

The nearest CNDDB record for this species is approximately eight miles northwest of the Study Area (CDFW 2022). The species was not observed on-site during the biological surveys. The trees within the Sierran mixed conifer community provide foraging and nesting habitat for this species within the Study Area. Therefore, this species has the potential to occur within the Study Area.

5.2.2.4 Bald Eagle

Bald eagles breed in the northern parts of the U.S. and into Canada and move south across the U.S. in the winter. Breeding habitat most commonly includes areas within 2.5 miles (4.0 kilometers) of coastal areas, bays, rivers, lakes, and reservoirs. Nests usually occur in tall trees (including pine, cottonwood, willow, sycamore, and oak) or on pinnacles or cliffs near water. In winter, bald eagles may associate with waterfowl concentrations or congregate in areas with abundant dead fish or other food resources. Wintering areas are commonly associated with open water though in some regions (e.g., Great Basin) some bald eagles use habitats with little or no open water (e.g., montane areas) if upland food resources (e.g., rabbit or deer carrion, livestock afterbirths) are readily available. Wintering eagles tend to avoid areas with high levels of nearby human activity (boat traffic, pedestrians) and development (buildings). Winter roost sites vary in their proximity to food resources (up to 33 km) and may be determined to some extent by a preference for a warmer microclimate at these sites. Communal night roosts often are in trees that are used in successive years (Nature Serve 2022).

The nearest CNDDB record for this species is approximately 12 miles northeast of the Study Area (CDFW 2022). The species was not observed on-site during the biological surveys. The trees within the Sierran mixed conifer community provide potential nesting habitat and Forebay Reservoir immediately to the west of the Study Area provides potential foraging habitat for this species. Therefore, this species has the potential to occur within the Study Area.

5.2.2.5 Nesting Migratory Birds and Raptors

The Study Area and immediate vicinity provides nesting and foraging habitat for a variety of nesting migratory birds and common raptors such as spotted towhee (*Pipilo maculatus*), mountain chickadee (*Poecile gameli*), and acorn woodpecker (*Melanerpes formicivorus*). Active nests were not observed during surveys; however, a variety of birds have the potential to nest in and adjacent to the Study Area, in trees, shrubs and on the ground in vegetation.

Project activities such as clearing and grubbing that occur during the avian breeding season (February 1 through August 31) could result in injury or mortality of eggs and chicks directly through destruction or indirectly through forced nest abandonment due to noise and other disturbance.

6.0 CONCLUSIONS AND RECOMMENDATIONS

The 16.90-acre Study Area is comprised of developed/disturbed land (9.06 acres) and Sierran mixed conifer habitat (6.05 acres). No special-status plants or special-status wildlife were observed within the Study Area during the biological survey; however, special-status plants and wildlife species may occur within the Study Area. Recommendations, including avoidance and minimization measures to limit or avoid impacts to special-status plants and wildlife species that may occur are included in Section 6.1.

Known or potential biological constraints in the Study Area include:

- Potential upland habitat for California red-legged frog and western pond turtle;
- Potential foraging and nesting habitat for special-status and migratory bird species, including northern goshawk and bald eagle; and

- Protected oak trees and oak woodland regulated by El Dorado County. Oak woodland that contains at least 10 percent oak canopy is represented by the montane hardwood conifer habitat within the Study Area.

6.1 RECOMMENDATIONS

6.1.1 California Red-Legged Frog and Western Pond Turtle

California red-legged frog and western pond turtle have the potential to occur within the Study Area given they are known to occur within the vicinity and the presence of suitable aquatic habitat nearby (i.e., Forebay Reservoir), and suitable upland habitat within the Sierran mixed conifer community. Therefore, it is recommended that a pre-construction survey for California red-legged frog and western pond turtle be conducted for any construction activity occurring within the Sierran mixed conifer community. Special attention will be given for potential CRLF aestivation sites which may include the use of digital scopes to inspect burrows for CRLF adults within the Sierran mixed conifer community. If no CRLF or western pond turtles are observed, then a letter report documenting the results of the survey should be provided to the project proponent for their records, and no additional measures are recommended. If construction does not commence within 14 days of the pre-construction survey, or halts for more than 14 days, a new survey is recommended.

If CRLF and/or western pond turtles are found and will be potentially impacted by project construction, coordination with the appropriate wildlife agencies will necessary. Presence of these species may require preparation of an agency approved avoidance/relocation plan prior to the initiation of construction. Additional avoidance measures may include erecting exclusion fencing around the work area to preclude these species from entering the construction footprint, having a qualified and agency-approved biologist conduct a pre-construction survey within 24 hours prior to commencement of construction activities for purposes of moving individuals out of the construction footprint into agency approved relocation areas, and performing a WEAP training for all construction workers.

6.1.2 Special-Status and Nesting Migratory Birds and Raptors

Special-status birds, migratory birds, and raptors, including northern goshawk, including northern goshawk and bald eagle, have the potential to forage and bald eagle, have the potential to forage and nest within the Study Area. No active avian nests were observed at the time of the field survey, but the Study Area has the potential to support nesting birds within various trees and shrubs, bare ground, and human-made structures. Active nests and nesting birds are protected by the CDFG Code Sections 3500, 3503.5, and 3513 and the MBTA. Ground-disturbing and other development activities including grading, vegetation clearing, or tree removal, could impact nesting birds if these activities occur during the nesting season (generally February 1 to August 31). To avoid impacts to nesting birds, all vegetation removal should be completed between September 1 and January 31, if feasible.

If development activities occur during the nesting season, a qualified biologist should conduct a nesting bird survey within the project footprint to determine the presence of any active nests that may be impacted by construction activities. Additionally, the surrounding 500 feet of the project footprint should be surveyed for active raptor nests, where accessible, and with binoculars, as necessary. The nesting bird survey should be conducted within 14 days prior to commencement of ground-disturbing or other development activities. If the nesting bird survey shows that there is no evidence of active nests, a letter report should be prepared to document the survey and provided to the project proponent, and no

additional measures are recommended. If development does not commence within 14 days of the nesting bird survey, or halts for more than seven days, an additional survey is required prior to starting or resuming work.

If active nests are found, the qualified biologist should establish species-specific buffer zones to prohibit development activities and minimize nest disturbance until the young have successfully fledged or the biologist determines that a nest is no longer active. Buffer distances may range from 50 feet for most songbirds up to 250 to 500 feet for most raptors. Nest monitoring may also be warranted during certain phases of development to ensure nesting birds are not adversely impacted by construction activities. If active nests are found within any trees slated for removal, an appropriate buffer should be established around the tree and all trees within the buffer should not be removed until a qualified biologist determines that the nest has successfully fledged and is no longer active.

In addition, a qualified biologist should conduct an environmental awareness training for all construction personnel for the potential of nesting birds to occur on-site prior to the initiation of work. As applicable, the pre-construction survey and environmental training may be combined with other recommended surveys and trainings. Furthermore, if construction occurs outside of the nesting bird season (September 1 to January 31) a nesting bird survey and environmental training for nesting birds would not be required.

6.1.3 Oak Trees and Oak Woodland

To date, a site design plan has not yet been finalized for the proposed project; therefore, final impacts to oak woodland or individual oak trees and required mitigation, if any, will be assessed when a design plan has been completed. As discussed in Section 2.5, if a project will result in impacts to individual oak trees or oak woodland habitat, then the County would require mitigation for impacts to oak resources or regulated individual oak trees under the ORMP. Prior to removal of any trees, a tree removal permit would need to be obtained from the County.

For all protected oak trees to be preserved within 20 feet of the impact area, then the following protection measures are recommended in order minimize impacts to protected trees. Protection measures include:

- Install tree Protection Fencing, consisting of a minimum 4-foot tall high-visibility fence (orange plastic snow fence or similar), to be placed around the perimeter of the root protection zone (RPZ) (dripline radius + one foot) for all protected trees. The RPZ is the minimum distance for placing protective fencing, but tree protection fencing should be placed as far outside of the RPZ as possible. Signs shall be placed along the fence at approximately 50-foot intervals. Each sign shall be a minimum of two feet by two feet and shall include the following:

  TREE PROTECTION ZONE
  DO NOT MOVE OR RELOCATE FENCE
  UNTIL PROJECT COMPLETION WITHOUT
  PERMISSION OF PROJECT ARBORIST
  OR COUNTY OF EL DORADO

- Whenever possible, fence multiple trees together in a single RPZ;

- If permanent site improvements (e.g., paving and sidewalks) encroach into the RPZ, install fence at limit of work. If temporary impacts (e.g., grading, utility installation) require encroachment into the RPZ, move fence to limit of work during active construction of item and return to edge of RPZ once work is completed;

- Tree protection fencing shall not be moved without prior authorization from the Project Arborist or as detailed on approved plans;

- Avoid paving within RPZ. If paving cannot be avoided, use porous materials where feasible;

- Parking, portable toilets, dumping or storage of any construction materials, including oil, gas, or other chemicals, or other infringement by workers or domesticated animals shall be prohibited in the RPZ;

- No signs, ropes, cables, metal stakes, or any other items shall be attached to a protected tree, unless recommended by the Project Arborist;

- Grading, excavation, or trenching within the RPZ should be avoided to the greatest extent feasible. Under no circumstances should fill soil be placed against the trunk of an existing tree;

- Any grading activities or ground disturbance within the RPZ shall be supervised by the Project Arborist and recommendations by the Project Arborist regarding root avoidance and other excavation measures shall be implemented to the extent feasible;

- Underground utilities should be avoided in the RPZ, but, if necessary, shall be bored or drilled. No trenching is allowed within the RPZ unless specifically approved by the Project Arborist;

- Drains shall be installed according to County specifications to avoid harm to existing oak trees due to excess watering;

- Pruning of living limbs or roots shall be done under the supervision of the Project Arborist. All pruning should be done by hand, air knife, or water jet, in accordance with ISA standards using tree maintenance best practices. Climbing spikes should not be used on living trees. Limbs should be removed with clean cuts just outside the crown collar;

- Cover exposed roots or cut root ends in trenches with damp burlap to prevent drying out;

- Minimize disturbance to the native ground surface (e.g., grass, leaf, litter, or mulch) under preserved trees to the greatest extent feasible;

- Native woody plant material (trees and shrubs to be removed) may be chipped or mulched on the site and placed in a 4- to 6-inch deep layer around existing trees to remain. Mulch shall not be placed in contact with the trunk of preserved trees;

- Deep water preserved trees that have had roots cut during project activities once a month throughout the summer as needed or as recommended by the Project Arborist;

- Appropriate fire prevention techniques shall be employed around all trees to be preserved. This includes cutting tall grass, removing flammable debris within the RPZ, and prohibiting the use of tools that may cause sparks, such as metal-bladed trimmers or mowers;

- No open flames shall be permitted within 15 feet of the tree canopy;

- Damage to any protected tree during construction shall be immediately reported to the Project Arborist and to El Dorado County Planning Services. Damage shall be corrected as required by the County representative; and

- Any landscaping within the RPZ should minimize ground disturbance and may include drought-tolerant plants, bark mulch, or natural vegetative cover. Rock mulches such as cobbles, boulders, or gravel shall not be used. All landscaping shall be kept at least four feet from trunk.

6.2 SUMMARY OF AVOIDANCE AND MINIMIZATION MEASURES

Implementation of the following measures is recommended to minimize impacts to biological resources within the Study Area prior to development:

- Conduct pre-construction surveys for California red-legged frog, western pond turtle, and nesting migratory birds and raptors (during the nesting season) 14 days prior to the initiation of construction or ground disturbing activities that occur during the nesting season. If construction or ground disturbing activities do not commence within 14 days, or halt for more than seven days, additional surveys are required prior to resuming or starting work;

- Conduct a worker environmental awareness training for all construction personnel prior to the initiation of work for special-status plants, California red-legged frog, western pond turtle, special-status and nesting migratory birds and raptors; and

- Determine final oak woodland and oak tree impacts and mitigation compensation based on arborist survey data and proposed tree removals, if any. Obtain a tree removal permit, as needed, and implement tree protection measures for all protected trees to be preserved on-site.

7.0 REFERENCES

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Appendix A

Applicable Sections of the El Dorado County Adopted General Plan

CONSERVATION AND OPEN SPACE ELEMENT

CONSERVATION AND PROTECTION OF WATER RESOURCES

GOAL 7.3: WATER QUALITY AND QUANTITY

Conserve, enhance, and manage water resources and protect their quality from degradation.

OBJECTIVE 7.3.1: WATER RESOURCE PROTECTION

Preserve and protect the supply and quality of the County's water resources including the protection of critical watersheds, riparian zones, and aquifers.

