

Exhibit K

NEGATIVE DECLARATION

FILE: S15-0001

PROJECT NAME: Swansboro Verizon Cellular Tower (Mono-Pine)

NAME OF APPLICANT: Verizon Wireless

ASSESSOR'S PARCEL NO.: 085-010-06

SECTION: 10 **T:** 11N **R:** 11E

LOCATION: North side of One Eye Creek Road approximately 0.72 miles northwest of the intersection with Rock Creek Road in the Mosquito/Swansboro area (Attachment 1).

- ☐ **GENERAL PLAN AMENDMENT:** **FROM:** **TO:**
- ☐ **REZONING:** **FROM:** **TO:**
- ☐ **TENTATIVE PARCEL MAP** ☐ **SUBDIVISION TO SPLIT** **ACRES INTO** **LOTS**
SUBDIVISION (NAME):
- ☒ **SPECIAL USE PERMIT TO ALLOW:** Installation of a wireless telecommunication facility consisting of a 85 foot monopine tower with six antennas mounted at 77 feet, equipment shelter, and related ground equipment within 1,200-square-foot lease area.
- ☐ **OTHER:**

REASONS THE PROJECT WILL NOT HAVE A SIGNIFICANT ENVIRONMENTAL IMPACT:

- ☒ **NO SIGNIFICANT ENVIRONMENTAL CONCERNS WERE IDENTIFIED DURING THE INITIAL STUDY.**
- ☐ **MITIGATION HAS BEEN IDENTIFIED WHICH WOULD REDUCE POTENTIALLY SIGNIFICANT IMPACTS.**
- ☐ **OTHER:**

In accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), State Guidelines, and El Dorado County Guidelines for the Implementation of CEQA, the County Environmental Agent analyzed the project and determined that the project will not have a significant impact on the environment. Based on this finding, the Planning Department hereby prepares this NEGATIVE DECLARATION. A period of thirty (30) days from the date of filing this negative declaration/mitigated negative declaration will be provided to enable public review of the project specifications and this document prior to action on the project by COUNTY OF EL DORADO. A copy of the project specifications is on file at the County of El Dorado Planning Services, 2850 Fairlane Court, Placerville, CA 95667.

This Negative Declaration was adopted by the Planning Commission on August 13, 2015.

Executive Secretary



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

**INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM**

Project Title: S15-0001/Swansboro Verizon Cellular Tower

Lead Agency Name and Address: County of El Dorado, 2850 Fairlane Court, Placerville, CA 95667

Contact Person: Aaron Mount, Project Planner

Phone Number: (530) 621-5355

Property Owner's Name and Address: Nick Jr. and Meghan Rumsey, 4880 Greenstone Rd., Placerville, CA 95667

Project Applicant's Name and Address: Verizon Wireless, 8700 Auburn Folsom Rd., Granite Bay, CA 95746

Project Agent's Name and Address: Epic Wireless, 8700 Auburn Folsom Rd., Granite Bay, CA 95746

Project Location: North side of One Eye Creek Road approximately 0.72 miles northwest of the intersection with Rock Creek Road in the Mosquito/Swansboro area.

Assessor's Parcel Number(s): 085-010-06

Zoning: U (Unclassified)

Section: 10 **T:** 11N **R:** 11E

General Plan Designation: NR (Natural Resource)

Description of Project: A special use permit request for a cellular communications facility consisting of a 85 foot tall stealth monopine with six antennas, two microwave dishes, and nine remote radio units, 16 foot by 11 foot 5 inches equipment shelter, and a 30 kVa generator with a 132-gallon fuel tank all within a 30 foot by 40 foot lease area. A 20 foot wide access easement will be established over an existing compacted dirt driveway. Utility lines will be installed in a 6 foot wide easement between the lease area and an existing utility pole to the south. This tower has been designed to accommodate future collocation by other carriers.

Surrounding Land Uses and Setting:

	<u>Zoning</u>	<u>General Plan</u>	<u>Land Use</u> (e.g., Single Family Residences, Grazing, Park, School)
Site:	U	NR	Undeveloped/Residential
North:	U/A	NR	US Forest Service/Undeveloped
East:	U	NR	Us Forest Service/Residential
South:	U	MDR	Residential
West:	U	NR	Residential

Briefly Describe the environmental setting: The approximately 0.09 lease area is located in the southeast corner of a 39.75 acre parcel. The parcel is located on a north-facing slope at an elevation of approximately 2,685 to 2,700 feet above mean sea level. The site is accessed by One Eye Creek Road which is a privately maintained road. The site was cleared in the summer of 2014 by the property owner which removed manzanita and gray pines. The lease area is at an elevation below One Eye Creek Road. The area around the cellular facility site is montane hardwood-conifer woodland with an understory of blue oak, black oak, and gray pine over dense brush comprised primarily of manzanita.

