

DIXON RANCH RESIDENTIAL PROJECT

CEQA FINDINGS

Pursuant to Section 15091 and 15093 of the State CEQA Guidelines and Section 21081 of the Public Resources Code

November 17, 2015

The Final Environmental Impact Report (Final EIR) prepared by El Dorado County (County) for the Dixon Ranch Residential Project (project) consists of the Draft EIR and Response to Comments Document on the Draft EIR, including text changes to the Draft EIR identified in the Response to Comments Document. The Final EIR identifies significant environmental impacts that will result from implementation of the project. The Final EIR identified a total of 29 significant impacts; implementation of the identified mitigation measures would reduce 20 of these impacts to less-than-significant levels. The Final EIR identified 9 significant and unavoidable environmental impacts. For several of these significant and unavoidable impacts, feasible mitigation measures have been identified that will reduce these impacts to less-than-significant levels.

Three of these are transportation impacts; mitigation measures have been identified which would reduce the impact to a less-than-significant level, but the mitigation measures may be implemented after project construction, so the Final EIR identified the impact as temporarily significant and unavoidable until each measure is constructed, at which time the impact would be less than significant. Notably, if an improvement is not included in the 10-year Capital Improvement Program (CIP) at the time the first building permit is issued for the project, the project applicant is required to construct the improvement, thereby ensuring that the required improvements will be constructed in a timely fashion. If the improvement is included in the 10-year CIP there may be a temporary period of approximately 10 years or less, during which time the impact is significant and unavoidable. The EIR's conclusion that such temporary impacts are significant and unavoidable (until the improvement is constructed) is extremely conservative. Fair-share contributions to a mitigation fund are adequate mitigation if they "are part of a reasonable plan of actual mitigation that the relevant agency commits itself to implementing." (*Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1187.) The County's Capital Improvement Plan is such a program. There is no requirement in CEQA that an EIR must include a time-specific schedule for the agency to complete the specified road improvements. (*Save Our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal.App.4th 99, 140–411 [upholding fee-based mitigation even though there may be temporary impacts while improvements are constructed.] All that is required by CEQA is a *reasonable plan* for mitigation. (*Sacramento Old City Association v. City Council* (1991) 229 Cal.App.3d 1011, 1032.) Thus, in concluding the temporary impacts are significant and unavoidable, the EIR *exceeded* the requirements of CEQA.

The construction and operation of the project will result in significant air quality impacts. While mitigation measures are identified to substantially lessen construction and operation related emissions, these impacts would still be considered significant and unavoidable. The project would also result in a significant and unavoidable cumulative air quality impact. Construction and operation of the project would result in a significant and unavoidable greenhouse gas emissions impact, even

with implementation of the identified mitigation measures. The project would also result in a significant and unavoidable impact with a plan adopted for the purposes of reducing greenhouse gas emissions. Finally, even with implementation of the construction noise mitigation measures, the project would result in a significant and unavoidable impact related to construction noise.

For each of these significant and unavoidable effects, the County finds that specific economic, legal, social, recreational, and environmental benefits override and outweigh the project's significant unavoidable impacts. The CEQA Findings document contains a Statement of Overriding Considerations for the significant and unavoidable impacts.

As required by CEQA, the County Board of Supervisors, in adopting these CEQA Findings and Statement of Overriding Considerations, also adopts a Mitigation Monitoring and Reporting Program (MMRP) for the project. The Board of Supervisors finds that the MMRP, which is incorporated by reference, meets the requirements of Public Resources Code Section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects of the project. Implementation of the MMRP is required as a condition of approval for the project.

In accordance with CEQA and the *CEQA Guidelines*, the Board of Supervisors of El Dorado County adopts these findings as part of the certification of the Final EIR for the project. Pursuant to Public Resources Code Section 21082.1(c)(3), the Board of Supervisors of El Dorado County also finds that the Final EIR reflects the County's independent judgment as the lead agency for the project.

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SECTION 1.0 INTRODUCTION

1.1 STATUTORY REQUIREMENTS FOR FINDINGS

The California Environmental Quality Act (CEQA), (Cal. Pub. Res. Code, Section 21080) and the *CEQA Guidelines* (Cal. Code Regs., Title 14, Section 15063) state that if it has been determined that a project may or will have significant impacts on the environment then an Environmental Impact Report (EIR) must be prepared. Accordingly, an EIR has been prepared by El Dorado County (hereafter referred to as “the County”) to evaluate potential environmental effects that may result from implementation of the proposed Dixon Ranch Residential Project (project). The EIR has been prepared in accordance with the California Environmental Quality Act of 1970, as amended (Cal. Pub. Res. Code, Section 21000 et seq.), and implementing State *CEQA Guidelines* (Cal. Code Regs., Title 14, Section 15000 et seq.).

In accordance with *CEQA Guidelines* Section 15090, the Board of Supervisors of El Dorado County (hereafter referred to as the “Board of Supervisors”), as the decision-making body for the Dixon Ranch Residential Project (hereafter referred to as the “project” or “proposed project”), certifies that:

- a) The Final EIR for the proposed project has been completed and processed in compliance with the requirements of CEQA;
- b) The Final EIR was presented to the Board of Supervisors, as the decision-making body for the proposed project, and the Board of Supervisors reviewed and considered the information contained in the Final EIR prior to adopting the proposed project; and
- c) The Final EIR reflects El Dorado County’s independent judgment and analysis. The County has exercised independent judgment in accordance with Public Resources Code Section 21082.1(c) in retaining its own environmental consultant directing the consultant in the preparation of the EIR as well as reviewing, analyzing, and revising material prepared by the consultant.

These CEQA Findings of Fact (hereafter referred to as “Findings”), and Mitigation Monitoring and Reporting Program (MMRP) have been prepared in accordance with CEQA and the *CEQA Guidelines*. The purpose of these Findings is to satisfy the requirements of Public Resources Code Section 21081 and Sections 15090, 15091, 15092, 15093, and 15097 of the *CEQA Guidelines*, in connection with the adoption of the proposed project. Before approving a project an EIR must be certified pursuant to Section 15090 of the *CEQA Guidelines*. Prior to approving a project for which an EIR has been certified, and for which the EIR identifies one or more significant environmental impacts, the approving agency must make one or more of the following findings, accompanied by a brief explanation of the rationale, pursuant to Public Resources Code Section 21081 and Section 15091 of the *CEQA Guidelines*, for each identified significant impact:

- 1) Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
- 2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

- 3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

In other words, CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to avoid or substantially lessen the significant environmental impacts that will otherwise occur with implementation of the project.

The *CEQA Guidelines* do not define the difference between “avoiding” a significant environmental effect and “substantially lessening” such an effect. The County must therefore glean the meaning of these terms from other contexts in which the terms are used. Public Resources Code Section 21081, on which *CEQA Guidelines* Section 15091 is based, uses the term “mitigate” rather than “substantially lessen.” The *CEQA Guidelines* therefore equate “mitigating” with “substantially lessening.” Such an understanding of the statutory term is consistent with the policies underlying CEQA, which include the policy that “...public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects...”¹

For purposes of these findings, the term “avoid” refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less-than-significant level under CEQA. In contrast, the term “substantially lessen” refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less-than-significant level. These interpretations appear to be mandated by the holding in *Laurel Hills Homeowners Assn. v. City Council* (1978) 83 Cal.App.3d 515, 519-521, in which the Court of Appeal held that an agency had satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question less than significant.

Although *CEQA Guidelines* Section 15091 requires only that approving agencies specify that a particular significant effect is “avoid(ed) or substantially lessen(ed),” for purposes of clarity, in each case these Findings will specify whether the effect in question has been reduced to a less-than-significant level, or has simply been substantially lessened but remains significant.

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project mitigation or alternatives are not required, however, where they are infeasible or where the responsibility for modifying the project lies with some other agency.² The concept of “feasibility” also encompasses the question whether a particular mitigation measure promotes the underlying goals and objectives of the project.³ “Feasibility” under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant, environmental, social, and technological factors.”⁴

¹ Public Resources Code Section 21002.

² *CEQA Guidelines*, Section 15091 (a), (b).

³ *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001.

⁴ *City of Del Mar v. City of San Diego* (1982) 123 Cal.App.3d 410, 417; see also *Sequoiah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.)

With respect to significant effects that cannot be mitigated to a less-than-significant level, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found the project's "benefits" outweigh its "unavoidable adverse environmental effects," and on that basis consider the unavoidable significant effects "acceptable" under CEQA.⁵ The public agency must find, based on substantial evidence in light of the whole record, that specific economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.⁶

The *CEQA Guidelines* state in Section 15093(a) that:

"If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'"

The California Supreme Court has stated, "(t)he wisdom of approving...any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore, balanced."⁷

The County's Findings with respect to the project's significant effects and mitigation measures are set forth below. The discussion below does not attempt to describe the full analysis of each environmental impact contained in the Final EIR. Instead, the discussion provides a summary description of each potentially significant impact, describes the applicable mitigation measures identified in the Draft EIR or Final EIR and adopted by the County, and states the County's Findings on the significance of each impact after imposition of the adopted mitigation measures. A full explanation of these environmental findings and conclusions can be found in the Draft EIR and Final EIR, and these findings hereby incorporate by reference the discussion and analysis in those documents supporting the Final EIR's determinations regarding mitigation measures and the project's impacts and mitigation measures designed to address those impacts. In making these Findings, the County ratifies, adopts, and incorporates into these Findings the analysis and explanations in the Draft EIR and Final EIR, and ratifies, adopts, and incorporates in these findings the determinations and conclusions of the Draft EIR and Final EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these Findings.