Policy 7.3.1.1: Encourage the use of Best Management Practices, as identified by the Soil Conservation Service, in watershed lands as a means to prevent erosion, siltation, and flooding.

Policy 7.3.1.2: Establish water conservation programs that include both drought tolerant landscaping and efficient building design requirements as well as incentives for the conservation and wise use of water.

Policy 7.3.1.3: The County shall develop the criteria and draft an ordinance to allow and encourage the use of domestic gray water for landscape irrigation purposes. (See Title 22 of the State Water Code and the Graywater Regulations of the Uniform Plumbing Code.)

OBJECTIVE 7.3.2: WATER QUALITY

Maintenance of and, where possible, improvement of the quality of underground and surface water.

Policy 7.3.2.1: Stream and lake embankments shall be protected from erosion, and streams and lakes shall be protected from excessive turbidity.

Policy 7.3.2.2: Projects requiring a grading permit shall have an erosion control program approved, where necessary. El Dorado County General Plan Conservation and Open Space Element July 2004 (Amended October 2017) Page 145.

Policy 7.3.2.3: Where practical and when warranted by the size of the project, parking lot storm drainage shall include facilities to separate oils and salts from storm water in accordance with the recommendations of the Storm Water Quality Task Force's California Storm Water Best Management Practices Handbooks (1993).

Policy 7.3.2.4: The County should evaluate feasible alternatives to the use of salt for ice control on County roads.

Policy 7.3.2.5: As a means to improve the water quality affecting the County's recreational waters, enhanced, and increased detailed analytical water quality studies and monitoring should be implemented to identify and reduce point and non-point pollutants and contaminants. Where such studies or monitoring reports have identified sources of pollution, the County shall propose means to prevent, control, or treat identified pollutants and contaminants.

OBJECTIVE 7.3.3: WETLANDS

Protection of natural and man-made wetlands, vernal pools, wet meadows, and riparian areas from impacts related to development for their importance to wildlife habitat, water purification, scenic values, and unique and sensitive plant life.

Policy 7.3.3.1: For projects that would result in the discharge of material to or that may affect the function and value of river, stream, lake, pond, or wetland features, the application shall include a delineation of all such features. For wetlands, the delineation shall be conducted using the U.S. Army Corps of Engineers (USACE) Wetland Delineation Manual.

Policy 7.3.3.3: The County shall develop a database of important surface water features, including lake, river, stream, pond, and wetland resources.

Policy 7.3.3.4: The Zoning Ordinance shall be amended to provide buffers and special setbacks for the protection of riparian areas and wetlands. The County shall encourage the incorporation of protected areas into conservation easements or natural resource protection areas.

Exceptions to riparian and wetland buffer and setback requirements shall be provided to permit necessary road and bridge repair and construction, trail construction, and other recreational access structures such as docks and piers, or where such buffers deny reasonable use of the property, but only when appropriate mitigation measures and Best Management Practices are incorporated into the project. Exceptions shall also be provided for horticultural and grazing activities on agriculturally zoned Conservation and Open Space Element El Dorado County General Plan Page 146 (Amended October 2017) July 2004 lands that utilize “best management practices (BMPs)” as recommended by the County Agricultural Commission and adopted by the Board of Supervisors. Until standards for buffers and special setbacks are established in the Zoning Ordinance, the County shall apply a minimum setback of 100 feet from all perennial streams, rivers, lakes, and 50 feet from intermittent streams and wetlands. These interim standards may be modified in a particular instance if more detailed information relating to slope, soil stability, vegetation, habitat, or other site- or project-specific conditions supplied as part of the review for a specific project demonstrates that a different setback is necessary or would be sufficient to protect the particular riparian area at issue.

For projects where the County allows an exception to wetland and riparian buffers, development in or immediately adjacent to such features shall be planned so that impacts on the resources are minimized. If avoidance and minimization are not feasible, the County shall make findings, based on documentation provided by the project proponent, that avoidance and minimization are infeasible.

Policy 7.3.3.5: Rivers, streams, lakes and ponds, and wetlands shall be integrated into new development in such a way that they enhance the aesthetic and natural character of the site while disturbance to the resource is avoided or minimized and fragmentation is limited.

OBJECTIVE 7.3.4: DRAINAGE

Protection and utilization of natural drainage patterns.

Policy 7.3.4.1: Natural watercourses shall be integrated into new development in such a way that they enhance the aesthetic and natural character of the site without disturbance.

Policy 7.3.4.2: Modification of natural stream beds and flow shall be regulated to ensure that adequate mitigation measures are utilized.

CONSERVATION OF BIOLOGICAL RESOURCES

GOAL 7.4: WILDLIFE AND VEGETATION RESOURCES

Identify, conserve, and manage wildlife, wildlife habitat, fisheries, and vegetation resources of significant biological, ecological, and recreational value.

OBJECTIVE 7.4.2: IDENTIFY AND PROTECT RESOURCES

Identification and protection, where feasible, of critical fish and wildlife habitat including deer winter, summer, and fawning ranges; deer migration routes; stream and river riparian habitat; lake shore habitat; fish spawning areas; wetlands; wildlife corridors; and diverse wildlife habitat.

Policy 7.4.2.1: The County will coordinate wildlife and vegetation protection programs with appropriate Federal and State agencies.

Policy 7.4.2.2: The County shall continue to support the Noxious Weed Management Group in its efforts to reduce and eliminate noxious weed infestations to protect native habitats and to reduce fire hazards.

Policy 7.4.2.3: Consistent with Policy 9.1.3.1 of the Parks and Recreation Element, low impact uses such as trails and linear parks may be provided within river and stream buffers if all applicable mitigation measures are incorporated into the design.

Policy 7.4.2.4: Protect and preserve wildlife habitat corridors within public parks and natural resource protection areas to allow for wildlife use. Recreational uses within these areas shall be limited to those activities that do not require grading or vegetation removal.

Policy 7.4.2.5: Setbacks from all rivers, streams, and lakes shall be included in the Zoning Ordinance for all ministerial and discretionary development projects.

Policy 7.4.2.8: Conserve contiguous blocks of important habitat to offset the effects of increased habitat loss and fragmentation elsewhere in the County through a Biological Resource Mitigation Program (Program). The Program will result in the conservation of:

1. Habitats that support special status species;
2. Aquatic environments including streams, rivers, and lakes;
3. Wetland and riparian habitat;
4. Important habitat for migratory deer herds; and
5. Large expanses of native vegetation.

Appendix B

Potential for Special-status Species in the Region to Occur in the Study Area

Species Name/ Common Name[1]	Status[2]	Habitat, Ecology and Life History	Potential to Occur
Plants			
Arctostaphylos nissenana Nissesan manzanita	--/--/ 1B.2	A perennial, evergreen shrub found in rocky areas within closed-cone coniferous forest and chaparral from 450 to 1,100 meters in elevation. Blooms February – March (CNPS 2022).	**Will not occur.** The Study Area does not contain suitable habitat to support this species.
Botrychium ascendens Upswept moonwort	--/--/2B.3	A perennial, rhizomatous herb found in mesic areas within lower montane coniferous forest and meadows and seeps from 1,115 – 3,045 meters in elevation. Blooms (June) July – August (CNPS 2022).	**Will not occur.** The Study Area does not contain suitable habitat to support this species.
Botrychium crenulatum Scalloped moonwort	--/--/2B.2	A perennial, rhizomatous herb found within bogs and fens, lower montane coniferous forest, freshwater marshes and swamps, and upper montane coniferous forest from 1,268 – 3,280 meters in elevation. Blooms June – September (CNPS 2022).	**Will not occur.** The Study Area is located outside of the known elevation range for this species.
Botrychium minganense Mingan moonwort	--/--/2B.2	A perennial, rhizomatous herb found in mesic areas within bogs and fens, lower montane coniferous forest, edges of meadows and seeps, and upper montane coniferous forest from 1,455 – 2,1800 meters in elevation. Blooms July – September (CNPS 2022).	**Will not occur.** The Study Area does not contain suitable habitat to support this species.
Calochortus clavatus var. *avius* Pleasant Valley mariposa lily	--/--/1B.2	A perennial bulbiferous herb found on Josephine silt loam and volcanic soils in lower montane coniferous forest from 305 – 1,800 meters elevation. Blooms May – July (CNPS 2022).	**Presumed absent.** There are volcanic soils mapped within the Study Area and most of the site is composed of mixed conifers. Additionally, there are several documented occurrences of this species within 2 miles of the Study Area. This species was not observed during the June 15, 2022 focused botanical survey and is presumed to be absent from the site.

Species Name/ Common Name[1]	Status[2]	Habitat, Ecology and Life History	Potential to Occur
Campylopodiella stenocarpa Flagella-like atractylocarpos	--/--/2B.2	A moss found in cismontane woodland with all California populations existing on wet/moist roadsides from 285 – 430 meters elevation; currently known from 6 documented occurrences. No blooming period (CNPS 2022).	**Will not occur.** The Study Area does not contain suitable habitat to support this species.
Carex cyrtostachya Sierra arching sedge	--/--/1B.2	A perennial herb found in mesic microsites in lower montane coniferous forest, meadows, seeps, marshes, swamps, and riparian forest margins from 610 – 1,360 meters elevation. Blooms May – August (CNPS 2022).	**Will not occur.** The Study Area does not contain suitable habitat to support this species.
Chlorogalum grandiflorum Red Hills soaproot	--/--/1B.2	Perennial bulbiferous herb found on gabbro, serpentine, or other soils in chaparral, cismontane woodland, and lower montane coniferous forest from 245 to 1,690 meters in elevation. Blooms May – June (CNPS 2022).	**Will not occur.** The Study Area does not contain suitable habitat to support this species.
Horkelia parryi Parry's horkelia	--/--/1B.2	Perennial herb found in chaparral and cismontane woodland, especially known from Ione formation soils, from 80 to 1,070 meters in elevation. Blooms April – September (CNPS 2022).	**Will not occur.** The Study Area is located outside of the known elevation range for this species.
Jensia yosemitana Yosemite tarplant	--/--/3.2	An annual herb found in meadows, seeps, and lower montane coniferous forest from 1,200 – 2,300 meters elevation. Blooms (April) May – July (CNPS 2022).	**Will not occur.** The Study Area does not contain suitable habitat to support this species.
Juncus digitatus Finger rush	--/--/1B.1	An annual herb found in openings in cismontane woodlands and lower montane coniferous forests, and in xeric vernal pools from 660 – 790 meters elevation. Blooms (April) May – June (CNPS 2022).	**Will not occur.** The Study Area does not contain suitable habitat to support this species.
Lewisia kelloggii ssp. *hutchinsonii* Hutchison's lewisia	--/--/3.2	A perennial herb found along ridgetops in upper montane coniferous forest, often on slate or rhyolite substrates, from 765 – 2,365 meters elevation. Blooms (April) May – August (CNPS 2022).	**Will not occur.** The Study Area does not contain suitable habitat to support this species.

Species Name/ Common Name[1]	Status[2]	Habitat, Ecology and Life History	Potential to Occur
Lewisia serrata Saw-toothed lewisia	--/--/1B.1	A perennial herb found on mesic, rocky slopes in broadleaf upland forest, lower montane coniferous forest, and riparian forests at 770 – 1,435 meters elevation. Blooms May – June (CNPS 2022).	**Will not occur.** The Study Area does not contain suitable habitat to support this species.
Phacelia stebbinsii Stebbins' phacelia	--/--/1B.2	An annual herb found in cismontane woodland, lower montane coniferous forest, meadows, and seeps from 610 – 2,010 meters elevation. Blooms May – July (CNPS 2022).	**Presumed absent.** The Sierran mixed conifer community within the Study Area provides suitable habitat for this species. There are two documented occurrences of this species within 2.5 miles of the Study Area, with the most recent being from 2015 (CDFW 2022). This species was not observed during the June 15, 2022 focused botanical survey and is presumed to be absent from the site.
Poa sierrae Sierra blue grass	--/--/1B.3	A perennial rhizomatous herb found in openings in lower montane coniferous forest from 365 – 1,915 meters elevation. Micro habitat for this species is shady, moist, rocky slopes often occurring in canyons. Blooms April – July (CNPS 2022).	**Will not occur.** The Study Area does not contain suitable habitat to support this species. There are no documented occurrences for this species within 5 miles of the Study Area and all documented occurrences in El Dorado County are associated with Rubicon River valley (CDFW 2022).
Rhynchospora capitellata Brownish beaked-rush	--/--/2B.2	A perennial herb found in mesic microsites in lower- and upper montane coniferous forest, meadows, seeps, marshes, and swamps from 45 – 2,000 meters elevation. Blooms July – August (CNPS 2022).	**Will not occur.** The Study Area does not contain suitable habitat to support this species.