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

CDA Building Division

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

DETERMINATION

On the basis of this initial evaluation:

- ☒ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and 2) has been addressed by mitigation measures based on the earlier analysis as described in attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects: a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION**, pursuant to applicable standards; and b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: _____

Aaron Mount

Date: _____

7/10/2015

Printed Name: Aaron Mount, Project Planner

For: El Dorado County

Signature: _____

Lillian MacLeod

Date: _____

7/10/15

Printed Name: Lillian MacLeod, Principal Planner

For: El Dorado County

EXISTING AND PROPOSED DEVELOPMENT

The site is currently undeveloped but is adjacent to developed residential parcels consistent with the rural residential zoning and character of the surrounding area.

In accordance with Section 130.14.210(D)(5a) (New Towers and Monopoles) and applicable standards under Section 130.14.210.E-J of the Zoning Ordinance, this special use permit request would allow the construction of a wireless telecommunications facility consisting of a 85-foot monopine with six Verizon Wireless antennas that each measure six feet tall by 12 inches wide by seven inches deep, mounted at the 77-foot pole height, two four-foot diameter microwave dishes, and a 16-foot 10.5-inch by 11-foot 6-inch equipment shelter within a 30- by 40-foot lease area enclosed with a six-foot fence. A 30 kVa diesel generator surrounded by a sound wall and containing a 132 gallon fuel tank would be placed within the lease area. The wireless facility has been designed as a monopine with foliage that matches the existing surrounding vegetation and would be painted to simulate a natural brown bark. The antennas, which would be covered with pine needle socks, are proposed be mounted at 77 feet and extending to the 80-foot height. The foliage would extend another five feet to an overall structure height of 85 feet. The facility has been designed to accommodate one additional carrier to be collocated at an approximate height of 59 feet.

ENVIRONMENTAL IMPACTS

The project parcel is zoned Unclassified. The purpose of the Unclassified districts is to provide for a nominal reservation of use, yet afford protection from encroachment of unrelated uses tending to have an adverse effect on the orderly and homogeneous development of the area. The cell tower facility, to include the monopine, equipment compound, underground cables, and access road, is situated in an area of the parcel that has been previously cleared of pine trees and shrubs.

The project site is not in an Important Biological Corridor. The project site does not contain riparian features, habitat, or federally protected wetlands; gabbro soils, or mineral resources classified MRZ-2x. No fish and wildlife species listed as protected by the State or federal government pursuant to the 2004 General Plan EIR were found on site; however, the biological survey (Foothill Associates, 2/19/15) indicated the potential for four special status plant species in the woodland habitat surrounding the cellular site (*Clarkia biloba* ssp. *brandegeae*, *Clarkia virgata*, *Horkelia parryi*, and *Chlorogalum grandiflorum*), potential for silver haired and Yuma myotis bats to roost on the site, and nesting of raptors to occur adjacent to the cellular site. If construction takes place between February 1 to September 1, the applicant will be required to conduct surveys for the presence of the concerned plant, bat, and avian species and if found, take necessary measures to protect the species in coordination with the state Department of Fish and Wildlife or the California Native Plant Society. The site is within the winter range of the Pacific deer herd. No significant fencing is being proposed that would limit the migration of this herd.

The proposed installation of the cell tower facility will not require any grading that would impact air quality plans or standards, including greenhouse gases; or increase odors or pollution concentrations to any discernable level subject to the standard conditions for air quality and dust reduction applied to the project. The proposed installation of the cell tower facility will not require any grading that would impact or degrade cultural resources as determined by the submitted cultural resource report. Any noise generated from installation of the cell tower facility will be subject to General Plan Policy 6.5.1.11 reducing any noise impacts from temporary construction to less than significant. Operational noise from air conditioning units in the equipment shelter and weekly testing of the back-up generator will generate

combined noise levels of 42.2dBA measured at the south property line (Hammett & Edison, Inc., 2/20/15). As such, the maximum generated noise level will be significantly less than the daytime limit of 50dBA and evening limit of 45 dBA allowed in rural zones under General Plan Policy 6.5.1.10.

A two-state system will provide continuous wireless communication coverage in case of a power outage. It will consist of a back-up battery that will be recharged by a standby diesel generator running off of a 132 gallon fuel tank. The proposed diesel generator and fuel tank meets UL certification. The equipment shelter will contain a fire extinguisher and the cell tower facility will contain a fire alarm connected to a nation-wide alerting system. The access road will be constructed to support and provide adequate turn-around for an emergency fire vehicle. As such, impacts from fire hazards will be less than significant.