1.2 RECORD OF PROCEEDINGS

For purposes of CEQA and the Findings set forth herein, the record of proceedings for the County's decision on the project consists of: a) matters of common knowledge to the County, including, but not limited to, federal, State and local laws and regulations; and b) the following documents which are in the custody of the County:

- Dixon Ranch Residential Project Application materials;

⁵ *CEQA Guidelines* Section 15091(a) and (b).

⁶ Public Resources Code Section 21081(b).

⁷ *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 559, 576.

- Notice of Preparation and all other public notices issued by the County in conjunction with the project (see Appendix A of the Draft EIR for the Notice of Preparation);
- The Public Review Draft EIR and supporting documentation prepared for the proposed project (Appendix A through G and the Draft EIR), dated November 2014 (State Clearinghouse # 2012062023);
- All written comments submitted by agencies, organizations and members of the public during the public comment period on the Draft EIR, and responses to those comments (see Response to Comments Document, dated November 2015) (State Clearinghouse # 2012062023);
- The Mitigation Monitoring and Reporting Program (MMRP) for the project;
- The Staff Report for the December 10, 2015, Planning Commission meeting;
- The Staff Report for the January 12, 2016, Board of Supervisors meeting;
- All findings and resolutions adopted by the County in connection with the project, and all documents cited or referred therein;
- All final reports, studies, memoranda, maps, correspondence, and all planning documents prepared by the County, or the consultants, or responsible or trustee agencies with respect to: a) the County's compliance with CEQA; b) development of the project; or c) the County's action on the project;
- All documents submitted to the County by agencies or members of the public in connection with development of the project; and
- Any other materials required for the record of proceedings by Public Resources Code Section 21167.6 (e).

The official custodian of the record is the County Clerk located at 370 Fair Lane, Placerville, California.

1.3 ORGANIZATION/FORMAT OF FINDINGS

Section 2 of these Findings contains a summary description of the project, sets forth the objectives of the project, and briefly describes alternatives evaluated in the Draft EIR. Section 3 identifies the potentially significant effects of the project which were determined to be mitigated to a less-than-significant level. All numbered references identifying specific mitigation measures refer to numbered mitigation measures found in the Draft EIR, the Initial Study and Response to Comments Document. Section 4 identifies the project's potential environmental effects that were determined not to be significant, and do not require mitigation. Section 5 identifies the significant impacts of the project, including cumulative impacts, that cannot be mitigated to a less-than-significant level even though all feasible mitigation measures have been identified and incorporated into the project. Section 6 discusses the feasibility of project alternatives. Section 7 is the Statement of Overriding Consideration.

SECTION 2.0 DIXON RANCH RESIDENTIAL PROJECT

This section lists the objectives of the proposed project, provides a brief description of the project, and lists the project alternatives evaluated in the Draft EIR.

2.1 PROJECT OBJECTIVES

The objectives of the proposed project are as follows:

- Implement the County's General Plan by directing growth within those areas with moderate topography, located amongst already developed lands, with access to services, schools and transportation systems.
- Implement the County's General Plan by providing urban/suburban type development within lands designated as Community Region in order to ensure the preservation of large expanses of open space and agricultural lands within the County.
- Create an economically viable project that provides a fair-share contribution of infrastructure to the community through the payment of fees and/or construction of required capital improvements, including transportation improvements in accordance with the County's General Plan.
- Provide a broad range of residential product types.
- Offer a range of designs and amenities to meet the needs of the changing demographics of the County, including families, empty nesters and active adults.
- Protect the highest quality natural features and resources of the site while being sensitive to the character of adjacent land uses.
- Provide a residential community containing open space and a range of passive and active recreational amenities for its residents and the community.
- Provide a comprehensively planned project that is sensitive to environmental issues including wetland and tree preservation.
- Improve emergency access and circulation via existing road termini.
- Implement the General Plan strategies and methods for achieving its vision and goals of sustainable growth and economic development.

2.2 PROJECT DESCRIPTION

The project site comprises four parcels which include APNs: 126-020-01, 126-020-02, 126-020-03, 126-020-04, and 126-150-23. The project site is south of Green Valley Road, near its intersection with Malcolm Dixon Road. The project is generally surrounded by residential uses. Existing or approved adjacent subdivisions include Green Springs Ranch to the east and southeast, Serrano to the southwest, and Highland View to the west.

The proposed project would subdivide approximately 280 acres, creating 605 residential lots. One existing vacant and dilapidated residence on the project site would be demolished. One 5-acre lot would be created, which would include the existing Dixon Residence; other than the creation of the 5-acre parcel, no changes to the Dixon Residence are proposed as part of the project. The proposed project would result in the creation of 605 residential parcels containing 604 new single-family detached residential units and the retention of the Dixon Residence. Approximately 160 of these units

would be age restricted to older adults. The project includes approximately 84 acres (30 percent) of open space, including parks, trails, landscaped lots, and native open spaces. The project includes on-site and off-site infrastructure to serve the development. Construction of a clubhouse for the age restricted units is also proposed. The project would be divided into two phases that relate to resolution of issues associated with the County's Oak Woodland Management Plan.

Required project approvals would include: a General Plan Amendment (File No. A11-0006); Zone Change (File No. Z11-0008); Planned Development (File No. PD11-0006); Tentative Map (File No. TM11-1505); Development Agreement (File No. DA14-0001); annexation into the El Dorado Irrigation District; annexation into the El Dorado Hills Community Service District; and annexation into the El Dorado Hills County Water District (El Dorado Hills Fire Department).

2.3 ALTERNATIVES

The following four alternatives to the proposed project were considered in this Draft EIR:

- The CEQA-required No Project alternative. This alternative assumes that the project site would be developed under the existing General Plan and Zoning designations.
- The Small Lot Clustered Development alternative. This alternative assumes that the project would include 605 lots, but that the lots would be smaller to allow for more preservation of open space (with the exception of the Dixon Residence lot).
- The Reduced Build alternative. This alternative assumes that the project site would include 192 units under a Medium Density General Plan Amendment.
- The Non-Gated Development Alternative variant. The non-gated development project variant assumes that the project site would be developed as currently proposed, except that the proposed EVA on Lima Way would be an open public roadway with travel lanes in each direction.

A more detailed description of these alternatives, and required findings, are set forth in Section 5: Feasibility of Project Alternatives.

SECTION 3.0 EFFECTS DETERMINED TO BE MITIGATED TO LESS-THAN-SIGNIFICANT LEVELS

The Draft EIR identified certain potentially significant effects that could result from the project. However, the County finds for each of the significant or potentially significant impacts identified in this section that, based upon substantial evidence in light of the whole record, changes or alterations have been required or incorporated into the project which will reduce these significant or potentially significant effects to less-than-significant levels. Adoption of the recommended mitigation measures will effectively make the mitigation measures part of the project.

3.1 TRANSPORTATION AND CIRCULATION

Impact TRANS-1: Intersection #2, Green Valley Road/El Dorado Hills Boulevard/Salmon Falls Road, would operate at LOS F during the AM peak hour with the proposed project under the Existing (2013) Plus Proposed Project scenario. This is a significant impact.

Mitigation Measure TRANS-1: The project applicant shall be responsible for either: (1) paying appropriate TIM fees for the improvements as identified by the County; or (2) modifying the lane configuration on the southbound approach to result in one left-turn lane, one through lane, and one right-turn lane. These improvements are subject to review and approval by the Community Development Agency, Transportation Division.

Findings for Impact TRANS-1: Mitigation Measure TRANS-1 requires that the project applicant be responsible for payment of TIM fees to the County for the identified improvements or to construct the modifications to Intersection #2, Green Valley Road/El Dorado Hills Boulevard/Salmon Falls Road. As shown in Table IV.C-4 of the Draft EIR, modifying the lane configuration on the southbound approach to one left-turn lane, one through lane, and one right-turn lane results in the intersection operating at LOS D during the AM peak hour, and LOS E is acceptable within Community Regions. As of November 2015, the County anticipates this improvement to be constructed by the County within 2015, as identified in the County's CIP Project #73151. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure TRANS-1 will be incorporated into the project via conditions of approval, and will reduce Impact TRANS-1 to a less-than-significant level.

Impact TRANS-2: Intersection #12, El Dorado Hills Boulevard/Francisco Drive, would operate at LOS F during the AM and PM peak hours without the project, and the project contributes more than 10 peak hour trips to the intersection during both peak hours under the Existing (2013) Plus Proposed Project scenario. This is a significant impact.