Species Name/ Common Name[1]	Status[2]	Habitat, Ecology and Life History	Potential to Occur
Wildlife			
Insects			
Danaus plexippus Monarch butterfly	FC/--/--/--	The federal listing on December 17, 2020 was for overwintering populations of Monarch butterflies that roost in wind protected tree groves, especially with *Eucalyptus* sp., and species of pine or cypress with nectar and water sources nearby. Winter roost sites extend along the coast from Mendocino County to Baja California. As caterpillars, monarchs feed exclusively on the leaves of milkweed (*Asclepias* sp.) (Nial et al. 2019; USFWS 2020). Monarch butterfly migration routes pass east over the Sierra Nevada in the fall and back to the California coast in the spring (USFWS 2020). The overwintering population is located along the Coast while summer breeding areas occur in interior California and North America with spring breeding areas located further east (USFWS 2020).	**Not expected.** The Study Area is in the summer breeding range of the Monarch butterfly and not in the coastal overwintering range (USFWS 2020). There are no CNNDB records for this species within a 5-mile radius of the Study Area and most records are located along the coast (CDFW 2022). Monarch butterfly could fly through the Study Area during the migration season but would not be expected to inhabit the Study Area due to a lack of overwintering habitat in the Study Area.
Fish			
Hypomesus transpacificus Delta smelt	FT/SE/--/--	Delta smelt are tolerant of a wide salinity range. They have been collected from estuarine waters up to 14 ppt (parts per thousand) salinity. For a large part of their one-year life span, delta smelt live along the freshwater edge of the mixing zone (saltwater-freshwater interface), where the salinity is approximately 2 ppt. Shortly before spawning, adults migrate upstream from the brackish-water habitat associated with the mixing zone and disperse into river channels and tidally-influenced backwater sloughs. They spawn in shallow, fresh or slightly brackish water upstream of the mixing zone. Most spawning happens in tidally-influenced backwater sloughs and channel edge-waters.	**Will not occur.** There is no suitable aquatic habitat on the property.

Species Name/ Common Name[1]	Status[2]	Habitat, Ecology and Life History	Potential to Occur
		Although spawning has not been observed in the wild, the eggs are thought to attach to substrates such as cattails, bulrush, tree roots and submerged branches. Delta smelt are found only from the Suisun Bay upstream through the Delta in Contra Costa, Sacramento, San Joaquin, Solano, and Yolo counties (USFWS 1995).	
Amphibians			
Ambystoma macrodactylum sigillatum Southern long-toed salamander	--/--/SSC	Inhabits alpine meadows, high mountain ponds and lakes. Adults spend much of their lives underground, often utilizing the tunnels of burrowing mammals such as moles and ground squirrels (Stebbins and McGinnis 2012).	**Will not occur.** The Study Area is located outside of the known range of this species.
Rana boylii Foothill yellow-legged frog	--/ST/SSC	The foothill yellow-legged frog occurs along the coast ranges from Oregon to Los Angeles and along the western side of the Sierra Nevada. This species uses perennial rocky streams in a wide variety of habitats up to 6,400 feet above msl. This species rarely ventures far from water, is usually found basking in the water, or under surface debris or underground within 165 feet of water. Eggs are laid in clusters attached to gravel or rocks along stream margins in flowing water. Tadpoles typically require up to four months to complete aquatic development. Breeding typically follows winter rainfall and snowmelt, which varies based upon location (Jennings and Hayes 1994).	**Will not occur.** The Study Area does not contain suitable habitat to support this species.

Species Name/ Common Name[1]	Status[2]	Habitat, Ecology and Life History	Potential to Occur
Rana draytonii California red-legged frog	FT/--/SSC	The California red-legged frog (CRLF) occupies a fairly distinct habitat, combining both specific aquatic and riparian components. The adults require dense, shrubby, or emergent riparian vegetation closely associated with deep (greater than 2 1/3-foot deep) still or slow-moving water. The largest densities of California red-legged frogs are associated with deep-water pools with dense stands of overhanging willows (*Salix* spp.) and an intermixed fringe of cattails (*Typha latifolia*). Well-vegetated terrestrial areas within the riparian corridor may provide important sheltering habitat during winter. California red-legged frogs aestivate (enter a dormant state during summer or dry weather) in small mammal burrows and moist leaf litter. They have been found up to 100 feet from water in adjacent dense riparian vegetation. Studies have indicated that this species cannot inhabit water bodies that exceed 70° F, especially if there are no cool, deep portions (USFWS 2002).	**May occur.** There is marginal aquatic habitat for this species adjacent to the Study Area in Forebay Reservoir (see text for further discussion). Additionally, there is a CNDDB documented occurrence of this species from 2019 in the quadrangle immediately to the south of the Study Area (observed location not specified). Given that CRLF is known to occur in the vicinity and there is marginal aquatic habitat nearby, the Study Area could provide upland foraging, dispersal, and aestivating habitat for this species.
Rana sierrae Sierra Nevada yellow-legged frog	FE/ST/WL	A high elevation frog that requires permanent water bodies that do not freeze solid over winter, which may include lakes, streams, tarns, perennial plunge pools in intermittent streams. Aquatic habitat for overwintering must be a minimum of 5.6 feet, but 8.2 feet or deeper or other habitat structures is preferred to avoid freezing conditions (USFWS 2016). Tadpoles require two years to develop, so water bodies that do not freeze solid or dry up during normal years are essential (USFWS 2016). This species has a maximum known upland movement of 82 feet from streams and up to 984 feet between water bodies around lakes (USFWS 2016).	**Will not occur.** The Study Area is located outside of the known range of this species.

Species Name/ Common Name[1]	Status[2]	Habitat, Ecology and Life History	Potential to Occur
Reptiles			
Actinemys (=Emys) marmorata western pond turtle	--/--/SSC	Inhabits slow-moving water with dense submerged vegetation, abundant basking sites, gently sloping banks, and dry clay or silt soils in nearby uplands. Turtles will lay eggs up to 0.25-mile from water, but typically go no more than 600 feet (Jennings and Hayes 1994).	**May occur.** The Study Area provides suitable upland habitat for this species and suitable aquatic habitat is adjacent to the site across Forebay Road at the Forebay Reservoir. There is one documented occurrence within 5 miles of the Study Area.
Birds			
Accipiter gentilis Northern goshawk	--/--/SSC	Nests and forages in mature and old-growth forest stands in a broad range of conifer and coniferous hardwood types, including Pacific Ponderosa, Jeffrey and lodgepole pine, mixed conifer, firs, and pinyon-juniper with relatively dense canopies. May also forage in meadow edges and open sagebrush. Nesting and fledgling period: March 1 – August 15 (Woodbridge and Hargis 2006).	**May occur.** There is suitable nesting habitat throughout the Study Area.
Haliaeetus leucocephalus Bald eagle	DL/SE/FP	Requires large bodies of water with an abundant fish population. Feeds on fish, carrion, small mammals, and water-fowl. Nests are usually located within a 1-mile radius of water. Nests are most often situated in large trees with a commanding view of the area (Zeiner et al. 1990).	**May occur.** There is suitable nesting habitat throughout the Study Area and Forebay Reservoir provides suitable foraging habitat.
Riparia riparia Bank swallow	--/ST/--	Found primarily in riparian and lowland habitat in California. Nests in colonies along cliffs or steep riverbanks in holes. In California, a majority of the population is situated along the Sacramento River and the Feather River. Other smaller populations persist near Monterey and north of Shasta counties (Zeiner et al. 1990).	**Will not occur.** There is no suitable bank habitat for nesting colonies.

Species Name/ Common Name[1]	Status[2]	Habitat, Ecology and Life History	Potential to Occur
Mammals			
Aplodontia fufa californica Sierra Nevada mountain beaver	--/--/SSC	Sierra Nevada mountain beaver has a limited range in the Sierra Nevada, California, and Nevada. This subspecies is patchily distributed in cool, moist habitats from 1,675 to 3,050 meters elevation. Typically maintains burrow systems through the narrow willow fringes along streams. Meadows areas with deep soils for burrowing adjacent to streams are preferred (Beier 1989).	**Will not occur.** The Study Area does not provide suitable habitat for this species.
Corynorhinus townsendii Townsend's big-eared bat	--/--/SSC	Widely distributed throughout California except alpine and subalpine habitats. This species eats moths, beetle, and other insects which it catches on the wing or by gleaning from vegetation. Typically found near water since it is poor at concentrating its urine. This species uses caves, mines, tunnels, buildings, and human made structures for roosting. Maternity roosts are typically in warm sites. Hibernation sites are typically cold, but not freezing. This species is very sensitive to disturbance and may abandon its roost after one visit (Zeiner et al. 1988-1990).	**Will not occur.** The Study Area does not provide suitable roosting habitat for this species. The species may utilize the area for foraging.
Pekania pennanti Fisher	--/--/SSC	Occupy late-successional conifer and mixed conifer-hardwood forests with an abundance of downed wood, snags, large trees, and a dense canopy (Zielinski 2014). Typically found at elevations from 1,070 – 2,135 m amsl, where persistent snow does not accumulate and impede movement (Zielinski 2014). Riparian forests and habitat close to open water such as streams are important. Cavities and branches in trees, snags, stumps, rock piles, and downed timber are used as resting sites, and large diameter live, or dead trees are selected for natal and maternal dens (Zielinski 2014). There is a significant gap in the range of fisher	**Not Expected.** The Study Area does not provide suitable habitat for this species. The Study Area is routinely managed for fuel reduction and generally lacks suitable den sites such as snags, stumps, downed timber, etc. This species may pass through the Study Area, but it is not expected to remain for extended periods of time.

Species Name/ Common Name[1]	Status[2]	Habitat, Ecology and Life History	Potential to Occur
		between the southern Sierra Nevada population and the northern Sierra Nevada/southern Cascade population that stretches approximately 400 km wide (Zielinski 2014).	
Vulpes vulpes necator Sierra Nevada red fox	--/ST/--	In Sierra Nevada, prefers open forests or alpine fell-fields. Openings are used as foraging habitat and forested, densely vegetated, or rocky areas are used for cover and den sites. Den sites can include rock outcrops, hollow logs and stumps, and burrows in deep, loose soil (Zeiner et al. 1988-1990).	**Will not occur.** The Study Area does not provide suitable habitat for this species.

[1] Sensitive species reported in CNDDB or CNPS on the "*Tunnel Hill, Devil Peak, Robbs Peak, Slate Mountain, Pollock Pines, Riverton, Camino, Sly Park,* and *Old Iron Mountain*" USGS quad, or in the USFWS list for the study area.

[2] Status is as follows: Federal (ESA) listing/State (CESA) listing/other CDFW status or CRPR. F = Federal; S = State of California; E = Endangered; T = Threatened; C = Candidate; FP=Fully Protected; SSC=Species of Special Concern; WL=Watch List; CSA=California Special Animal; SSHCP=South Sacramento Habitat Conservation Plan Covered Species.

[3] Status in the Study area is assessed as follows. **Will Not Occur**: Species is either sessile (i.e., plants) or so limited to a particular habitat that it cannot disperse on its own and/or habitat suitable for its establishment and survival does not occur in the study area; **Not Expected**: Species moves freely and might disperse through or across the study area, but suitable habitat for residence or breeding does not occur in the study area, potential for an individual of the species to disperse through or forage in the site cannot be excluded with 100% certainty; **Presumed Absent:** Habitat suitable for residence and breeding occurs in the study area; however, focused surveys conducted for the current project were negative; **May Occur**: Species was not observed on the site and breeding habitat is not present but the species has the potential to utilize the site for dispersal, **High**: Habitat suitable for residence and breeding occurs in the study area and the species has been recorded recently in or near the study area, but was not observed during surveys for the current project; **Present**: The species was observed during biological surveys for the current project and is assumed to occupy the study area or utilize the study area during some portion of its life cycle.

CRPR = California Rare Plant Rank: 1B – rare, threatened, or endangered in California and elsewhere; 2B – rare, threatened, or endangered in California but more common elsewhere. Extension codes: .1 – seriously endangered; .2 – moderately endangered.