A cultural resource survey (EBI Consulting, 1/21/15) concluded that the site's sensitivities for historic resources and precontact are low. There are no known registered archaeological sites within a half-mile radius of the site. After consultation with tribes that historically occupied the area and a negative on-site survey, it was concluded that the site is not sensitive for archaeological resources and it is unlikely that the proposed project area is sensitive for significant below-grade cultural resources.

The cell tower facility is proposed for installation over 87 feet from the nearest property line to the west and is at an elevation below the road between the adjacent residences. The existing vegetation will screen the equipment compound from view from the roadway. Photosimulations indicate the monopine will blend in with the heavily treed area and have no impact on the visual quality of the site or its surroundings. The arborist report (Foothill Associates, 2/19/15) states there would be no impact to oak woodland as no oak trees are to be removed, ensuring consistency with the General.

The cell tower facility will be installed on a site that has Mariposa soils (MbE) that are low in expansiveness and considered stable. El Dorado County does not appear on the Alquist-Priolo lists so that the potential for earthquake or ground shaking activity is low in the region. However, any potential impact caused by installing the cell tower facility in the project area would be offset by compliance with the Uniform Building Code earthquake standards. Compliance with the County Grading, Erosion, and Sediment Control Ordinance would ensure that grading for the access road and equipment compound would protect drainage patterns in the project area, reducing erosion or loss of topsoil to less than significant.

Based on the radiofrequency electromagnetic field (RFE) analysis (Waterford, 2/6/15), the public exposures at ground level will be 0.24 percent of the public exposure limits. Several buildings are located approximately 120 feet south and southwest of the proposed antenna structure. At these locations, the maximum predicted power density level resulting from all operations is 0.001 percent of the FCC General Public limits. As concluded in the analysis, occupational exposure to the contractors and maintenance personnel "must comply with FCC occupational exposure guidelines whenever work is required near the antennas themselves". Hazards to the public and carrier personnel from RFE exposure will be less than significant.

Traffic impacts will consist of a temporary increase from construction and installation activities. Once completed, the cell tower facility will be computer-monitored from a central office. Ongoing maintenance will require a technician to visit the site only one to two times per month. Any increase in traffic from installation and operation of the cell tower facility will be less than significant.

MANDATORY FINDINGS

- a. Required pre-construction seasonal surveys would reduce impacts to potential wildlife or plant habitat on the site that could reduce wildlife or plant populations below self-sustaining levels, or restrict the range or migratory habits of a rare or endangered animal. Any cultural or archeological resources discovered during construction shall be protected with the standard condition requiring cessation of the activity until determination of the value and disposition of the resource has been made by a qualified specialist.
- b. No cumulative impacts from the proposed stand-alone cell tower facility have been determined to exist.
- c. Any radiofrequency emissions effects that could possibly cause substantial adverse effects on human beings have been analyzed against FCC requirements for direct and indirect impacts and found to be well below the thresholds of significance. The monopine will blend in with the surrounding vegetation reducing its visual impact on the public

INITIAL STUDY ATTACHMENTS

- Attachment 1 USGS Quad/Location Map
- Attachment 2 Site Plan, Sheet A-1, February 9, 2015

SUPPORTING INFORMATION SOURCE LIST

The following documents are available at El Dorado County Planning Services in Placerville.

El Dorado County General Plan Draft Environmental Impact Report
Volume 1 of 3 – EIR Text, Chapter 1 through Section 5.6
Volume 2 of 3 – EIR Text, Section 5.7 through Chapter 9
Appendix A
Volume 3 of 3 – Technical Appendices B through H

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

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

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

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

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

El Dorado County Design and Improvement Standards

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

Soil Survey of El Dorado Area, California

Interim Interpretive Guidelines for El Dorado County General Plan Policy 7.4.4.4. (Option A) (Adopted 11/9/06; Amended 10/12/07)