Mitigation Measure TRANS-2: The project applicant shall pay TIM fees for the project consistent with the County's CIP program. Improvements to this intersection include the addition of an eastbound channelized right-turn lane on Francisco Drive and southbound receiving lane on El Dorado Hills Boulevard as identified in the County's CIP Project #71358 (Francisco Drive Right Turn Pocket). Completion is scheduled within the County's 10-year CIP. (SU [until the improvements are constructed] / LTS [after the improvements are constructed])

Finding for Impact TRANS-2: The County finds that with implementation of Mitigation Measure TRANS-2, Impact TRANS-2 would be considered less-than-significant. This identified improvement has been constructed as of Fall 2015. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that the improvements identified in Mitigation Measure TRANS-2 have already been constructed, reducing Impact TRANS-2 to a less-than-significant level. Mitigation Measure TRANS-2 will be incorporated into the project via conditions of approval.

Impact TRANS-4: Intersection #4, Green Valley Road/Loch Way operates at LOS F during the PM peak hour with the project under the Existing Plus Approved Projects (2018) Plus Proposed Project scenario. This is a significant impact.

Mitigation Measure TRANS-4: The project applicant shall be responsible for the addition of a two-way left-turn lane along Green Valley Road in the immediate vicinity of the intersection with Loch Way. This improvement would provide a left-turn lane for westbound traffic on Green Valley Road to turn left onto Loch Way and would allow for vehicles making a

northbound left-turn movement from Loch Way onto Green Valley Road to clear eastbound traffic and wait for a gap in westbound traffic to merge onto westbound Green Valley Road.

Findings for Impact TRANS-4: Mitigation Measure TRANS-4 requires the applicant be responsible for modifications to Intersection #4, Green Valley Road/Loch Way. As shown in Table IV.C-6, the addition of a two-way left-turn lane along Green Valley Road in the immediate vicinity of the intersection with Loch Way results in the intersection operating at LOS C during the PM peak hour in the Existing Plus Approved Projects (2018) Plus Proposed Project scenario. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure TRANS-4 will be incorporated into the project via conditions of approval, and will reduce Impact TRANS-4 to a less-than-significant level.

Impact TRANS-6: Intersection #4, Green Valley Road/Loch Way, would operate at LOS F during the PM peak hour with the project under the Cumulative (2025) Plus Proposed Project scenario. This is a significant impact.

Mitigation Measure TRANS-6: Implement Mitigation Measure TRANS-4.

Findings for Impact TRANS-6: Mitigation Measure TRANS-6 requires the applicant be responsible for modifications to Intersection #4, Green Valley Road/Loch Way. As shown in Table IV.C-10, the addition of a two-way left-turn lane along Green Valley Road in the immediate vicinity of the intersection with Loch Way results in the intersection operating at LOS C during the PM peak hour in the Cumulative (2025) Plus Proposed Project scenario. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure TRANS-6 will be incorporated into the project via conditions of approval, and will reduce Impact TRANS-6 to a less-than-significant level.

Impact TRANS-7: Intersection #7, Green Valley Road/Deer Valley Road, operates at LOS E during the PM peak hour without the project, and the project contributes more than 10 peak hour trips to the intersection during the PM peak hour under the Cumulative (2025) Plus Proposed Project scenario. This is a potentially significant impact.

Mitigation Measure TRANS-7: In order to ensure proper timing for the installation of the traffic signal control, the applicant shall be responsible to perform traffic signal warrants and LOS analysis at this intersection with each final map in accordance with the Manual on Uniform Traffic Control Devices (version in effect at the time of application). If traffic signal warrants are met, or LOS E reached at the intersection at the time of application for final map (including the lots proposed by that final map), the applicant shall construct the improvements prior to issuance of the first certificate of occupancy for any lot within that final map.

If traffic signal warrants are not met or LOS E is not reached upon application for the last final map within the project, the project applicant shall pay its TIM fees toward the installation of a traffic signal control at this intersection. Payment of TIM fees is considered to be the project's proportionate fair share towards mitigation of this impact.

If the traffic signal control at this intersection is constructed by the County or others prior to triggering of mitigation by the project, payment of TIM fees is considered to be the project's proportionate fair share towards mitigation of this impact.

Traffic signal controls constructed by the project applicant may be eligible for reimbursement of costs in excess of the project's fair share, subject to a reimbursement agreement with the County.

Findings for Impact TRANS-7: Mitigation Measure TRANS-7 requires the project applicant to perform traffic signal warrants and LOS analysis at Intersection #7, Green Valley Road/Deer Valley Road with each final map in accordance with the Manual on Uniform Traffic Control Devices (version in effect at the time of application). If traffic signal warrants are met, or LOS E reached at the intersection at the time of application for final map (including the lots proposed by that final map), the applicant shall construct the improvements. If traffic signal warrants are not met or LOS E is not reached upon application for the last final map within the project, the project applicant shall pay its TIM fees toward the installation of a traffic signal control at this intersection. As shown in Table IV.C-10 of the Draft EIR, this mitigation measure results in the intersection operating at LOS A during the PM peak hour. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure TRANS-7 will be incorporated into the project via conditions of approval, and will reduce Impact TRANS-7 to a less-than-significant level.

Impact TRANS-8: Intersection #24, Silva Valley Parkway/Appian Way, operates at LOS F during the PM peak hour without the project, and the project contributes more than 10 peak hour trips to the intersection during the PM peak hour and results in LOS F during the AM peak hour under the Cumulative (2025) Plus Proposed Project scenario. This is a significant impact.

Mitigation Measure TRANS-8: In order to ensure proper timing for the installation of the traffic signal control, the applicant shall be responsible to perform traffic signal warrants and LOS analysis at this intersection with each final map in accordance with the Manual on Uniform Traffic Control Devices (version in effect at the time of application). If traffic signal warrants are met, or LOS F reached at the intersection at the time of application for final map (including the lots proposed by that final map), the applicant shall construct the improvements prior to issuance of the first certificate of occupancy for any lot within that final map.

If traffic signal warrants are not met or LOS F is not reached upon application for the last final map within the project, the project shall pay its TIM fees toward the installation of a traffic signal control at this intersection. Payment of TIM fees is considered to be the project's proportionate fair share towards mitigation of this impact.

If the traffic signal control at this intersection is constructed by the County or others prior to triggering of mitigation by the project, payment of TIM fees is considered to be the projects proportionate fair share towards mitigation of this impact.

Traffic signal controls constructed by the project may be eligible for reimbursement of costs in excess of the project's fair share, subject to a reimbursement agreement with the County.

Findings for Impact TRANS-8: Mitigation Measure TRANS-8 requires the project applicant to perform traffic signal warrants and LOS analysis at Intersection #24, Silva Valley Parkway/ Appian Way with each final map in accordance with the Manual on Uniform Traffic Control Devices (version in effect at the time of application). If traffic signal warrants are met, or LOS F reached at the intersection at the time of application for final map (including the lots proposed by that final map), the applicant shall construct the improvements. If traffic signal warrants are not met or LOS F is not reached upon application for the last final map within the project, the project applicant shall pay its TIM fees toward the installation of a traffic signal control at this intersection. As shown in Table IV.C-10 of the Draft EIR, this mitigation measure results in the intersection operating at LOS B and LOS A during the AM and PM peak hours, respectively. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure TRANS-8 will be incorporated into the project via conditions of approval, and will reduce Impact TRANS-8 to a less-than-significant level.

3.2 AIR QUALITY

Impact AIR-1: Construction activities could result in increased airborne asbestos.

Mitigation Measures AIR-1: The project applicant shall comply with El Dorado County AQMD Rule 223-2 Fugitive Dust – Asbestos Hazard Mitigation. The project sponsor shall prepare an Asbestos Dust Mitigation Plan Application, including an outline of the areas of disturbance that are located in the area designated “more likely to contain asbestos or fault line”, which shall be submitted to and approved by the El Dorado County AQMD prior to the start of project construction.

Findings for Impact AIR-1: Mitigation Measure AIR-1 requires the project applicant to comply with El Dorado County AQMD Rule 223-2 Fugitive Dust – Asbestos Hazard Mitigation. The purpose of this Rule is reduce the amount of asbestos particulate matter in the ambient air as a result of any construction or construction related activities by requiring actions to prevent, reduce or mitigate asbestos emissions. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure AIR-1 will be incorporated into the project via conditions of approval, and will reduce Impact AIR-1 to a less-than-significant level.

3.3 NOISE

Impact NOI-2: Implementation of the project could result in traffic noise levels experienced at proposed on-site sensitive land uses in excess of normally acceptable standards for new residential development on Lots 2, 3, and 4.

Mitigation Measure NOI-2: If residential structures are proposed within 294 feet as measured from the Centerline of Green Valley Road, prior to issuance of a grading permit for Lots 2, 3, or 4, the project applicant shall prepare a site specific noise analysis demonstrating that measures have been incorporated into the lot site plan that reduce traffic noise to below the County’s normally acceptable standard of 60 dBA L_{dn} .