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Appendix C

Plant and Wildlife Species Observed in the Study Area

Table C-1. Plant Species

Family	Species Name	Common Name	Status[1]
Native			
Agavaceae	*Chlorogalum pomeridianum*	Common soaproot	-
Aristolochiaceae	*Asarum hartwegii*	Hartweg's wild ginger	-
Asteraceae	*Adenocaulon bicolor*	American trailplant	-
	Anisocarpus madioides	Woodland tarweed	-
	Artemisia douglasiana	California mugwort	-
	Psilocarphus tenellus	Slender woolly-marbles	-
	Senecio aronicoides	California butterweed	-
Betulaceae	*Corylus cornuta ssp. californica*	Beaked hazelnut	-
Boraginaceae	*Draperia systyla*	Draperia	-
Caprifoliaceae	*Lonicera conjugialis*	Purpleflower honeysuckle	-
	Symphoricarpos albus	Common snowberry	-
	Symphoricarpos mollis	Creeping snowberry	-
Cornaceae	*Cornus nuttallii*	Mountain dogwood	-
	Cornus sericea ssp. occidentalis	Western dogwood	-
Cupressaceae	*Calocedrus decurrens*	Incense cedar	-
Ericaceae	*Arbutus menziesii*	Pacific madrone	-
	Arctostaphylos viscida ssp. viscida	White leaf manzanita	-
	Gaultheria ovatifolia	Slender wintergreen	-
Fagaceae	*Notholithocarpus densiflorus*	Tanoak	-
	Quercus kelloggii	Black oak	-
	Quercus wislizeni	Interior live oak	-
Grossulariaceae	*Ribes roezlii var. roezlii*	Sierra gooseberry	-
Iridaceae	*Iris hartwegii*	Hartweg's iris	-
Juncaceae	*Luzula comosa var. laxa*	Hairy wood rush	-
Liliaceae	*Fritillaria affinis*	Checker lily	-
	Prosartes hookeri	Drops of gold	-
Montiaceae	*Claytonia rubra subsp. rubra*	Red stemmed miner's lettuce	-
Onagraceae	*Clarkia rhomboidea*	Tongue clarkia	-
	Clarkia unguiculata	Woodland clarkia	-
Phrymaceae	*Diplacus torreyi*	Torrey's monkeyflower	-
Pinaceae	*Abies concolor*	White fir	-
	Pinus ponderosa	Ponderosa pine	-
	Pseudotsuga menziesii	Douglas fir	-
Plantaginaceae	*Penstemon azureus var. angustissimus*	Azure penstemon	-
Poaceae	*Bromus sitchensis var. marginatus*	Mountain brome	-
	Elymus glaucus	Blue wildrye	-
Polemoniaceae	*Collomia grandiflora*	Grand collomia	-
	Collomia heterophylla	Varied leaved collomia	-
	Leptosiphon ciliatus	Whiskerbrush	-
Ranunculaceae	*Aquilegia formosa*	Columbine	-
	Delphinium gracilentum	Slender larkspur	-
	Delphinium patens subsp. patens	Spreading larkspur	-
Rhamnaceae	*Ceanothus sp.*	Ceanothus	-
	Ceanothus velutinus	Tobacco brush	-

Family	Species Name	Common Name	Status[1]
Rosaceae	*Amelanchier alnifolia*	Service berry	-
	Chamaebatia foliolosa	Sierran mountain misery	-
	Drymocallis glandulosa var. reflexa	Sticky cinquefoil	-
	Rosa californica	California wild rose	-
	Rubus leucodermis	White bark raspberry	-
Rubiaceae	*Galium aparine*	Cleavers	-
	Galium porrigens	Climbing bedstraw	-
	Kelloggia galioides	Milk kelloggia	-
Ruscaceae	*Maianthemum racemosum*	Feathery false lily of the valley	-
Sapindaceae	*Acer macrophyllum*	Big leaf maple	-
Viscaceae	*Phorodendron leucocarpum*	American mistletoe	-
Non-native			
Apiaceae	*Torilis arvensis*	Field hedge parsley	Moderate
Asteraceae	*Leucanthemum vulgare*	Oxe eye daisy	Moderate
	Tragopogon dubius	Yellow salsify	-
Caryophyllaceae	*Lychnis coronaria*	Rose campion	-
Brassicaceae	*Brassica nigra*	Black mustard	Moderate
	Lunaria annua	Annual honesty	-
Fabaceae	*Lathyrus latifolius*	Sweet pea	-
	Vicia sativa	Spring vetch	-
Hypericaceae	*Hypericum perforatum*	Common St. Johnswort	Moderate
Poaceae	*Bromus diandrus*	Ripgut brome	Moderate
	Cynosurus echinatus	Dogtail grass	Moderate
	Dactylis glomerata	Orchardgrass	Limited
	Hordeum murinum	Foxtail barley	Moderate
Plantaginaceae	*Plantago lanceolata*	English plantain	Limited
Rosaceae	*Rubus armeniacus*	Himalayan blackberry	High
	Rubus laciniatus	Cut leaved blackberry	-

[1] Status of native species is federal listing/state listing/California Rare Plant Rank; Status for non-native species is California Invasive Species Council invasiveness rating.

Table C-2. Wildlife Species

Order/Family	Species Name	Common Name	Status[1]
Birds			
Accipitriformes			
Cathartidae	*Carthartes aura*	turkey vulture	--
Anseriformes			
Anatidae	*Branta canadensis*	Canada goose	--
	Bucephala albeola	bufflehead	--
	Oxyura jamaicensis	ruddy duck	--
Gruiformes			
Rallidae	*Fulica americana*	American coot	--
Passeriformes			
Corvidae	*Corvus brachyrhynchus*	American crow	--
Emberizidae	*Pipilo maculatus*	spotted towhee	--
Paridae	*Poecile gameli*	mountain chickadee	--
Passeridae	*Passer domesticus*	house sparrow	--
Passerelidae	*Melospiza melodia*	song sparrow	--
Sittidae	*Sitta carolinensis*	white-breasted nuthatch	--
Sylviidae	*Chamaea fasciata*	wrentit	--
Piciformes			
Picidae	*Melanerpes formicivorus*	acorn woodpecker	--

[1] Status for animal species is ESA/CESA listing or other sensitivity.

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Appendix D

Representative Photographs

Photo 1. View of existing batting cages in the developed/disturbed community with residences in the background. Photo date 1/25/2022.

Photo 2. Representative view of the baseball field in the developed/disturbed community. Photo date 1/25/2022.

Photo 3. Representative view of the horseshoe pits within the developed/ disturbed community. Photo date 1/25/2022.

Photo 4. Representative view of the parking area off Gail Drive within the developed/disturbed community. Photo date 1/25/2022.

Photo 5. Representative view of Gail Drive in the northern portion of the Study Area within the Developed/Disturbed community. Photo date 1/25/2022.

Photo 6. Representative view of the montane hardwood conifer community in the southern portion of the Study Area. Photo date 1/25/2022.

Photo 7. Representative view of the Sierran Mixed Conifer community in the southern portion of the Study Area. Photo date 1/25/2022.

Photo 8. Representative view of Forebay Reservoir with Forebay Road visible in the foreground. Photo date 1/25/2022.

Appendix E

Oak Tree Survey Data

Appendix E
Oak Tree Survey Data

Tree #	Species	# of Trunks	DBH	DLR	Height	Health	Structure	Recommended for Removal	Notes
1	Black Oak	1	10.5	16.00	25.00	Fair-Good	Fair-Good	No	no tag
178	Black Oak	1	8	14.00	25.00	Fair-Good	Fair-Good	No	
179	Black Oak	2	13, 7	25.00	40.00	Fair-Good	Fair	No	L, CD
180	Black Oak	1	9.5	12.00	20.00	Fair-Good	Fair-Good	No	L
181	Black Oak	1	10	14.00	22.00	Fair-Good	Fair-Good	No	L, AC
182	Black Oak	1	6	10.00	18.00	Fair-Good	Fair-Good	No	
183	Black Oak	1	27.5	55.00	75.00	Fair	Poor-Fair	No	LD, CD, IB, L, RR
184	Black Oak	1	13	22.00	45.00	Fair-Good	Fair-Good	No	Pruning cuts
185	Black Oak	1	10	18.00	20.00	Fair-Good	Fair	No	AC, L, OUL
188	Black Oak	1	6.5	15.00	18.00	Fair-Good	Fair-Good	No	L
190	Black Oak	1	9	8.00	0.00	Poor	Poor	Yes	rot, dying, RR
191	Black Oak	1	9	15.00	18.00	Fair-Good	Fair	Yes	L, target house,RR
192	Black Oak	2	35, 34	50.00	85.00	Fair-Good	Poor-Fair	No	IB, CD, MT
193	Black Oak	1	32	35.00	80.00	Fair-Good	Fair-Good	No	
194	Black Oak	1	15.5	18.00	40.00	Fair	Poor-Fair	No	L, LD
640	Black Oak	1	40	31.00	50.00	Good	Fair-Good	No	PW
641	Black Oak	2	6, 4	12.00	22.00	Fair-Good	Poor-Fair	Yes	L, CD, target road, RR
642	Tanoak	1	6	10.00	20.00	Fair-Good	Fair	Yes	L, target road, RR
643	Tanoak	1	13.5	15.00	22.00	Fair	Poor-Fair	Yes	L, target road, RR
644	Black Oak	1	9.5	10.00	15.00	Fair	Poor-Fair	Yes	L, CD, RR
646	Black Oak	1	8.5	20.00	20.00	Fair-Good	Poor-Fair	No	L, CD, AC
647	Black Oak	1	7	20.00	22.00	Fair-Good	Fair-Good	No	L, pruning cuts
648	Black Oak	1	10.5	20.00	22.00	Fair-Good	Fair	No	L, CD, AC
649	Black Oak	1	16	18.00	25.00	Poor-Fair	Poor	Yes	L, CD, LD, DB,RR
650	Black Oak	1	7	10.00	20.00	Poor	Poor	Yes	L, TW, dying oak, RR
651	Black Oak	3	19, 18, 17	25.00	25.00	Fair-Good	Fair	No	L, CD, IB
652	Black Oak	1	43.5	30.00	50.00	Fair-Good	Fair-Good	No	L, CD, IB, LW
653	Black Oak	1	46.5	35.00	55.00	Fair-Good	Fair	No	IB
654	Black Oak	1	46.5	45.00	55.00	Fair-Good	Fair	No	AC, LD
655	Black Oak	1	31	30.00	45.00	Poor	Poor	Yes	L, large TW see pic, AC, RR, top heavy
656	Black Oak	1	34.5	30.00	55.00	Fair	Fair	No	TW, LD, growing into dead pine

Appendix E
Oak Tree Survey Data

Tree #	Species	# of Trunks	DBH	DLR	Height	Health	Structure	Recommended for Removal	Notes
657	Black Oak	1	28.5	35.00	55.00	Poor-Fair	Poor-Fair	Yes	L, LD, RR, growing into cedar
658	Black Oak	1	37.5	30.00	55.00	Fair	Fair	No	L, suggested limb trim over road
659	Black Oak	1	42.5	50.00	65.00	Fair	Poor-Fair	No	LW, LD,TW
660	Black Oak	1	40	35.00	65.00	Fair-Good	Fair	No	LD, CD
661	Black Oak	1	30.5	35.00	55.00	Poor	Poor-Fair	Yes	L, TD, RR
662	Black Oak	1	41	35.00	60.00	Poor-Fair	Poor-Fair	No	tree heath in question due to adjacent burn. pics
663	Black Oak	2	28, 22	30.00	60.00	Fair-Good	Fair	No	L,CD, IB
664	Black Oak	1	15	15.00	0.00	Poor-Fair	Poor-Fair	No	AC, TW
665	Black Oak	1	16	8.00	0.00	Poor	Fair	Yes	dead canopy, RR
666	Black Oak	1	26	30.00	60.00	Fair	Fair	No	boot shape trunk, see pic, LD, L
667	Black Oak	1	19	25.00	45.00	Fair-Good	Fair-Good	No	L
668	Black Oak	1	14.5	18.00	38.00	Fair-Good	Fair	No	L
669	Black Oak	1	25	25.00	45.00	Fair	Fair	No	L, LD
670	Black Oak	1	15	15.00	30.00	Fair-Good	Fair-Good	No	L
671	Black Oak	1	21.5	16.00	40.00	Fair-Good	Fair-Good	No	L, CD
672	Black Oak	1	18	0.00	45.00	Poor-Fair	Poor-Fair	Yes	F, TD, L, RR
673	Black Oak	1	42	40.00	75.00	Poor	Fair	Yes	TD, RR
674	Black Oak	1	37	50.00	70.00	Poor	Poor-Fair	Yes	TD, LD, RR
675	Black Oak	1	37	20.00	45.00	Poor-Fair	Poor-Fair	Yes	L, TD, RR
676	Black Oak	1	20	25.00	45.00	Fair	Poor-Fair	Yes	L, AC, RR
677	Black Oak	1	7	7.00	20.00	Fair-Good	Fair-Good	No	TW
678	Black Oak	1	32	40.00	80.00	Fair-Good	Fair	No	L
679	Black Oak	1	40.5	35.00	75.00	Fair-Good	Fair-Good	No	
680	Black Oak	1	21	25.00	50.00	Fair-Good	Fair	No	L
681	Black Oak	1	18	16.00	40.00	Fair-Good	Fair-Good	No	L
682	Black Oak	1	20.5	20.00	35.00	Fair-Good	Fair-Good	No	L
683	Black Oak	1	20.5	15.00	35.00	Fair-Good	Fair-Good	No	CD, LD
684	Black Oak	1	45.5	40.00	85.00	Fair-Good	Fair-Good	No	CD
685	Black Oak	1	38	35.00	75.00	Fair	Fair-Good	No	LD
686	Black Oak	1	33	40.00	80.00	Fair	Poor-Fair	No	L, TD, LD