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

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

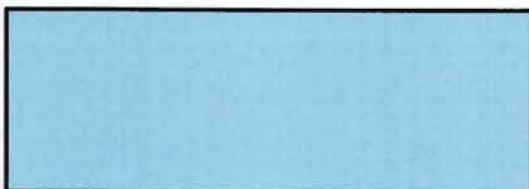
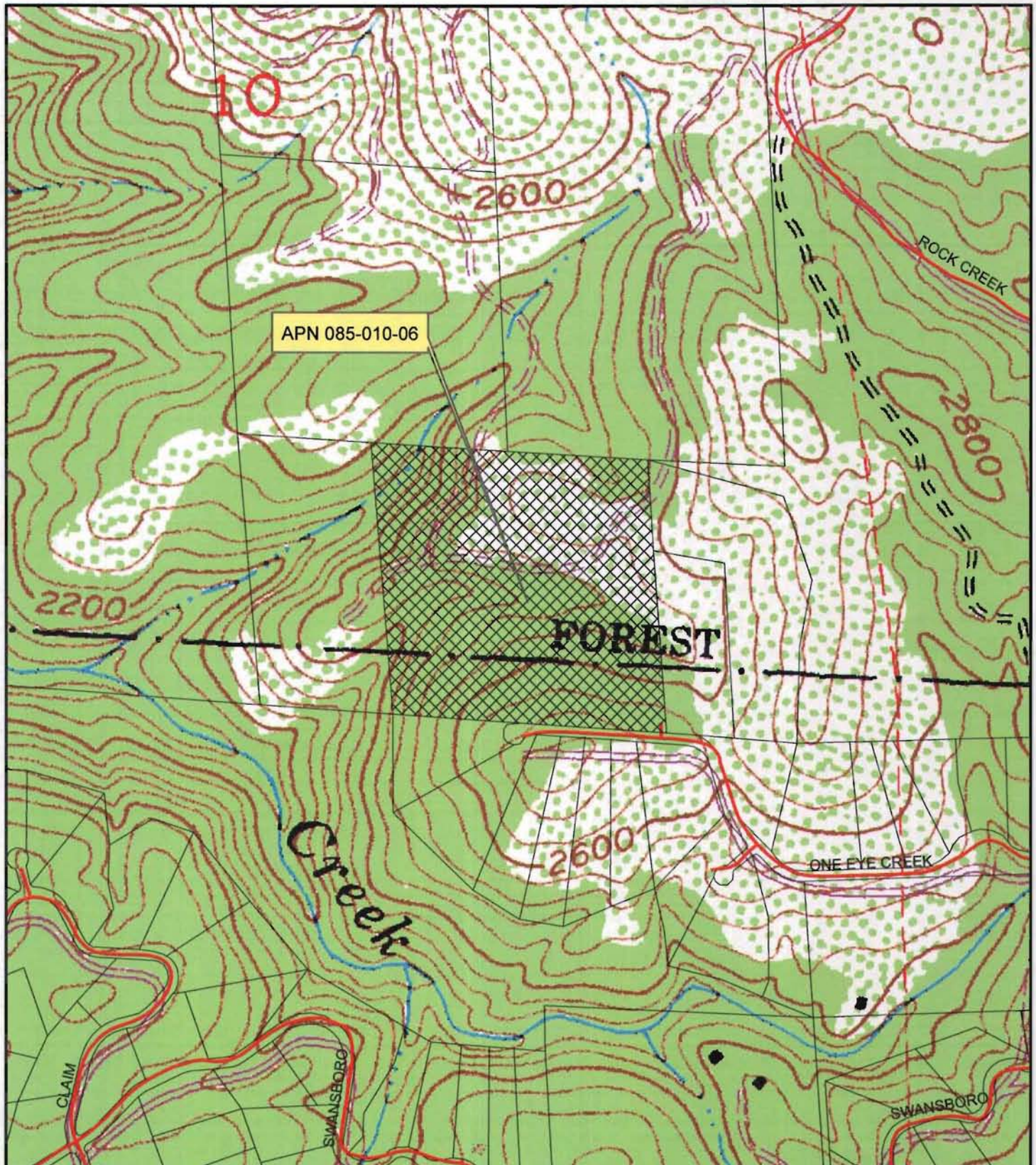
Biological Assessment for the Swansboro Verizon Site, Foothill Associates, February 19, 2015

Acoustic Analysis for Verizon Wireless Site No. 285387, Hammett & Edison Inc., February 20, 2015.