Measures to reduce impacts could include the following to achieve the County's noise standard:

- The developer shall construct a berm, or soundwall, or berm/soundwall combination. This berm/soundwall shall extend 100 feet southward from the Lot Z property line along the proposed Lot 2 western property line. This berm/soundwall shall also extend along the eastern property line of the proposed Lot 3 all the way to the project entrance. In addition, for any provision of direct access to Lot 2 or Lot 3 from Green Valley Road, the berm/soundwall shall include a wrap-around design along the entrance drive to this lot in such a manner as to completely block the line-of-sight from the roadway to the outdoor use areas of Lot 2 or Lot 3. The required height of the soundwall/berm shall be determined based on the placement of the residential structure.
- The developer shall also construct a berm, or soundwall, or berm/soundwall along the entire length of the eastern property line of the proposed Lot 4 (facing Green Valley Road). The berm/soundwall shall wrap-around the northwestern property line of Lot 4, along the project's northern entrance roadway, for an additional 100 feet. The required height of the soundwall/berm shall be determined based on the placement of the residential structure.

Implementation of Mitigation Measure NOI-2 will ensure that on-site project-related traffic noise impacts will be reduced to less-than-significant.

Findings for Impact NOI-2: Mitigation Measure NOI-2 requires the project applicant to demonstrate that the project achieves the County noise standards. These standards can be met by locating residential structures on Lots 2, 3 and 4 so that they meet the traffic noise standards, or by installing a berm, soundwall, or berm/soundwall combination to meet the traffic noise standards. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure NOI-2 will be incorporated into the project via conditions of approval, and will reduce Impact NOI-2 to a less-than-significant level.

3.4 BIOLOGICAL RESOURCES

Impact BIO-1: The proposed project may result in the destruction or abandonment of nests or burrows occupied by special-status, species of special concern, or non-special-status bird species that are protected under the Migratory Bird Treaty Act and Fish and Game Code. (S)

Mitigation Measure BIO-1a: A qualified biologist shall conduct site surveys and a review of the CNDDDB occurrences of eagle nests, prior to tree pruning, tree removal, transplantation, ground disturbing activities, or construction activities on the site to locate active nests containing either viable eggs or young birds. Preconstruction surveys are not required for tree removal, tree pruning, or construction activities outside the nesting period. If construction would occur during the nesting season (February 1 to August 31), preconstruction surveys shall be conducted no more than 14 days prior to the start of pruning, construction, or ground disturbing activities. Preconstruction surveys shall be repeated at 143-day intervals until construction has been initiated in the area after which surveys can be stopped. Locations of active nests containing viable eggs or young birds shall be described and protective measures implemented until the nests no longer contain eggs or young birds. Protective measures shall include establishment of clearly delineated exclusion zones (i.e., demarcated by uniquely identifiable fencing, such as orange construction fencing or equivalent) around each nest site as determined by a qualified

wildlife biologist, taking into account the species of birds nesting on-site and their tolerance for disturbance. In general, exclusion zones shall be a minimum of 300 feet from the drip line of the nest tree or nest for raptors and 50 feet for passerines and other species. The active nest sites within an exclusion zone shall be monitored on a weekly basis throughout the nesting season to identify signs of disturbance or to determine if each nest no longer contains eggs or young birds. The radius of an exclusion zone may be increased by the project biologist if project activities are determined to be adversely affecting the nesting birds. Exclusion zones may be reduced by the project biologist only in consultation with CDFW. The protection measures shall remain in effect until the young have left the nest and are foraging independently or the nest is no longer active. For any project-related activities involving the removal of trees during the nesting season, a report shall be submitted to the County of El Dorado and CDFW once per year documenting the observations and actions implemented to comply with this mitigation measure.

Mitigation Measure BIO-1b: A qualified biologist shall conduct a survey for burrowing owl (*Athene cunicularia*) no less than 3 days prior to initiating ground-disturbing activities. The survey shall be conducted utilizing the recommended methods in the Staff Report on *Burrowing Owl Mitigation, March 7, 2012*, by the State of California, Natural Resources Agency, Department of Fish and Wildlife. The entire project area shall be surveyed, as well as adjoining areas within 150 meters of the project boundaries. For adjoining areas where access is not available, the survey can be conducted utilizing a spotting scope or other methods. If owls are detected on the site, avoidance and minimization measures shall be implemented in coordination with CDFW. If owls are not detected, a final survey shall be conducted within 24 hours prior to ground-disturbing activities to ensure that owls have not moved into the project area.

Findings for Impact BIO-1: Mitigation Measures BIO-1a and BIO-1b require surveys for nesting birds prior to the beginning of ground-disturbing activities. If nesting birds are present, exclusion zones and additional protection measures, in consultation with CDFW, will be identified and implemented based on the specific species identified. Implementation of the identified mitigation measure would reduce the impact to a less-than-significant level. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measures BIO-1a and BIO-1b will be incorporated into the project via conditions of approval, and will reduce Impact BIO-1 to a less-than-significant level.

Impact BIO-2: Implementation of the proposed project would require the removal of oak woodlands that are protected under County guidelines and General Plan Policy 7.4.4.4 and which would be a significant impact.

Mitigation Measures BIO-2: The project applicant shall implement the following two-part measure:

BIO-2a: The project applicant shall comply with County oak tree mitigation requirements to the satisfaction of the Development Services Division, in compliance with the requirements of Option A under Policy 7.4.4.4. As a condition of approval, prior to providing any permits for the project, the project applicant shall prepare and submit an Oak Tree Removal Mitigation Plan to the satisfaction of and approval by the County. Pursuant to the Arborist Report for Phase 1 of the project, mitigation for oak tree removal will consist of planting up to 4.48 acres of oak canopy area at a 1:1 ratio for the acres actually removed, up to the allowable 10 percent canopy removal area. The Mitigation Plan shall

identify the locations for all on-site and off-site planting areas as well as all conditions associated with the planting. At a minimum, all tree planting for this mitigation measure will comply with the County's target density of 200 trees per acre and other guidelines set forth under Option A, as well as the project tree planting specifications summarized in the Dixon Ranch Oak Site Assessment Report and further detailed in the Oak Tree Removal Mitigation Plan. The Mitigation Plan shall also identify measures to protect oak trees adjacent to the construction areas that will not be removed.

BIO-2b: Phase 2 development shall be subject to the requirements of Option A under Policy 7.4.4.4. If in the future, Option B becomes available, the project will undergo additional CEQA review as necessary, and must adhere to all provisions and mitigations outlined in the Option B adopted policy amendments, associated CEQA clearance document, and Oak Tree Removal Mitigation Plan. Option B mitigations and measures may include the following: preparation of an Oak Tree Removal Mitigation Plan, to the satisfaction of and approval by the County; payment of a mitigation fee to the County, for offsite permanent preservation and/or dedication towards an easement of oak woodlands; inclusion and permanent protection of additional oak woodlands as part of the project to offset woodland removals; or other feasible measures identified by and to the satisfaction of and approval of the County. Because it is not known at this time what the updated General Plan will require, at a minimum, the Oak Tree Removal Mitigation Plan shall require oak woodland of comparable quality is conserved, created, or restored at a ratio of two acres of oak woodland canopy area conserved for every one acre of oak canopy area removed (2:1)

Findings for Impact BIO-2: Mitigation Measures BIO-2a and BIO-2b requires the project applicant to comply with County oak tree mitigation requirements to the satisfaction of the Development Services Division, Policy 7.4.4.4. Compliance will involve development and implementation of an Oak Tree Removal Mitigation Plan to the satisfaction of and approval by the County. In addition, Phase 2 of the development shall be subject to the requirements of Option A under Policy 7.4.4.4. If in the future Option B becomes available, the project will undergo additional CEQA review as necessary, and must adhere to all provisions and mitigations outlined in the Option B adopted policy amendments, associated CEQA clearance document, and Oak Tree Removal Mitigation Plan. Because it is not known at this time what the updated General Plan will require, at a minimum, the Oak Tree Removal Mitigation Plan shall require oak woodland of comparable quality is conserved, created, or restored at a ratio of two acres of oak woodland canopy area conserved for every one acre of oak canopy area removed (2:1). Implementation of the identified mitigation measures would reduce the impact to a less-than-significant level. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measures BIO-2a and BIO-2b will be incorporated into the project via conditions of approval, and will reduce Impact BIO-2 to a less-than-significant level.

3.5 CULTURAL RESOURCES

Impact CULT-1: Ground disturbing activities associated with site preparation and the construction of the proposed project could result in the destruction of historic and prehistoric artifacts on the project site.

Mitigation Measure CULT-1: Protective fencing shall be placed around the Dixon Ranch Stone Corral, Bedrock Mortars, and Dry Laid Rock Walls during construction of the proposed project. Protection and preservation of these features should be considered for incorporation into the site plan. If ground disturbance will occur within 20 meters of the bedrock mortars, an archaeological monitor should be present, to ensure protection of these resources. If these features need to be removed for construction of the project, the following activities are recommended:

- Undertake photo-documentation and prepare scaled drawings of the corral and dry-laid rock walls, and bedrock mortar.
- Consult with tribal leaders to consider the possible removal of the bedrock mortars to a location where they can be preserved and interpreted, such as the Shingle Springs Rancheria, 5281 Honpie Rd, Placerville, CA 95667.