Appendix E
Oak Tree Survey Data

Tree #	Species	# of Trunks	DBH	DLR	Height	Health	Structure	Recommended for Removal	Notes
687	Black Oak	1	21.5	15.00	40.00	Fair-Good	Fair-Good	No	
688	Black Oak	1	7	6.00	18.00	Fair-Good	Fair-Good	No	
689	Black Oak	1	6.5	12.00	22.00	Fair-Good	Fair-Good	No	
691	Black Oak	2	6, 5	11.00	22.00	Fair-Good	Fair	No	CD
692	Black Oak	1	9	15.00	25.00	Fair-Good	Fair-Good	No	
693	Black Oak	1	6.5	14.00	20.00	Fair-Good	Fair-Good	No	L
694	Black Oak	1	7	12.00	18.00	Fair-Good	Fair-Good	No	
695	Black Oak	3	7, 6, 5	14.00	25.00	Fair-Good	Fair	No	CD, IB
695	Black Oak	1	7	14.00	25.00	Fair-Good	Fair-Good	No	
697	Black Oak	1	16	22.00	40.00	Fair-Good	Poor-Fair	Yes	L over road, RR
698	Black Oak	2	10, 8	15.00	24.00	Fair-Good	Fair	No	LD, CD
698	Black Oak	1	6	9.00	18.00	Fair-Good	Poor-Fair	No	under cedar canopy, AC
699	Black Oak	1	22.5	15.00	55.00	Fair-Good	Fair	No	L, LD
700	Black Oak	1	31	42.00	80.00	Fair-Good	Fair-Good	No	LD, L

Table 1
Health/Structure Comment Legend

Abbreviation	Meaning
ABS	Altered Branch Structure
AC	Asymmetrical Canopy
BC	Basal Cavity
BD	Bark Damage
BW	Basal Wound
CD	Codominant
DB	Dieback
DW	Deadwood
ER	Exposed Roots
F	Fungus
FD	Fire Damage
IB	Included Bark
L	Lean
LD	Limb Decay
LF	Limb Failures
LR	Limb Rot
LW	Limb Wound
MT	Mistletoe
MTA	Multiple Trunk Attachments
NC	Narrow Crotch
OK	No Obvious Defects
OG	Overgrown
OUL	Overhead Utility Lines
PW	Pruning Wounds
SC/SF	Sparse Canopy/Foliage
SG	Sprout Growth
SGE	Suppressed Growing Environ.
TC	Topping Cuts
TD	Trunk Decay
TF	Trunk Failure
TR	Trunk Rot
TW	Trunk Wound
+	Above Average
++	Extreme/Severe
–	Below Average

Appendix D

Oak Resources Technical Report

HELIX Environmental Planning, Inc.
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February 8, 2023 02504.00011.001

Vickie Sanders
County of El Dorado Parks Division
3000 Fair Lane Court, Suite 1
Placerville, CA 95667

Subject: Forebay Park Oak Resources Technical Report

Dear Ms. Sanders:

This report presents the results of a survey of oak resources on the Forebay Park site (Project Site), assesses impacts to oak resources, identifies potential mitigation costs, and provides recommendations for tree protection measures for trees to be preserved onsite. This report is based on tree inventory data collected in February 2022 and included in the Biological Resources Assessment dated September 2022, prepared by HELIX Environmental Planning.

BACKGROUND

Oak Resources Management Plan

The County of El Dorado (County) adopted the *El Dorado County Oak Resources Management Plan* (ORMP) on October 24, 2017, and the ORMP went into effect on November 24, 2017. The ORMP designates three classes of protected oak resources: oak woodlands that have at least 10 percent oak canopy; Heritage Trees, defined as native oaks with a total trunk diameter at breast height (DBH) of 36 inches or greater; and individual oak trees, defined as native oak trees with a trunk diameter at breast height of 6 inches or greater that are not located in oak woodlands. An oak woodland removal permit is required prior to the removal of oak trees that are part of an oak woodland and an oak tree removal permit is required prior to the removal of Heritage Trees and individual oak trees. Mitigation for impacts to oak woodlands is based on the total area impacted ranging from 1:1 mitigation for zero to 50 percent removal to 2:1 mitigation for more than 75 percent removal. Mitigation may be completed with a combination of the following options: acquisition of an off-site conservation easement, payment of in-lieu fees, or either on- or off-site replacement planting of up to 50 percent of the required mitigation area. Mitigation for removal of Heritage or individual oak trees requires on- or off-site replacement planting or payment of in-lieu fees at a 3:1 or 1:1 ratio, respectively, to the number of trunk inches removed. Any oak woodland preserved on site and all mitigation planting areas must be protected in perpetuity through deed restrictions or a conservation easement.

PROPOSED PROJECT DESCRIPTION

The approximately 17-acre Project Site is located north and east of Forebay Road in the unincorporated community of Pollock Pines in El Dorado County, California. Existing park improvements on the Project Site include a parking lot, baseball diamond, community center, restroom, and horseshoes complex. The proposed project would add recreation amenities to approximately 8.3 acres of the Project Site including a dog park, disc golf course, play area, workout area, new restroom building, perimeter walking trail, and pickleball courts. To support the new amenities the existing central parking lot and entry roads will be improved. The project intends to preserve as many trees as possible, particularly within the dog park and disc golf course areas. Design techniques that may be used include avoidance or minimization of ground disturbance within the root zone, using boring instead of trenching where feasible, and use of root bridging methods to preserve structural roots under paths. The project may be constructed in phases depending on funding availability and community priorities.

METHODOLOGY

Oak resources on the Project Site were surveyed by ISA-Certified Arborist Marisa Brilts (WE-13338A) on February 21, 2022. All oak trees on the Project Site were assessed and trees with DBH of at least six inches were inventoried. A diameter tape or calipers were used to verify each trunk diameter at breast height, defined as 4.5 feet above grade. The measurement from the trunk to the end of the longest lateral limb was used as the drip line radius (DLR). Tree height was visually estimated. Each tree was tagged with a pre-printed aluminum tag, which corresponds to the numbering in Attachment A and on Figure 1. The location of each inventoried tree was recorded using a Juniper Geode Global Navigation Satellite System receiver with sub-meter accuracy. Oak woodland boundaries were mapped in ArcMap using a combination of aerial photo interpretation and field observations.

The health and structural condition of all inventoried trees were rated according to Table 1. The health rating considers factors such as the size, color, and density of the foliage; the amount of deadwood within the canopy; bud viability; evidence of wound closure; and the presence or evidence of stress, disease, nutrient deficiency, and/or insect infestation. The structural rating reflects the trunk and branch configuration; canopy balance; the presence of included bark and other structural defects such as decay; and the potential for structural failure. In cases where conditions fall between the Good, Fair, and Poor ratings, intermediate ratings Fair-Good and Poor-Fair were used.

Table 1
TREE RATING GUIDELINES

Rating	Tree Health
Good	There is an average or below-average amount of deadwood/dieback with respect to the tree's size and growing environment; leaf size, color, and density are typical for the species; buds are normal size, viable, abundant, and uniform throughout the canopy; current and past growth increments are generally average or better; any callusing is vigorous. This health rating indicates that there is very little, if any, evidence of stress, disease, nutrient deficiency, and/or insect infestation.
Fair	There is an above-average amount of deadwood/dieback with respect to the tree's size and growing environment; leaf size, color, and density may be below what is typically expected for the species; buds are normal size and viable, but slightly sparse throughout the canopy; current and past growth increments may be below average; the tree may be slow to callus around old wounds. This health rating indicates that there is moderate evidence of stress, disease, nutrient deficiency, and/or insect infestation.
Poor	There is an extreme amount of deadwood/dieback with respect to the tree's size and growing environment; leaf size, color, and density are clearly compromised; very few viable buds are present throughout the canopy; current and past growth increments are meager; no evidence of callusing around old wounds. This health rating indicates that there is widespread evidence of stress, disease, nutrient deficiency, and/or insect infestation.
	Tree Structure and Form
Good	No wounds, cavities, decay, or indication of hollowness are evident in the root crown, trunk, or primary and secondary limbs; no anchor roots are exposed; no codominant branching or multiple trunk attachments are present; very little included bark at branch attachments exists; no dead primary or secondary limbs are present in canopy; there have been no major limb failures; limbs are not overburdened; branching structure is appropriate for species; any decay is limited to small dead branches/stubs. This structure rating represents a low potential for failure.
Fair	With respect to the size of the tree, small to moderate wounds, cavities, decay, and an indication of hollowness may be evident in the root crown, trunk, and/or primary and secondary limbs; some anchor roots may be exposed; codominant branching or multiple trunk attachments may be present, but included bark does not exist or is not well developed; minor to moderate amounts of included bark at branch attachments may exist; there may be small to moderate amounts of large dead limbs in canopy, but there is no evidence of large limb failures; limbs may be slightly overburdened; branching structure and/or canopy balance may be moderately altered by the tree's growing environment. This structure rating represents a moderate potential for failure.
Poor	With respect to the size of the tree, significant wounds, cavities, decay, and/or indication of hollowness may be evident in the root crown, trunk, and/or primary and secondary limbs; anchor roots may be exposed and/or the tree may have lost anchorage; codominant branching or multiple trunk attachments may be present; significant amounts of included bark may exist in trunk and branch attachments; there may be significant amounts of large dead limbs in the canopy; there may be evidence of trunk or large limb failures; limbs may be severely overburdened; branching structure and/or canopy balance may be drastically altered by the tree's growing environment. This structure rating represents a high potential for failure.

EXISTING CONDITIONS

In total, 1.76 acres of montane hardwood conifer habitat was mapped in the southern portion of the Project Site (Figure 1). Dominant overstory vegetation was composed of black oak (*Quercus kelloggii*), Douglas fir (*Pseudotsuga menziesii*), and ponderosa pine (*Pinus ponderosa*). Oak trees have an average density of approximately 18 trees per acre in the montane hardwood conifer habitat. The majority of the undeveloped portions of the site are Sierran mixed conifer forest dominated by incense cedar (*Calocedrus decurrens*), ponderosa pine, Douglas fir (*Pseudotsuga menziesii*), and white fir (*Abies concolor*) with scattered hardwoods including black oak, tanoak (*Notholithocarpus densiflorus*), and Pacific madrone (*Arbutus menziesii*).

A total of 50 protected black oak trees are present on the Project Site. Seventeen inventoried trees are Heritage Trees, 14 of which are located within the montane hardwood conifer habitat. Thirty-six individual oak trees, including three Heritage Trees, were inventoried in the mixed conifer forest. Additionally, six trees with a DBH between 24 and 36 inches are located within the montane hardwood conifer; these trees are not addressed further in this report. A total of eleven trees, including three Heritage Trees, are recommended for removal due to disease such as trunk decay or fungus, or asymmetrical structure and lean with an identified target, such as a house or road, that offer the potential to injure people and damage property. Tree data are shown in Attachment A and oak resource locations are shown on Figure 1.

IMPACT ASSESSMENT

Potential impacts to protected oak resources were assessed based on the Conceptual Design dated August 25, 2022, and the proposed project description above. One tree, #648, is expected to be removed to allow improvement of the existing entry road. Since the dog park and disc golf course both allow for flexibility in grading design and layout, it is assumed that the nine individual trees and fourteen heritage trees within or overhanging these areas, will be preserved but may be impacted. However, it is assumed that the 0.77 acre (44%) of montane hardwood conifer habitat within the disc golf area will be impacted by clearing and removal of vegetation for sight and play lines, access, and fire safety. The other project features will potentially impact an additional eight individual trees in the northeast corner of the site (Figure 2). Final impacts to oak resources should be re-evaluated once the detailed design of each project element is complete to determine if project impacts to protected trees are significant and require mitigation.