Radio Frequency Emissions Compliance Report for Verizon Wireless Swansboro, Waterford, January 06, 2015

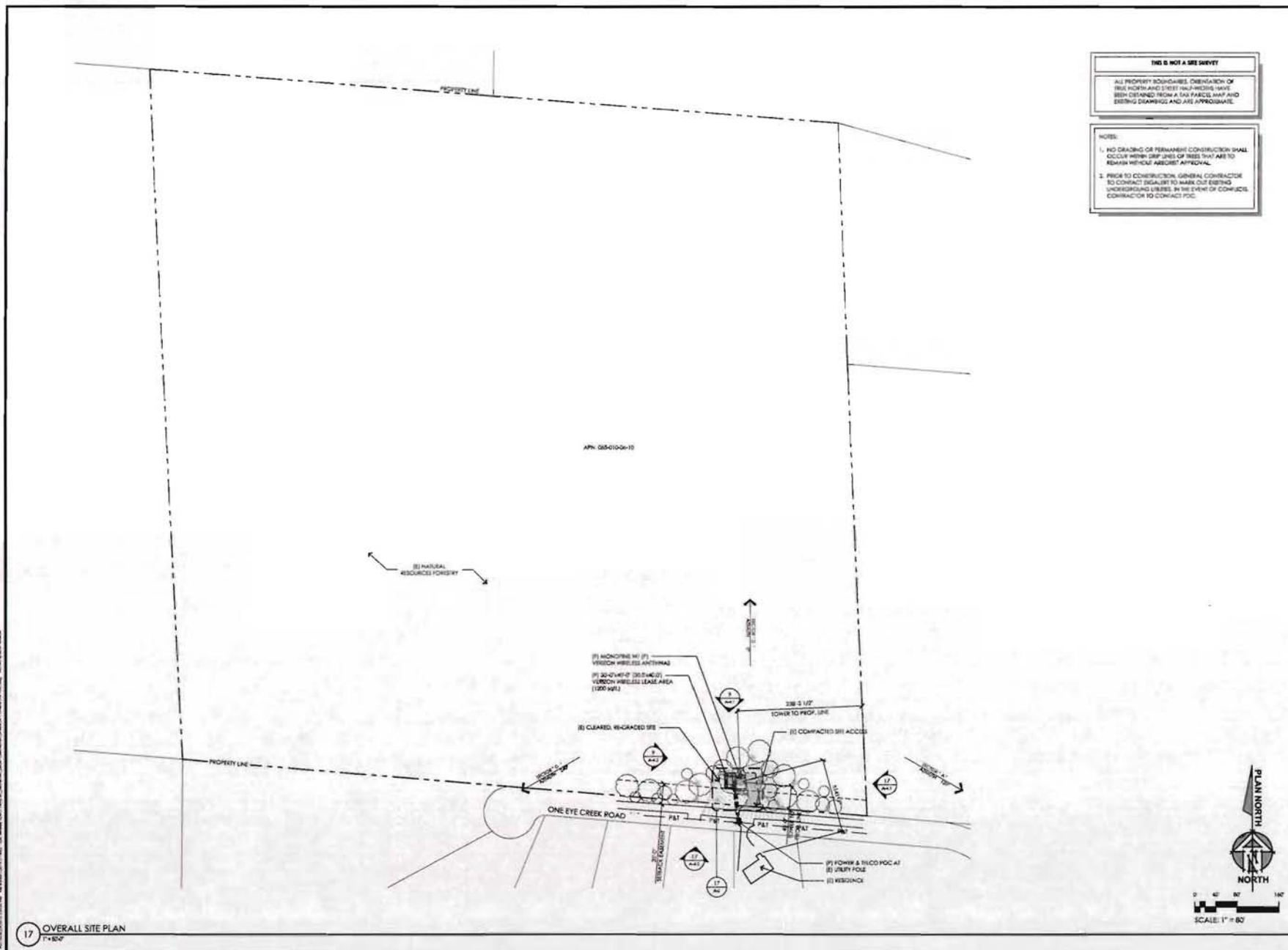
Cultural Resource Survey Swansboro/Ensite #22971, EBI Consulting, January 21, 2015.

Attachment 1:USGS Quad



S15-0001 Swansboro Verizon Tower
Prepared By Aaron Mount

0 0.05 0.1 0.2 Miles



PREPARED FOR



255 Parkshore Drive
Folsom, California 95630

Vendor:



Project Address:



PROJECT NO: 20141015089

LOCATION NO: 265387

DRAWN BY: J.V.M.

CHECKED BY: B.K.W.

REV	DATE	DESCRIPTION
1	02/09/15	Initial Mitigation
2	01/22/15	100% ZD Rev 1
3	11/17/14	100% ZD Submittal
4	11/05/14	POC ZD Submittal
5	08/14/14	100% ZD Submittal

License:



IF A SEARCH OF LAW FOR ANY
PENALTY VIOLATION HAS BEEN
MADE UNDER THE PROVISIONS OF A LICENSED
PROFESSIONAL ENGINEER TO ALTER THE
DOCUMENT.

Issued For:

02/09/15
100% ZDs Submittal

SHEET TITLE:

OVERALL
SITE PLAN

SHEET NUMBER:

A-1

ATTACHMENT 2