Findings for Impact CULT-1: Mitigation Measure CULT-1 requires the applicant to provide protection and documentation measures to avoid or substantially lessen cultural resources impacts. The County finds that requiring artifact protection measures will reduce impacts to a less-than-significant level. If these artifacts need to be removed, documentation of the artifacts, in addition to consultation with tribal leaders to consider the possible removal of the bedrock mortars to a location where they can be preserved and interpreted, would reduce the potential impact. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure CULT-1 will be incorporated into the project via conditions of approval, and will reduce Impact CULT-1 to a less-than-significant level.

Impact CULT-2: Ground-disturbing construction associated with the project may result in impacts to unidentified historical archaeological deposits that may qualify as historical or archaeological resources under CEQA.

Mitigation Measure CULT-2: A qualified archaeologist shall monitor ground-disturbing project activities at the project site and along the off-site sewer alignment. Archaeological monitors must be empowered to halt construction activities at the location of the discovery to review possible archaeological materials and to protect the resource while the finds are being evaluated. Monitoring shall continue until, in the archaeologist's judgment, archaeological deposits are not likely to be encountered.

If archaeological deposits are discovered during project activities, all work within 100 feet of the discovery shall be redirected until the archaeological monitor assesses the situation, consults with agencies as appropriate, and provides recommendations for the treatment of the discovery. Adverse effects to archaeological deposits should be avoided by project activities. If such deposits cannot be avoided, they shall be evaluated for their California Register of Historical Resources eligibility. If the deposits are not eligible, a determination shall be made as to whether it qualifies as a "unique archaeological resource" under CEQA. If the deposits are neither a historical nor unique archaeological resource, avoidance is not necessary. Adverse effects to significant sites that cannot be avoided, or sites that cannot be preserved, must be mitigated. Mitigation can include, but is not necessarily limited to, excavation of the deposit in accordance with a data recovery plan (see *CEQA Guidelines* Section 15126.4(b)(3)(C)) and standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; preparation of a report detailing the methods, findings, and

significance of the archaeological site and associated materials; and accessioning of archaeological materials and a technical data recovery report at a curation facility.

- Upon completion of the monitoring, the archaeologist should prepare a report that describes the results of the monitoring, including any measures that may have been implemented for mitigation of impacts to significant archaeological deposits identified during monitoring. The report should be submitted to the El Dorado County Planning Division and the Northwest Information Center.

Findings for Impact CULT-2: Mitigation Measure CULT-2 requires monitoring of ground-disturbing project activities at the project site and along the off-site sewer alignment. If archaeological deposits are discovered during project activities, all work within 100 feet of the discovery shall be redirected until the archaeological monitor assesses the situation, consults with agencies as appropriate, and provides recommendations for the treatment of the discovery. These measures will mitigate potential impacts should archaeological deposits be discovered during construction. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure CULT-2 will be incorporated into the project via conditions of approval, and will reduce Impact CULT-2 to a less-than-significant level.

Impact CULT-3: Project ground-disturbing activities may disturb human remains, including those interred outside of formal cemeteries, and may result in impacts to cultural resources under CEQA.

Mitigation Measure CULT-3: If human remains are encountered, these remains shall be treated in accordance with Health and Safety Code Section 7050.5 and *CEQA Guidelines* Section 15064.5(e). The project applicant shall inform its contractor(s) of the appropriate protocols in the event that human remains are unearthed by including the following directive in contract documents:

If human remains are encountered during project activities, work within 100 feet of the discovery shall be redirected and the El Dorado County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate. Project personnel shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

The County shall verify that the language has been included in the contract documents before issuing a grading permit.

Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report should be submitted to the El Dorado County Planning Services Division and the North Central Information Center.

Findings for Impact CULT-3: Mitigation Measure CULT-3 requires that if human remains are encountered during project activities, work within 100 feet of the discovery shall be redirected and the El Dorado County Coroner notified immediately. At the same time, an archaeologist

shall be contacted to assess the situation and consult with agencies as appropriate. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. The County finds that requiring adherence to established protocol regarding the treatment of identified human remains is feasible, and will adequately protect such remains. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure CULT-3 will be incorporated into the project via conditions of approval, and will reduce Impact CULT-3 to a less-than-significant level.

Impact CULT-4: Ground disturbing activities associated with project implementation may destroy unique paleontological resources.

Mitigation Measure CULT-4: The project applicant shall include the following directive on the grading plans:

If paleontological resources are encountered during project subsurface construction, all ground-disturbing activities within 100 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Project personnel shall not collect or move any paleontological materials. Paleontological resources include fossil plants and animals, and such trace fossil evidence of past life as tracks. Ancient marine sediments may contain invertebrate fossils such as snails, clam and oyster shells, sponges, and protozoa; and vertebrate fossils such as fish, whale, and sea lion bones. Vertebrate land mammals may include bones of mammoth, camel, saber tooth cat, horse, and bison. Paleontological resources also include plant imprints, petrified wood, and animal tracks.

The County shall verify that the language has been included in the grading plans before issuing a grading permit.

Adverse effects to such deposits shall be avoided by project activities. If avoidance is not feasible, the paleontological resources shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, project activities shall avoid disturbing the deposits, or the adverse effects of disturbance shall be mitigated. Mitigation may include monitoring, recording the fossil locations, data recovery and analysis, a final report, and accessioning the fossil materials and technical report to a paleontological repository. Upon completion of the paleontological assessment, a report shall be prepared documenting the methods, results, and recommendations of the assessment. The report shall be submitted to the El Dorado County Planning Services Division and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology.

Findings for Impact CULT-4: Mitigation Measure CULT-4 requires that if paleontological resources are encountered during project subsurface construction, all ground-disturbing activities within 100 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the

treatment of the discovery. The County finds that requiring work to stop around identified paleontological resources, and the evaluation of these resources is feasible and will adequately protect paleontological resources. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure CULT-4 will be incorporated into the project via conditions of approval, and will reduce Impact CULT-4 to a less-than-significant level.

3.6 GEOLOGY, SOILS AND SEISMICITY

Impact GEO-1: In the absence of proper design, project occupants may potentially be subject to geotechnical hazards including landslide, lateral spreading, subsidence, or collapse.

Mitigation Measure GEO-1a: Prior to the issuance of any site-specific grading or building permits, a design-level geotechnical plan review shall be prepared by a licensed professional, in compliance with County guidelines, and submitted to the County for review and approval. The plan review shall include a finding that the proposed development incorporates all recommendations of the preliminary geotechnical investigation for the project and fully complies with the CBC as well as federal, state, and County requirements. All recommendations, design criteria, and specifications set forth in the preliminary geotechnical investigation and design-level geotechnical plan review shall be implemented.

Mitigation Measure GEO-1b: As a condition of approval for grading permits, a qualified and licensed professional, or his/her representative, shall be required to be present as a construction monitor during clearing and grading of the project site to observe the stripping of deleterious material, over-excavation of existing fills, and to provide consultation as required to the grading contractor(s) in the event that previously undiscovered geotechnical issues are discovered during clearing and grading operations.

Implementation of this two-part mitigation measure will reduce this impact to a less-than-significant level.

Findings for Impact GEO-1: Mitigation Measures GEO-1a and GEO-1b requires that prior to the issuance of any site-specific grading or building permits, a design-level geotechnical plan review shall be prepared by a licensed professional, and the findings of the report incorporated into the project, in compliance with County guidelines, and submitted to the County for review and approval. As a condition of approval for grading permits, a qualified and licensed professional, or his/her representative, shall be required to be present as a construction monitor during clearing and grading of the project site to observe the stripping of deleterious material, over-excavation of existing fills, and to provide consultation as required to the grading contractor(s) in the event that previously undiscovered geotechnical issues are discovered during clearing and grading operations. The County finds that requiring the completion of a design-level final geotechnical report and associated field work, and the incorporation of recommendations from this report into the project design, and the presence of a geotechnical professional onsite during clearing and grading, will minimize hazards associated with landslides, lateral spreading, subsidence, or collapse. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the City finds that Mitigation Measures GEO-1a and GEO-1b will be incorporated into the project via conditions of approval, and will reduce Impact GEO-1 to a less-than-significant level.

3.7 HYDROLOGY AND WATER QUALITY

Impact HYD-1: The construction period and operation period of the project could result in degradation of water quality in Green Spring Creek and downstream receiving waters by reducing the quality of stormwater runoff and increasing erosion/sedimentation.

Mitigation Measure HYD-1: Implementation of the following two-part mitigation measure would reduce construction- and operation-period impacts to water quality to a less-than-significant level:

HYD-1a: Consistent with the requirements of the statewide Construction General Permit, the project applicant shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) designed to reduce potential adverse impacts to surface water quality during the project construction period. The SWPPP shall be designed to address the following: (1) all pollutants and their sources, including sources of sediment associated with construction, construction site erosion and all other activities associated with construction activity are controlled; (2) where not otherwise required to be under a Regional Water Board permit, all non-stormwater discharges are identified and either eliminated, controlled, or treated; (3) site Best Management Practices (BMPs) are effective and result in the reduction or elimination of pollutants in stormwater discharges and authorized non-stormwater discharges from construction activity; and (4) stabilization BMPs installed to reduce or eliminate pollutants after construction are completed.