OAK RESOURCE PRESERVATION RECOMMENDATIONS

The following protection measures should be integrated into the project construction documents as applicable to preserved trees:

- Tree Protection Fencing, consisting of four-foot-tall, high-visibility plastic fencing, shall be placed around the perimeter of the tree protection zone (TPZ) (dripline radius + 1 foot). The TPZ is the minimum distance for placing protective fencing. Tree protection fencing should be placed as far outside of the TPZ as possible. Two-foot square signs shall be placed along the fence denoting this as a Tree Protection Zone that shall not be moved until construction is complete. In cases where the proposed work infringes on TPZ, the fence shall be placed at the edge of the work;

- Whenever possible, fence multiple trees together in a single TPZ;
- Tree protection fencing shall not be moved without prior authorization from the County of El Dorado;
- No parking, portable toilets, dumping or storage of any construction materials, grading, excavation, trenching, or other infringement by workers or domesticated animals is allowed in the TPZ;
- No signs, ropes, cables, or any other item shall be attached to a protected tree unless recommended by an ISA-Certified Arborist;
- Underground utilities should be avoided in the TPZ, but, if necessary, shall be bored or drilled. If boring is impossible, all trenching will be done by hand under the supervision of an ISA-Certified Arborist;
- No cut or fill within the dripline of protected trees is permitted. If cut or fill within the dripline is unavoidable, any mitigation requirements shall be determined by the County of El Dorado;
- Pruning of living limbs or roots over two inches in diameter shall be done under the supervision of an ISA-Certified Arborist;
- All wood plant material less than six inches in diameter shall be mulched on site. The resulting mulch shall be spread in a layer four to six inches deep in the TPZ of preserved trees. Mulch shall not be placed touching the trunk of preserved trees;
- At the discretion of the Project Proponent and Project Arborist indirectly impacted trees should be deep watered once per month in July, August, September, and October to a soil saturation depth of 16-18 inches; and
- Appropriate fire prevention techniques shall be employed around all protected trees to be preserved. This includes cutting tall grass, removing flammable debris within the TPZ, and prohibiting the use of tools that may cause sparks, such as metal-bladed trimmers or mowers.

MITIGATION

As previously discussed, mitigation may be implemented through payment of in-lieu fees, on- or off-site planting, or acquisition of an off-site conservation easement. El Dorado County is responsible for all oak resource mitigation. It is assumed that all montane hardwood conifer habitat within the disc golf and dog park areas will be impacted but that all individual and heritage trees will be preserved. Table 2 summarizes required mitigation planting or in-lieu fee options based on this assumption. Final impacts to protected oak trees should be assessed as improvements are designed and any necessary additional mitigation should be calculated using the current oak resource regulations. The Oak Resources Technical Report Checklist and Oak Resource Compliance Certificate should also be completed at that time.

Due to the extent of the existing canopy cover on-site, it is assumed that mitigation will be completed through in-lieu fee payment. If it is desired to use mitigation planting or a conservation easement for

mitigation in place of or in addition to the in-lieu fee payment, then a planting, maintenance, and monitoring plan and conservation easement or deed restriction should be prepared in accordance with the ORMP.

Table 2
MITIGATION OPTIONS

Oak Resource	Impact	Mitigation Ratio	Planting[1] (15-gallon)	Fee (per acre or trunk inch)	Total Fee
Oak Woodland	0.77 acre	1:1	14	$8,285	$6,379.45
Individual Oak Tree	11 inches	1:1	11	$153	$1,683
Heritage Tree	None currently – re-evaluate once detailed design is complete	3:1	1,614	$459	--
		TOTAL	**2,078**	**--**	**$8,062.45**

[1] If smaller container replacement trees are used, additional mitigation trees will be required based on the ratios provided in Table 4 of the ORMP.

If you have any questions, please do not hesitate to contact me at (916) 435-1205 or email MeredithB@helixepi.com regarding this report.

Sincerely,

Meredith Branstad
ISA Certified Arborist #WE-6727A

Attachments:

Figure 1: Approximate Locations of Oak Resources
Figure 2: Potential Impacts to Oak Resources
Attachment A: Oak Tree Survey Data

HELIX Environmental Planning

Approximate Locations of Oak Resources

Figure 1

T:\PROJECTS\E\ElDoradoCounty_02504\00011_ForebayPark MasterPlan\Map\Oak Resources Forebay Park.aprx 2/8/2023

HELIX Environmental Planning

Potential Impacts to Oak Resources

Figure 2

Attachment A

Oak Tree Survey Data

Tree #	Species	# of Trunks	DBH (Inches)	DLR (Feet)	Height (Feet)	Health	Structure	Recommended for Removal	Project Impact	Notes
1	Black Oak	1	10.5	16	25	Fair-Good	Fair-Good	No	Impacted	no tag
178	Black Oak	1	8	14	25	Fair-Good	Fair-Good	No	Impacted	
179	Black Oak	2	13, 7	25	40	Fair-Good	Fair	No	Impacted	Lean, Codominant
180	Black Oak	1	9.5	12	20	Fair-Good	Fair-Good	No	None	Lean
181	Black Oak	1	10	14	22	Fair-Good	Fair-Good	No	None	Lean, Asymmetrical canopy
182	Black Oak	1	6	10	18	Fair-Good	Fair-Good	No	None	
183	Black Oak	1	27.5	55	75	Fair	Poor-Fair	No	Impacted	Limb Decay, Codominant, Included Bark, Lean, Root rot
184	Black Oak	1	13	22	45	Fair-Good	Fair-Good	No	None	Pruning cuts
185	Black Oak	1	10	18	20	Fair-Good	Fair	No	Impacted	Asymmetrical canopy, Lean, Overhead utility lines
188	Black Oak	1	6.5	15	18	Fair-Good	Fair-Good	No	Impacted	Lean
190	Black Oak	1	9	8	10	Poor	Poor	Yes	Impacted	rot, dying, Root rot
191	Black Oak	1	9	15	18	Fair-Good	Fair	Yes	Impacted	Lean, target house, Root rot
192	Black Oak	2	35, 34	50	85	Fair-Good	Poor-Fair	No	Impacted	Included Bark, Codominant, Mistletoe, **Heritage Tree**
193	Black Oak	1	32	35	80	Fair-Good	Fair-Good	No	Impacted	
194	Black Oak	1	15.5	18	40	Fair	Poor-Fair	No	Impacted	Lean, Limb Decay
640	Black Oak	1	40	31	50	Good	Fair-Good	No	Impacted	Pruning Wounds, **Heritage Tree**
641	Black Oak	2	6, 4	12	22	Fair-Good	Poor-Fair	Yes	None	Lean, Codominant, target road, Root rot
644	Black Oak	1	9.5	10	15	Fair	Poor-Fair	Yes	None	Lean, Codominant, Root rot
646	Black Oak	1	8.5	20	20	Fair-Good	Poor-Fair	No	None	Lean, Codominant, Asymmetrical canopy
647	Black Oak	1	7	20	22	Fair-Good	Fair-Good	No	None	Lean, pruning cuts
648	Black Oak	1	10.5	20	22	Fair-Good	Fair	No	**Removed**	Lean, Codominant, Asymmetrical canopy
649	Black Oak	1	16	18	25	Poor-Fair	Poor	Yes	Impacted	Lean, Codominant, Limb decay, Dieback, Root rot
651	Black Oak	3	19, 18, 17	25	25	Fair-Good	Fair	No	None	Lean, Codominant, Included Bark, Limb wound, **Heritage Tree**

Tree #	Species	# of Trunks	DBH (Inches)	DLR (Feet)	Height (Feet)	Health	Structure	Recommended for Removal	Project Impact	Notes
652	Black Oak	1	43.5	30	50	Fair-Good	Fair-Good	No	Impacted	Lean, Codominant, Included Bark, Limb wound, **Heritage Tree**
653	Black Oak	1	46.5	35	55	Fair-Good	Fair	No	Impacted	Included Bark, **Heritage Tree**
654	Black Oak	1	46.5	45	55	Fair-Good	Fair	No	Impacted	Asymmetrical canopy, Limb Decay, **Heritage Tree**
655*	Black Oak	1	31	30	45	Poor	Poor	Yes	N/A	Lean, Large Trunk wound, Root rot, top heavy
656*	Black Oak	1	34.5	30	55	Fair	Fair	No	N/A	Trunk wound, Limb decay
657*	Black Oak	1	28.5	35	55	Poor-Fair	Poor-Fair	Yes	N/A	Lean, Limb decay, Root rot
658	Black Oak	1	37.5	30	55	Fair	Fair	No	Impacted	Lean, suggested limb trim over road, **Heritage Tree**
659	Black Oak	1	42.5	50	65	Fair	Poor-Fair	No	Impacted	Limb wound, Limb Decay, Trunk wound, **Heritage Tree**
660	Black Oak	1	40	35	65	Fair-Good	Fair	No	Impacted	Limb Decay, Codominant, **Heritage Tree**
661	Black Oak	1	30.5	35	55	Poor	Poor-Fair	Yes	Impacted	Lean, Trunk decay, Root rot
662	Black Oak	1	41	35	60	Poor-Fair	Poor-Fair	No	Impacted	tree heath in question due to adjacent burn, **Heritage Tree**
663	Black Oak	2	28, 22	30	60	Fair-Good	Fair	No	Impacted	Lean, Codominant, Included Bark, **Heritage Tree**
666*	Black Oak	1	26	30	60	Fair	Fair	No	N/A	Limb decay, Lean
668	Black Oak	1	14.5	18	38	Fair-Good	Fair	No	Impacted	Lean
669*	Black Oak	1	25	25	45	Fair	Fair	No	N/A	Lean, Limb decay
672	Black Oak	1	18	15	45	Poor-Fair	Poor-Fair	Yes	Impacted	Fungus, Trunk decay, Lean, Root rot
673	Black Oak	1	42	40	75	Poor	Fair	Yes	Impacted	Trunk decay, Root rot, Heritage Tree
674	Black Oak	1	37	50	70	Poor	Poor-Fair	Yes	Impacted	Trunk decay, Limb Decay, Root rot, Heritage Tree
675	Black Oak	1	37	20	45	Poor-Fair	Poor-Fair	Yes	None	Lean, Trunk decay, Root rot, Heritage Tree
678	Black Oak	1	32	40	80	Fair-Good	Fair	No	Impacted	Lean
679	Black Oak	1	40.5	35	75	Fair-Good	Fair-Good	No	Impacted	**Heritage Tree**

Tree #	Species	# of Trunks	DBH (Inches)	DLR (Feet)	Height (Feet)	Health	Structure	Recommended for Removal	Project Impact	Notes
680	Black Oak	1	21	25	50	Fair-Good	Fair	No	Impacted	Lean
681	Black Oak	1	18	16	40	Fair-Good	Fair-Good	No	Impacted	Lean
682	Black Oak	1	20.5	20	35	Fair-Good	Fair-Good	No	Impacted	Lean
684	Black Oak	1	45.5	40	85	Fair-Good	Fair-Good	No	None	Codominant, **Heritage Tree**
685	Black Oak	1	38	35	75	Fair	Fair-Good	No	Impacted	Limb Decay, **Heritage Tree**
686*	Black Oak	1	33	40	80	Fair	Poor-Fair	No	N/A	Lean, Trunk decay, Limb decay
687	Black Oak	1	21.5	15	40	Fair-Good	Fair-Good	No	None	
692	Black Oak	1	9	15	25	Fair-Good	Fair-Good	No	None	
697	Black Oak	1	16	22	40	Fair-Good	Poor-Fair	Yes	Impacted	Lean over road, Root rot
698	Black Oak	1	6	9	18	Fair-Good	Poor-Fair	No	Impacted	Asymmetrical canopy, Suppressed growing environment
699	Black Oak	1	22.5	15	55	Fair-Good	Fair	No	Impacted	Lean, Limb Decay
700	Black Oak	1	31	42	80	Fair-Good	Fair-Good	No	Impacted	Limb Decay, Lean

* Tree with DBH between 24" and 36" located in oak woodland.

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Appendix E

Special-Status Plant Surveys

HELIX Environmental Planning, Inc.
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www.helixepi.com

June 22, 2022 Project 02504.00011.001

County of El Dorado
Vickie Sanders, Park Manager
3000 Fair Lane Court, Suite 1
Placerville, CA 95667

Subject: Focused Special-Status Plant Surveys for the Forebay Park Improvements Project Located in the Unincorporated Community of Pollock Pines, El Dorado County, California

Dear Ms. Sanders:

On behalf of the County of El Dorado (Client), HELIX Environmental Planning, Inc. (HELIX) conducted special-status plant surveys for Pleasant Valley mariposa lily (*Calochortus clavatus* var. *avius*) and Stebbins' phacelia (*Phacelia stebbinsii*) for the Forebay Park Improvements Project (Project) located in the unincorporated community of Pollock Pines, El Dorado County, California (Figure 1). This report describes the methods implemented for the surveys and summarizes the results of the surveys.

INTRODUCTION

On June 15, 2022, HELIX Biologist Greg Davis surveyed suitable habitat within the Study Area (Figure 2) for Pleasant Valley mariposa lily and Stebbins' phacelia. The intent of the survey was to identify special-status plant species within the Study Area that may act as constraints to future development of the site. The survey was conducted in accordance with the guidelines provided by the California Department of Fish and Wildlife (CDFW) and the California Native Plant Society (CNPS). To effectively cover the blooming period of the species stated above, one survey was conducted in June 2022.

STUDY AREA AND EXISTING CONDITIONS

The ±16.90-acre Study Area is located in the unincorporated community of Pollock Pines in El Dorado County, California. The Study Area is bordered by Forebay Road/Forebay Reservoir to the west and rural residential development to the north/east/south. The Study Area is located within Township 11 North, Range 12 East, Section 25 of the USGS 7.5-minute series *Pollock Pines, California* quadrangle. The approximate location of the Study Area is 38.770375° Latitude, and -120.580746° Longitude.

As it relates to botanical resources, the Study Area is located within the Northern High Sierra Nevada District (n SNH) of the High Sierra Nevada Subregion (SNH), within the Sierra Nevada Region (SN), and has an elevation ranging from 1,162 to 1,177 meters (3,815 to 3,860 feet) above mean sea level (msl)

(Jepson eFlora 2022). The Study Area is located approximately 7.75 miles northeast of the SNH and Sierra Nevada Foothills Subregion (SNF) boundary. Biological communities within the Study Area include Sierran mixed conifer and developed/disturbed habitats. Soils within the site are comprised of the McCarthy soil consociation, which are soils derived from andesitic volcanic residuum.

PROPOSED PROJECT

The proposed project includes improvements to the existing park in the Study Area. Detailed plans for the proposed project are not available as of the preparation of this report.

SPECIAL-STATUS PLANT SPECIES

The *Forebay Park Improvements Project Biological Resources Assessment*, prepared by HELIX, identified two special-status plant species that have potential to occur within the Study Area based on-site characteristics and biological communities on-site, which includes Pleasant Valley mariposa lily and Stebbins' phacelia (HELIX 2022). These species are discussed in further detail below.

Pleasant Valley Mariposa Lily

Pleasant Valley mariposa lily is a perennial bulbiferous herb in the lily family (Liliaceae) that is classified with a California Rare Plant Rank (CRPR) of 1B by the CNPS, which are plants considered to be rare, threatened, or endangered in California and elsewhere. This species is found within lower montane coniferous forest from 305 to 1,800 meters above msl (CNPS 2022). Other ecological preferences of this species include growing in Josephine silt loam and volcanically derived soils, often in rocky areas (CDFW 2022). The blooming period for this species is from May to July (CNPS 2022).

Stebbins' Phacelia

Stebbins' phacelia is an annual herb in the waterleaf family (Hydrophyllaceae) that is classified with a CRPR of 1B by the CNPS. This species is found in cismontane woodland, lower montane coniferous forest, and meadows/seeps from 610 – 2,320 meters above msl (CDFW 2022; CNPS 2022). Other ecological preferences of this species include growing amongst rocks and rubble on metamorphic rock benches (CDFW 2022). The blooming period for this species is from May to July (CNPS 2022).

METHODOLOGY

HELIX Biologist Greg Davis conducted a botanical survey within the Study Area on June 15, 2022. A review and analysis of technical materials and relevant databases was undertaken prior to conducting the botanical survey. The entire Study Area was surveyed on foot following the procedures described in the California Department of Fish and Wildlife's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW 2018). The botanical survey was floristic in nature: all plant species observed during the survey were identified to the taxonomic level necessary to determine rarity and listing status.

In addition to the database review, a reference population of Stebbins' phacelia near the vicinity of the Study Area was visited on June 15, 2022. This population was observed to have several individuals present and was in various growth stages including plants both in bloom and in fruit.

In accordance with the CDFW Protocols, Greg Davis possesses the following botanical field surveyor qualifications: knowledge of plant taxonomy and plant community ecology; familiarity with the plants of the region, including special-status and locally significant plants; experience with the CNDDB, BIOS, and Survey of California Vegetation Classification and Mapping Standards; experience conducting floristic botanical field surveys as described in the CDFW Protocols; familiarity with the state and federal statuses and regulations related to plants and plant collecting; and experience analyzing impacts of project activities on native plant species and sensitive plant communities.

CONCLUSION AND RECOMMENDATIONS

No special-status plant species were observed within the Study Area during the June 15, 2022, botanical survey. All plant species observed during the survey are documented in Attachment A and are classified utilizing the taxonomical nomenclature from the Jepson Manual (Baldwin et al. 2012).

Please do not hesitate to call me at (916) 435-1202 or email gregd@helixepi.com if you have any questions.

Sincerely,

Greg Davis
Biologist

Attachments:

Figure 1: Vicinity Map
Figure 2: Habitat Map
Attachment A: Plant Species Observed in the Study Area

REFERENCES

Baldwin, B.G., D.H. Goldman, D.J. Keil, R. Patterson, T.J. Rosetti, and D.H. Wilken, editors. 2012. *The Jepson Manual: Vascular Plants of California, 2nd Edition*. University of California Press, Berkeley.

California Department of Fish and Wildlife (CDFW). 2022. *California Natural Diversity Database* (CNDDB). Sacramento, CA. Accessed June 20, 2022.

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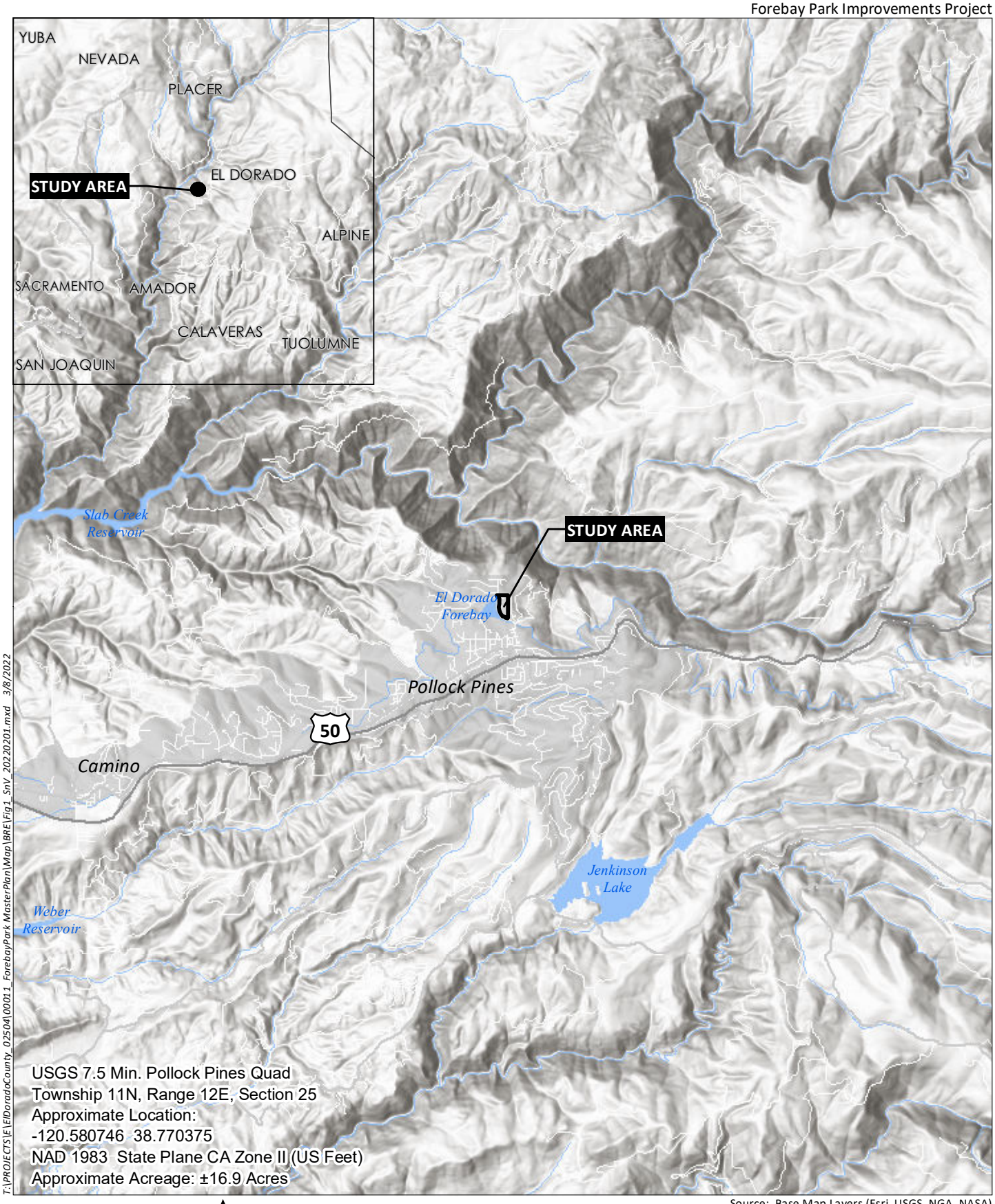

HELIX Environmental Planning

Vicinity Map

Figure 1

Source: Aerial (DigitalGlobe, 1/30/2020)

HELIX Environmental Planning

Habitat Map

Figure 2

Attachment A

Plant Species Observed in the Study Area

Family	Scientific Name	Common Name	Indicator Status[1]
Native			
Agavaceae	*Chlorogalum pomeridianum*	Common soaproot	-
Aristolochiaceae	*Asarum hartwegii*	Hartweg's wild ginger	-
Asteraceae	*Adenocaulon bicolor*	American trailplant	-
	Anisocarpus madioides	Woodland tarweed	-
	Artemisia douglasiana	California mugwort	-
	Psilocarphus tenellus	Slender woolly-marbles	-
	Senecio aronicoides	California butterweed	-
Betulaceae	*Corylus cornuta* ssp. *californica*	Beaked hazelnut	-
Boraginaceae	*Draperia systyla*	Draperia	-
Caprifoliaceae	*Lonicera conjugialis*	Purpleflower honeysuckle	-
	Symphoricarpos albus	Common snowberry	-
	Symphoricarpos mollis	Creeping snowberry	-
Cornaceae	*Cornus nuttallii*	Mountain dogwood	-
	Cornus sericea ssp. *occidentalis*	Western dogwood	-
Cupressaceae	*Calocedrus decurrens*	Incense cedar	-
Ericaceae	*Arbutus menziesii*	Pacific madrone	-
	Arctostaphylos viscida ssp. *viscida*	White leaf manzanita	-
	Gaultheria ovatifolia	Slender wintergreen	-
Fagaceae	*Notholithocarpus densiflorus*	Tanoak	-
	Quercus kelloggii	Black oak	-
	Quercus wislizeni	Interior live oak	-
Grossulariaceae	*Ribes roezlii* var. *roezlii*	Sierra gooseberry	-
Iridaceae	*Iris hartwegii*	Hartweg's iris	-
Juncaceae	*Luzula comosa* var. *laxa*	Hairy wood rush	-
Liliaceae	*Fritillaria affinis*	Checker lily	-
	Prosartes hookeri	Drops of gold	-
Montiaceae	*Claytonia rubra* subsp. *rubra*	Red stemmed miner's lettuce	-
Onagraceae	*Clarkia rhomboidea*	Tongue clarkia	-
	Clarkia unguiculata	Woodland clarkia	-
Phrymaceae	*Diplacus torreyi*	Torrey's monkeyflower	-
Pinaceae	*Abies concolor*	White fir	-
	Pinus ponderosa	Ponderosa pine	-
	Pseudotsuga menziesii	Douglas fir	-
Plantaginaceae	*Penstemon azureus* var. *angustissimus*	Azure penstemon	-
Poaceae	*Bromus sitchensis* var. *marginatus*	Mountain brome	-
	Elymus glaucus	Blue wildrye	-
Polemoniaceae	*Collomia grandiflora*	Grand collomia	-
	Collomia heterophylla	Varied leaved collomia	-
	Leptosiphon ciliatus	Whiskerbrush	-
Ranunculaceae	*Aquilegia formosa*	Columbine	-
	Delphinium gracilentum	Slender larkspur	-
	Delphinium patens subsp. *patens*	Spreading larkspur	-
Rhamnaceae	*Ceanothus sp.*	Ceanothus	-
	Ceanothus velutinus	Tobacco brush	-