The SWPPP shall be prepared by a Qualified SWPPP Developer. The SWPPP shall include the minimum BMPs required for the identified Risk Level as well as the County's West Slope Erosion and Sediment Control Requirements for active construction and site stabilization. BMP implementation shall be consistent with the BMP requirements in the most recent version of the California Stormwater Quality Association Stormwater Best Management Handbook-Construction or the Caltrans Stormwater Quality Handbook Construction Site BMPs Manual as well as the County's Erosion and Sediment Control requirements.

The SWPPP shall include a construction site monitoring program that identifies requirements for dry weather visual observations of pollutants at all discharge locations, and as appropriate, depending on the project Risk Level, sampling of site effluent and receiving waters. A Qualified SWPPP Practitioner (QSP) shall perform or supervise all inspection, maintenance, repair, and sampling activities. Although the QSP may delegate any or all of these activities to a trained employee, the QSP shall ensure that all tasks are adequately completed.

In addition to the SWPPP requirement, the project shall fully comply with El Dorado County's Storm Water Ordinance (Ordinance No. 5022), Grading, Erosion and Sediment Control Ordinance (Chapter 15.14), Design and Improvement Standards Manual, and Drainage Manual.

HYD-1b: The project sponsor shall fully comply with the requirements of the most current Phase II General Permit, as implemented by the El Dorado County West Slope Storm Water Program, Storm Water Ordinance (Ordinance No. 5022), Grading, Erosion and Sediment Control Ordinance (Chapter 15.14), Design and Improvement Standards Manual, Drainage Manual, and General Plan Goal 7.3. Responsibilities include, but are

not limited to, designing BMPs into project features and operations to reduce potential impacts to surface water quality and to manage changes in the timing and quantity of runoff associated with development of the project site. The BMPs shall include Site Design/Low Impact Development (LID) measures, such as minimizing disturbed areas and impervious cover and then infiltrating, storing, detaining, retaining, evapotranspiring, and/or biotreating stormwater runoff close to its source, to the maximum extent practicable. Hydromodification Management will also be included in the project design. Funding for the maintenance of all BMPs for the life of the proposed project shall be the responsibility of the Home Owner's Association (HOA) (as the County will not assume maintenance responsibilities for BMPs within private developments). The project sponsor shall establish a stormwater system operation and maintenance plan that specifies a regular inspection schedule of stormwater treatment facilities in accordance with the most current Phase II General Permit. The HOA shall be responsible for long term maintenance of the stormwater system, including monitoring and reporting in accordance with the Phase II General Permit. The plan shall be submitted to the County for review and approval. Maintenance Monitoring, Inspection and Reporting documents required by the plan or the SWRCB shall be submitted to County or SWRCB on demand.

Finding for Impact HYD-1: Mitigation Measures HYD-1a and HYD-1b require preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP), as well as compliance with the requirements of the most current Phase II General Permit, as implemented by the El Dorado County West Slope Storm Water Program, Storm Water Ordinance (Ordinance No. 5022), Grading, Erosion and Sediment Control Ordinance (Chapter 15.14), Design and Improvement Standards Manual, Drainage Manual, and General Plan Goal 7.3. Mitigation Measure HYD-1b also requires preparation and implementation of a stormwater system operations and maintenance plan. Implementation of these mitigation measures will substantially lessen the adverse effects of the proposed project on stormwater quality. Development and implementation of a SWPPP is considered by the Regional Water Quality Control Board (Water Board) to be an effective way to reduce the contamination of stormwater on a project site. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measures HYD-1a and HYD-1b will be incorporated into the project via conditions of approval, and will reduce Impact HYD-1 to a less-than-significant level.

3.8 HAZARDS AND HAZARDOUS MATERIALS

Impact HAZ-1: Demolition of existing structures on the project site could release lead, asbestos, and/or other hazardous materials, presenting a risk to human health and the environment. (S)

Mitigation Measure HAZ-1: A hazardous building materials survey shall be conducted by a qualified and licensed professional for all structures proposed for demolition under the project. All loose and peeling lead-based paint and asbestos-containing material (ACM) shall be abated by certified contractor(s) in accordance with local, State, and federal requirements. All other hazardous materials shall be removed from buildings prior to demolition in accordance with DOSH regulations. If required, the completion of the abatement activities shall be documented by a qualified environmental professional(s) and submitted to the County for review with applications for issuance of construction and demolition permits. (LTS)

Findings for Impact HAZ-1: Mitigation Measure HAZ-1 requires hazardous materials surveys prior to demolition or renovation. ACM, lead-based paint, and other hazardous waste located on the project site shall be removed in accordance with applicable local, State, and federal requirements. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure HAZ-1 will be incorporated into the project via conditions of approval, and will reduce Impact HAZ-1 to a less-than-significant level.

3.9 UTILITIES AND SERVICE SYSTEMS

Impact UTL-1: A degree of uncertainty is inherent in EID's ability to meet long-term cumulative water supplies, which could result in the need to construct new or expand existing water facilities, the construction of which could cause significant environmental effects, and/or could require new or expanded entitlements for water supplies (S).

Mitigation Measure UTL-1: Prior to approval of any final subdivision map for the proposed project, the applicant shall secure a "will serve" letter or equivalent written verification from EID demonstrating the availability of sufficient water supply for the project. (LTS)

Findings for UTL-1: Mitigation Measure UTL-1 requires that prior to the approval of any final subdivision map for the proposed project, the applicant shall secure a "will serve" letter (or equivalent written verification) from EID demonstrating the availability of sufficient water supply for the project. Confirmation that adequate water supplies are available to serve the project would be required, and the project will not go forward unless confirmation is provided. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure UTL-1 will be incorporated into the project via conditions of approval, and will reduce Impact UTL-1 to a less-than-significant level.

Impact UTL-2: Existing water infrastructure does not provide adequate pressure or capacity to serve the proposed project.

Mitigation Measures UTL-2: The applicant shall construct a looped water line extension connecting to the 12-inch water line located in Green Valley Road (near the future intersection of Silver Springs Parkway) and/or also to the 10-inch water line located at the intersection of Clarksville Road and Greenview Drive. Additionally, the project will be required to connect to the 8-inch water line located near the western project boundary. It is likely that at least one pressure reducing station will be required in order to accommodate this connection. The Facility Plan Report (FPR), which shall be prepared by the applicant, shall analyze the future storage in this region based on potential future developments and the timing of the project. At the current time, additional storage is not required in the Bass Lake Tank service area to meet current demand and fire flow requirements.

Findings for UTL-2: Mitigation Measure UTL-2 requires the applicant to construct a looped water line extension connecting to the 12-inch water line located in Green Valley Road (near the future intersection of Silver Springs Parkway) and/or also to the 10-inch water line located at the intersection of Clarksville Road and Greenview Drive. Additionally, the project will be required to connect to the 8-inch water line located near the western project boundary. The project applicant would also be required to prepare a FPR to analyze future water storage in this region. Connection to existing water infrastructure adjacent to the project site, as well as the analysis of water storage (which is currently adequate) will ensure that there is adequate pressure and capacity to serve the project site. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure UTL-2 will be incorporated into the project via conditions of approval, and will reduce Impact UTL-2 to a less-than-significant level.

Impact UTL-3: There is currently inadequate wastewater infrastructure to serve the proposed project.

Mitigation Measure UTL-3: The project applicant, in consultation with EID and El Dorado County, shall undertake the following actions to the satisfaction of the EID and El Dorado County:

- Prior to any construction activities within the SMUD corridor, the existing swale on site shall be marked and identified by a wetland biologist, and all construction activities shall occur outside of the marked area.
- Prior to any construction activities, botanical surveys conducted by a qualified botanist at the appropriate blooming period shall occur within the off-site sewer SMUD corridor. These surveys shall include big-scaled balsamroot, Brandegees' clarkia, Bisbee Peak rush rose, and dwarf downingia. Should these or other special-status plant species be found on the project site, a mitigation plan shall be prepared and implemented to the satisfaction of the El Dorado County Development Services Division and the California Department of Fish and Wildlife.
- Wastewater Expansion: All three alternatives include the following: (1) on-site sewer lift station, force main and gravity lines; (2) connecting to the existing gravity sewer line in Lima Way; (3) improvements to split the sewer flows near the intersection of Lima Way and Aberdeen Way; and (4) use of the existing sewer system in Highland Views to the existing Highland Hills Lift Station (HHLS).
 - **Offsite Alternative 1 (Preferred Alternative).** Under this alternative, when the existing capacity of HHLS has been reached, it would be necessary to improve the existing facility in order to serve the project. In addition to HHLS improvements, a new force main would be constructed. The proposed force main alignment would start at HHLS and run through the Highland Hills subdivision within existing streets to Silva Valley Parkway. It would then continue south along Silva Valley Parkway until reaching the SMUD corridor, where it would head west along the Stone Gate subdivision boundary, ultimately making a connection to an existing 15-inch gravity line.

The existing capacity of the gravity lines running through the streets of Highland View can adequately serve the project after the flows are split. Currently, there is capacity for

an additional 200 equivalent dwelling units (EDUs) within the existing sewer line along the EID sewer access road downstream to HHLS. Once this capacity is reached, approximately 1,600 lateral feet of existing gravity sewer line within the access road would be upsized to accommodate proposed flows.⁸

- **Offsite Alternative 2.** Under this alternative, when capacity is reached at HHLS, a new lift station would be constructed on APN 126-360-18. This site currently houses an existing water pump. In order to accommodate the new sewer lift station, site improvements would be made. In addition, gravity sewer improvements would be made in Aberdeen Lane in the vicinity of the new station to route the flows to the new lift station. From there, a new force main would be constructed down the sewer access road and along Appian Way to Silva Valley Parkway. Once at the SMUD corridor, the force main would then head west along the Stone Gate subdivision boundary, ultimately making a connection to the existing 15-inch gravity line.
- **Offsite Alternative 3.** Under this alternative, when capacity at HHLS is reached, a new lift station would be constructed on APN 126-390-22. A new force main would also be constructed. Two potential force main alignments have been identified:
 - Alternative A would run to Loch Way, through Highland Hills subdivision within the existing streets to Silva Valley Parkway. It would then continue south along Silva Valley Parkway until reaching the SMUD corridor, where it would then head west along the Stone Gate subdivision boundary, ultimately making a connection to an existing 15-inch gravity line.
 - Alternative B would run back up the existing sewer access road, along Appian Way to Silva Valley Parkway, until reaching the SMUD corridor, where it would then head west along the Stone Gate subdivision boundary, ultimately connecting to an existing 15-inch gravity line.

Findings for UTL-3: Mitigation Measure UTL-3 requires the applicant to construct one of three potential wastewater main alternatives to serve the project site to the satisfaction of EID and El Dorado County. Connection to existing wastewater infrastructure adjacent to the project site, in addition to other improvements included in one of the three potential wastewater alternatives identified by the applicant in consultation with EID, would ensure that the project site would have satisfactory wastewater service and infrastructure. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure UTL-3 will be incorporated into the project via conditions of approval, and will reduce Impact UTL-3 to a less-than-significant level.

⁸ CTA Engineering & Surveying, 2013. *Offsite Water Improvements & Offsite Sewer Alternatives for Dixon Ranch, El Dorado Hills, California*. March, Revised August 2013.

SECTION 4.0 EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT OR NOT SIGNIFICANT

The County finds that, based upon substantial evidence in the record, as discussed below, the following impacts associated with the project are not significant or are less than significant, and do not require mitigation. The Draft EIR (Chapters IV and VI) provides a detailed analysis of the less-than-significant impacts of the proposed project.

4.1 LAND USE, AGRICULTURE AND MINERAL RESOURCES

The proposed residential development would not create a physical barrier to travel around or within the project site or remove existing means of access to and through existing nearby neighborhoods. Therefore, the proposed project would result in a less-than-significant impact related to the physical division of an established community.

The proposed project would introduce residential, recreational and open space uses onto the primarily undeveloped project site. Residential uses on the project site would be similar in scale to existing and planned residential developments within the vicinity, particularly the high-density residential development immediately west, the high-density residential use approved for the area south of the site, and other areas within the El Dorado Hills Community Region. Open space areas would generally surround the perimeter of the site providing a buffer for surrounding land uses and a transition from adjacent communities to the proposed residential subdivision. Development of the proposed residential, recreational, and open space uses is endorsed by the El Dorado County General Plan as a logical location for these proposed uses. By directing growth to the El Dorado Hills Community Region, the proposed project would be compatible with existing and future uses and with the General Plan policies related to growth, and would provide needed housing and facilities, including housing and facilities for the County's growing active adult (ages 55 +) population. Therefore, the proposed project would be generally compatible with existing and planned land uses within the vicinity and would have a less-than-significant impact on land use compatibility.

The project site is not designated by the Farmland Mapping and Monitoring Program (FMMP) as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The FMMP designates the entire site as "Grazing Land." Furthermore, the site is not identified as "choice agricultural land" as identified in Figure AF-2, Choice Agricultural Land in the General Plan. Therefore, the proposed project would not result in the conversion of Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance (including land identified by the County as "choice agricultural land"), to a nonagricultural use.

The project site is located within the El Dorado Hills Community Region (within the urban limit line) and is primarily designated LDR in the General Plan, indicating that the General Plan anticipates residential use of the land as opposed to continued grazing use. The site is surrounded by high, medium, and low-density residential developments, which does not make it suitable for long-term grazing or agricultural production. According to the General Plan, with the extension of appropriate infrastructure, the site is envisioned as an appropriate location for residential uses. Because the General Plan anticipates the development of residential uses and associated infrastructure on the site, the loss of grazing area and the small strawberry field on the project site would not result in a significant impact. Additionally, the proposed project would not convert a substantial amount of

grazing land, as defined by the County Agricultural Commission, to a non-grazing use and would also not substantially reduce the viability of grazing resources in the County.

The project site is currently zoned AE and RE-5. The AE designation often applies to lands that are under a Williamson Act; however, the project site has not been enrolled in a Williamson Act contract since 1999. As described above, the site is currently used for grazing land, but is within the urban boundaries of El Dorado Hills, indicating the land is anticipated to be used for development as opposed to agricultural use. Therefore, development of the proposed project would not conflict with, or result in cancellation of, a Williamson Act contract.

The site does not contain forest resources and is not zoned for timber harvesting or production, and the proposed project would not result in the conversion of forestland zoned or land currently in timber production to a non-forestry use. Furthermore, the proposed project would not create an obstacle to the processing of timber resources within the County as none are located near the site. For these reasons, the project would not result in a significant impact related to conversion of existing trees or timber production land.

The project site is currently designated as LDR and OS on the General Plan Land Use Diagram and is within the Community Region (urban limit line) of El Dorado Hills. The site is also zoned AE and RE-5 and is not within or near a designated Mineral Resource (MR) District.

As defined in Chapter 17.46 of the Zoning Ordinance, the purpose of the MR District is to provide for the protection of lands containing mineral resources and to provide for the protection from encroachment of unrelated and incompatible land uses that may have adverse effects on the development or use of these lands. Areas within the County that are known to contain mineral resources are delineated on the General Plan Land Use Diagram and include lands identified within the Mineral Land Classification reports produced by the State Department of Conservation, California Geological Survey (per General Plan Policy 7.2.1.1).

Because the site is not used or zoned for mineral resource extraction, development of the proposed project would not result in the loss of availability of a known mineral resource of value to the region or the State or the loss of availability of a locally important mineral resource recovery site delineated on the General Plan Land Use Diagram. Therefore, the potential impact to mineral resources would be less than significant.

4.2 POPULATION AND HOUSING

The proposed project would generate housing-related population growth by adding 604 new market-rate residential units to the County's housing stock and an associated residential population of 1,470 residents. This increase represents about 0.81 percent of the County's total estimated 2013 population (182,286) and approximately 0.98 percent of the unincorporated County's population (150,347). The estimated population generated by the project (1,470 residents) would represent approximately 0.67 percent of the County's projected 2025 population (220,384).

The proposed project is located within the El Dorado Hills Community Region and the site is identified in the General Plan for residential development. The extension of infrastructure onto the project site, including roadways and utilities, would only serve the proposed development, would not contribute to or cause additional growth to occur outside of the Community Region boundaries or

elsewhere within the vicinity of the project site, as the project site is surrounded by current or anticipated residential development.

The proposed project would not induce substantial unanticipated population growth in the County, and the population increase would fall within the increase identified in the Housing Element. Population growth assumed with implementation of the proposed project would be considered a less-than-significant impact.

The proposed project would result in the demolition of one existing vacant single-family home, retention of one existing occupied single-family home, and construction of 604 new residential units. The existing single-family home that would be demolished is currently unoccupied; therefore, demolition of this residence would not displace substantial numbers of existing housing or people, such that replacement housing would need to be constructed elsewhere. This potential impact would be considered less than significant.

4.3 PUBLIC SERVICES

The El Dorado Hills Fire Department (EDHFD) provided a letter to the County outlining requirements to provide fire and emergency medical services to the project site consistent with the El Dorado County General Plan, State Fire Safety Regulations, as adopted by the El Dorado County and the California Fire Code as amended locally. All of the provisions identified by the EDHFD requiring compliance with their fire standards including, but not limited to: location of and specifications for fire hydrants; emergency vehicle access including roadway widths and turning radii; fire flow and sprinkler requirements; and defensible space and wildland fire-safe plans will be conditioned on the project, thereby reducing wildfire risk and public service impacts to less than significant.