Family	Scientific Name	Common Name	Indicator Status[1]
Rosaceae	*Amelanchier alnifolia*	Service berry	-
	Chamaebatia foliolosa	Sierran mountain misery	-
	Drymocallis glandulosa var. *reflexa*	Sticky cinquefoil	-
	Rosa californica	California wild rose	-
	Rubus leucodermis	White bark raspberry	-
Rubiaceae	*Galium aparine*	Cleavers	-
	Galium porrigens	Climbing bedstraw	-
	Kelloggia galioides	Milk kelloggia	-
Ruscaceae	*Maianthemum racemosum*	Feathery false lily of the valley	-
Sapindaceae	*Acer macrophyllum*	Big leaf maple	-
Viscaceae	*Phorodendron leucocarpum*	American mistletoe	-
Non-native			
Apiaceae	*Torilis arvensis*	Field hedge parsley	Moderate
Asteraceae	*Leucanthemum vulgare*	Oxe eye daisy	Moderate
	Tragopogon dubius	Yellow salsify	-
Caryophyllaceae	*Lychnis coronaria*	Rose campion	-
Brassicaceae	*Brassica nigra*	Black mustard	Moderate
	Lunaria annua	Annual honesty	-
Fabaceae	*Lathyrus latifolius*	Sweet pea	-
	Vicia sativa	Spring vetch	-
Hypericaceae	*Hypericum perforatum*	Common St. Johnswort	Moderate
Poaceae	*Bromus diandrus*	Ripgut brome	Moderate
	Cynosurus echinatus	Dogtail grass	Moderate
	Dactylis glomerata	Orchardgrass	Limited
	Hordeum murinum	Foxtail barley	Moderate
Plantaginaceae	*Plantago lanceolata*	English plantain	Limited
Rosaceae	*Rubus armeniacus*	Himalayan blackberry	High
	Rubus laciniatus	Cut leaved blackberry	-

[1] Cal-IPC Rating = Limited; Moderate; High

Appendix F

Mitigation Monitoring and Reporting Program

MITIGATION MONITORING AND REPORTING PROGRAM
FOREBAY PARK IMPROVEMENT PROJECT

Purpose of Mitigation Monitoring and Reporting Program: The California Environmental Quality Act (CEQA), Public Resources Code Section 21081.6, requires that a Mitigation Monitoring and Reporting Program (MMRP) be established upon completing findings. CEQA stipulates that "the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation."

This MMRP has been prepared in compliance with Section 21081.6 of CEQA to ensure that all required mitigation measures are implemented and completed according to schedule and maintained in a satisfactory manner during the construction and operation of the project, as required. A table (attached) has been prepared to assist the responsible parties in implementing the MMRP. The table identifies individual mitigation measures, monitoring/mitigation timing, the responsible person/agency for implementing the measure, and space to confirm implementation of the mitigation measures. The numbering of mitigation measures follows the numbering sequence found in the Initial Study and Mitigated Negative Declaration.

The County of El Dorado (County) is the lead agency for the project under CEQA and shall administer and implement the MMRP. The County is responsible for reviewing all monitoring reports, enforcement actions, and document disposition. The County shall rely on information provided by the project site observers/monitors (e.g., construction manager, project manager, biologist, archaeologist, etc.) as accurate and up-to-date and shall provide personnel to field check mitigation measure status, as required.

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Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
			Initials	Date
BIOLOGICAL RESOURCES				
BIO-1: Conduct Pre-construction Surveys Conduct pre-construction surveys for California red-legged frog, western pond turtle, northern goshawk, bald eagle, and nesting migratory birds and raptors (during the nesting season [February 1 through August 31]) 14 days prior to the initiation of construction or ground disturbing activities. If construction or ground disturbing activities do not commence within 14 days, or halt for more than seven days, additional surveys are required prior to resuming or starting work, as detailed below: • If no California red-legged frog or western pond turtles are observed, then a letter report shall be prepared to document the results of the survey and provided to the project proponent, and no additional measures are recommended for California red-legged frog or western pond turtle. If construction does not commence within 14 days of the pre-construction survey, or halts for more than seven days, an additional survey is required prior to resuming or starting work. If California red-legged frog or western pond turtles are present in the project site, then agency consultation with the appropriate wildlife agencies shall be required to determine appropriate buffers and additional measures to reduce impacts to these species. Additional avoidance measures may include, but are not limited to, having a qualified biologist conduct a second pre-construction survey within 24 hours prior to commencement of construction activities or having a qualified biologist present on-site during initial ground-clearing and grading activities for the purpose of relocating any California red-legged frogs or western pond turtle found out of the construction footprint and into agency-approved relocation areas.	No more than 14 days prior to initiation of construction/ground disturbing activities.	Qualified Biologist; Construction Personnel.		

Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
			Initials	Date
• If development activities occur during the nesting season, a qualified biologist should conduct a nesting bird survey within the project footprint to determine the presence of any active nests that may be impacted by construction activities. Additionally, the surrounding 500 feet of the project footprint should be surveyed for active raptor nests, where accessible, and with binoculars, as necessary. The nesting bird survey should be conducted within 14 days prior to commencement of ground-disturbing or other development activities. If the nesting bird survey shows that there is no evidence of active nests, a letter report should be prepared to document the survey and provided to the project proponent, and no additional measures are recommended. If development does not commence within 14 days of the nesting bird survey, or halts for more than seven days, an additional survey is required prior to starting or resuming work. • If active nests are found, the qualified biologist should establish species-specific buffer zones to prohibit development activities and minimize nest disturbance until the young have successfully fledged or the biologist determines that a nest is no longer active. Buffer distances may range from 50 feet for most songbirds up to 250 to 500 feet for most raptors. Nest monitoring may also be warranted during certain phases of development to ensure nesting birds are not adversely impacted by construction activities. If active nests are found within any trees slated for removal, an appropriate buffer should be established around the tree and all trees within the buffer should not be removed until a qualified biologist determines that the nest has successfully fledged and is no longer active.		.		

Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
			Initials	Date
BIO-2: Environmental Awareness Training A qualified biologist shall conduct environmental awareness training for all construction personnel prior to the initiation of work. The training shall include identification of California red-legged frog, western pond turtles, special status birds, and nesting birds; required practices to be implemented prior to and during construction; general measures that are being implemented to conserve the species as they relate to the project; penalties for non-compliance, boundaries of the non-disturbance buffer zones; and what to do/whom to contact should any sensitive wildlife or plant species, or nesting birds be observed on-site during construction. Upon completion of the training, all construction personnel shall sign a form stating that they have attended the training and understand all the measures. Proof of this instruction shall be kept on file with the project proponent.	Prior to initiation of work.	Qualified Biologist; Construction Personnel		
BIO-3: Oak Woodland Removal Permit The project proponent will obtain an oak woodland removal permit. Required mitigation will be implemented on-site and integrated into the landscape plan. If on-site mitigation is not feasible, then mitigation will be completed through off-site mitigation or payment of in-lieu fees in accordance with the ORMP. **Oak Tree Protection Measures**. For all protected trees to be preserved within 20 feet of the impact area, protection measures shall be implemented in order minimize impacts to protected trees. Protection measures include:	Prior to construction and/or tree removal activities.	El Dorado County; Project Proponent.		

Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
			Initials	Date
• Install tree protection fencing, consisting of a minimum four-foot tall high-visibility fence (orange plastic snow fence or similar) on steel posts placed a maximum of eight-feet on center, shall be placed at the edge of the woodland habitat and around the perimeter of the root protection zone (RPZ; dripline radius x 1.3) for the trees to remain, whichever is greater. The RPZ is the minimum distance for placing protective fencing, but tree protection fencing should be placed as far outside of the RPZ as possible. • Tree and vegetation removal will be limited to the extent needed to facilitate project construction and access to the site. • If permanent site improvements (e.g., paving, buildings, and structures) encroach into the protected area, install fence at limit of work. If temporary impacts (e.g., grading, utility installation) require encroachment into the protected area, move fence to limit of work during active construction of item and return to edge of protected area once work is completed. • Protection fencing shall not be moved without prior authorization from the Project Arborist or County of El Dorado or as detailed on approved plans. • Avoid paving within protected area. If paving cannot be avoided, porous materials will be used. • No parking, portable toilets, dumping or storage of any construction materials, including oil, gas, or other chemicals, or other infringement by workers or domesticated animals is allowed in the protected area. • No signs, ropes, cables, metal stakes, or any other items shall be attached to a protected tree, unless recommended by an ISA-Certified Arborist.				

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			Initials	Date
• Grading, excavation, or trenching within RPZ of existing native oaks should be avoided to the greatest extent possible. Under no circumstances shall fill soil be placed against the trunk of an existing tree. • Underground utilities should be avoided in the RPZ, but, if necessary, shall be bored or drilled. • No trenching is allowed within the RPZ unless specifically approved by the Project Arborist. • Pruning of living limbs or roots shall be done under the supervision of an ISA-Certified Arborist or as approved by the County. • All pruning shall be done by hand, air knife, or water jet, in accordance with ISA standards using tree maintenance best practices. Climbing spikes shall not be used on living trees. Limbs shall be removed with clean cuts just outside the crown collar. • Cover exposed roots or cut root ends in trenches with damp burlap to prevent drying out. • Minimize disturbance to the native ground surface (grass, leaf, litter, or mulch) under preserved trees to the greatest extent feasible. • Native woody plant material (trees and shrubs to be removed) may be chipped or mulched on the project site and placed in a four- to six-inch-deep layer around existing trees to remain. Do not place mulch in contact with the trunk of preserved trees.				

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			Initials	Date
• If a tree to remain has had roots cut during construction, the tree shall be deep-watered once a month during summer/fall months until construction is complete. • Appropriate fire prevention techniques shall be employed around all trees to be preserved. This includes cutting tall grass, removing flammable debris within the RPZ, and prohibiting the use of tools that may cause sparks, such as metal-bladed trimmers or mowers. • No open flames shall be permitted within 15 feet of the tree canopy. • Damage to any protected tree during construction shall be immediately reported to the County of El Dorado Planning Services. Damage shall be corrected as required by the County representative.				

Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
			Initials	Date
CULTURAL RESOURCES				
CUL-1: Worker Awareness Training Program All construction personnel involved in ground disturbing activities shall be trained in the recognition of possible cultural resources and protection of such resources. The training will inform all construction personnel of the procedures to be followed upon the discovery of archaeological materials, including Native American burials. Construction personnel will be instructed that cultural resources must be avoided and that all travel and construction activity must be confined to designated roads and areas. The training will include a review of the local, state, and federal laws and regulations related to cultural resources, as well as instructions on the procedures to be implemented should unanticipated resources be encountered during construction, including stopping work in the vicinity of the find and contacting the appropriate environmental compliance specialist.	Prior to construction.	Qualified Archaeologist; Construction Personnel.		
CUL-2: Accidental Discovery of Cultural Resources If cultural resources are exposed during ground-disturbing activities, construction activities should be halted within 100 feet of the discovery. Cultural resources could consist of but are not limited to stone, bone, wood, or shell artifacts, or features including hearths, structural remains, or historic dumpsites. If the resources cannot be avoided during the remainder of construction, an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards should then be retained, in coordination with the County to assess the resource and provide appropriate management recommendations. If the discovery proves to be CRHR- or NRHP-eligible, additional work, such as data recovery excavation, may be warranted and should be discussed in consultation with the County.	Immediately upon discovery.	El Dorado County; County Coroner.		

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CUL-3: Accidental Discovery of Human Remains Although considered highly unlikely, there is always the possibility that ground disturbing activities during construction may uncover previously unknown human remains. In the event of an accidental discovery or recognition of any human remains, PRC Section 5097.98 must be followed. Once project-related earthmoving begins and if there is a discovery or recognition of human remains, the following steps shall be taken: 1. There shall be no further excavation or disturbance of the specific location, or any nearby area reasonably suspected to overlie adjacent human remains, until the El Dorado County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains are Native American, the coroner shall contact the NAHC within 24 hours, and the NAHC shall identify the person or persons it believes to be the "most likely descendant" of the deceased Native American. The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in PRC Section 5097.98, or 2. Where the following conditions occur, the landowner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendent or on the project area in a location not subject to further subsurface disturbance: a. The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission;	Immediately upon discovery.	El Dorado County; County Coroner.		

Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
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b. The descendent identified fails to make a recommendation; or c. The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the NAHC fails to provide measures acceptable to the landowner.				
HAZARDS AND HAZARDOUS MATERIALS				
HAZ-1: Prevent Wildland Fires during Construction. During construction, the County and construction coordinator shall ensure all areas in which work shall be completed using spark-producing equipment are cleared of dried vegetation or other materials that could serve as fire fuel. To the extent feasible, the construction coordinator shall keep these areas clear of combustible materials to maintain a fire break.	During construction.	El Dorado County; Construction Personnel.		