The proposed project would increase demand for police services due to the increased population and development at the project site. However, the increase in demand is expected to be incremental, and is not expected to require construction of a new police station to serve the project. The proposed project would result in a less-than-significant police protection impact.

The project would include 444 new units (604 new units – 160 age-restricted units = 444 units) that could generate additional students within the school district. Using student generation rates provided by Rescue Union School District (RUSD) and the El Dorado Union High School District (EDUHSD), the project site could generate approximately 319 students (247 elementary/middle school student and 72 high school students). RUSD would likely be able to accommodate additional students generated by the proposed project in its existing and planned facilities because RUSD is currently experiencing a decline in its student enrollment. The additional 247 elementary and middle school students would not likely exceed the current capacities available within RUSD District. Due to RUSD's recent declining enrollment, planned new facilities would not likely be needed to accommodate additional students generated by the proposed project. EDUHSD would be able to accommodate the additional 72 new students generated by the proposed project, and no new school facilities would need to be developed to serve the increased high school student population.

Furthermore, the school districts are responsible for implementing the specific methods of mitigating school impacts under the Government Code. The school impact fees and the school districts' methods of implementing measures specified by Government Code 65996 are meant to offset increased student enrollment. Payment of school facility mitigation fees has been deemed by the State

legislature (per Government Code Section 65995(h)) to constitute full and complete mitigation of impacts of a development project on the provision of adequate school facilities, even though, as a practical matter, additional funding, usually from statewide or local bond measures, are needed to create new school capacity. Specific school facility developments would be subject to environmental review on a project-by-project basis. Through the payment of associated development fees, compliance with applicable State and local regulations, the proposed project would have a less-than-significant impact on school facilities.

In total, the proposed project would include approximately 11.1-acres of active park uses. In addition, and not included in the calculations, are the open space and trails incorporated into the project site. EDHCSD uses a standard of 5 acres per 1,000 residents. The proposed project would generate an estimated population of 1,470; given the EDHCSD park standards, as well as the amount of park acreage included in the project, the proposed project would meet the District standard and would increase the amount of parks acreage available to District patrons. Construction of the proposed project would not result in the substantial physical deterioration of a park facility, and construction of the recreational facilities would not result in an adverse physical effect on the environment with implementation of the mitigation measures included in this EIR. The potential impact related to park and recreation facilities would be considered less than significant.

4.4 VISUAL RESOURCES

The County has not prepared or adopted a Scenic Corridor Ordinance (as outlined in General Plan Policy 2.6.1.1) to identify scenic routes and important viewsheds within the County. While U.S. Highway 50 east of Placerville and State Highway 89 are officially designated as California State Scenic Highways, and State Highway 49 is an eligible State Scenic Highway but not officially designated, these routes are not visible from the project site, and vice versa. Figure 5.3-1 of the El Dorado County General Plan EIR identifies scenic viewpoints, but the project site is not designated as an important public viewpoint or located near a scenic viewpoint so as to impact it. In addition, the project site is not located within a Design Review-Scenic Corridor (-DS) combining district as identified by the County Zoning Map. Development of the proposed project would not obstruct views of existing scenic vistas or important scenic resources, as no such views are currently available from public vantage points surrounding the site.

As described on page 438 through 439 of the Draft EIR, development of the site with 604 new residential units (with demolition of one of the two existing residences), along with associated landscaping and roadway improvements would alter the existing visual character of the site, changing from an open rural landscape to suburban development. While the proposed project would change the existing visual character, the proposed project's uses would be similar in character to existing residential development that is adjacent to the site and located within the El Dorado Hills area. Much of the site's perimeter would be maintained as open space, preserving a natural buffer between existing residential subdivisions of similar and lower residential densities. A new park would be located near the northeast corner of the development with a second park located just west of the center of the project and clubhouse located in the age-restricted village. Internal roadways would also be landscaped. Pedestrian and circulation amenities would also contribute to the visual character and quality of the new development.

At buildout, approximately 19.76 acres, or approximately 45 percent of the existing oak tree canopy, would be removed from the site; the remaining approximately 55 percent of the existing tree canopy would be preserved. Many of the existing trees concentrated at the northwestern corner of the site would also be preserved, maintaining a buffer with the adjacent residential subdivision to the west. Tree removal and replacement would be consistent with the County's Policy 7.4.4.4 Option A in Phase 1. Phase 2 would be required to comply with the provisions of the El Dorado County Oak Woodland Management Plan at the time of Phase 2 tentative map and final development plan processing. Incorporation of existing natural elements into project design as proposed by the project is typical of residential subdivisions in El Dorado Hills.

In addition, much of the existing topography on the site would be retained. Cut and fill would be balanced on site and development of slopes greater than 30 percent would be limited to a few small areas near the northwestern corner and near the eastern border of the site. Overall, approximately 5.69 acres, or 2 percent of the site is at a 30 percent to 40 percent natural slope, while approximately 0.35 acres, or 0.12 percent of the site is at 40 percent natural slope or greater. The proposed project would generally be consistent with General Plan Policy 2.3.2.1, which discourages development of slopes 30 percent or greater to minimize the visual impacts of grading and vegetation removal.

Existing topographical and landscape features would be maintained and enhanced where feasible and open space buffers would visually separate the new development from existing adjacent developments. The change in character of the project site, once developed, would be visually compatible with surrounding development, particularly existing residential neighborhoods to the west. Furthermore, the General Plan does not identify the site as a scenic resource and anticipates residential development at the project site as it is located within the Community Region Boundary. The project would include the development of single-family homes; residential land uses currently are located adjacent to the project site. The proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings and this impact would be less than significant.

Most homes emit some light and glare during day and evening hours, as is typical in a suburban environment. The proposed residential development would include indoor lighting and outdoor lighting for safety purposes. The proposed roadways, recreational facilities, and parks and pathways would also include outdoor lighting for safety purposes. It is anticipated that lighting would be provided at major intersections and mid-block pedestrian crossings as appropriate for public safety, and along vertical curves where lighting is needed for public safety due to topographic constraints. Limited safety and security lighting and indirect shielded lighting would also be provided at park sites, at the proposed clubhouse, and along trail corridors including but not limited to parking areas, play areas, at gated entries, and walkways/trails where appropriate. The project does not propose to use lighted ball fields or other light intensive uses at the proposed park sites. Compliance with General Plan Policy 2.8.1.1 and Section 17.14.170 of the Zoning Ordinance prior to building permit issuance would ensure that light and glare created by the proposed development would be minimized, comparable to that of surrounding residential neighborhoods, and would reduce the impact to a less-than-significant level.

SECTION 5.0 SIGNIFICANT EFFECTS THAT CANNOT BE MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL

The EIR identifies significant environmental impacts that will result from implementation of the project. The proposed project would result in several transportation impacts that are conservatively considered temporarily significant and unavoidable until the identified mitigation measure is implemented. As discussed in the introduction to these findings, the EIR's conclusion that such temporary impacts are significant and unavoidable (until the improvement is constructed) is extremely conservative. Fair-share contributions to a mitigation fund are adequate mitigation if they "are part of a reasonable plan of actual mitigation that the relevant agency commits itself to implementing." (*Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1187.) The County's Capital Improvement Plan is such a program. There is no requirement in CEQA that an EIR must include a time-specific schedule for the agency to complete the specified road improvements. (*Save Our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal.App.4th 99, 140–411 [upholding fee-based mitigation even though there may be temporary impacts while improvements are constructed.] All that is required by CEQA is a reasonable plan for mitigation. (*Sacramento Old City Association v. City Council* (1991) 229 Cal.App.3d 1011, 1032.) Thus, in finding the temporary impacts are significant and unavoidable, the County is going above and beyond the requirements of CEQA.

Construction, operation, and cumulative air quality impacts were identified; the identified air quality mitigation measures would reduce the potential air quality impacts, but not to a less-than-significant level. Greenhouse gas emission impacts related to construction and operational periods of the project, as well as a conflict with a plan adopted for the purpose of reducing GHG emissions; mitigation measures are identified, but these impacts would still be considered significant and unavoidable. A significant unavoidable construction noise impact was also identified; while mitigation measures are described, the impact would still be considered significant and unavoidable.

For reasons set forth in the Statement of Overriding Considerations, however, the Board has determined that the significant, unavoidable effects of the proposed project are outweighed by its overriding benefits.

Impact TRANS-3: Intersection #2, Green Valley Road/El Dorado Hills Boulevard/Salmon Falls Road operates at LOS F during the AM peak hour without the project, and the project contributes more than 10 peak hour trips to the intersection during the AM peak hour and results in LOS F during the PM peak hour under the Existing Plus Approved Projects (2018) Plus Proposed Project scenario. This is a significant impact.

Mitigation Measure TRANS-3: In addition to Mitigation Measure TRANS-1, the project applicant shall pay TIM fees for the project consistent with the County's CIP program. Additional improvements to this intersection include changing the northbound and southbound signal phasing from split-phased to concurrent protected left turns. This work is included in the County's CIP Project #73151 (Green Valley Road Traffic Signal Interconnect), and completion is scheduled within the County's 10-year CIP. (SU [until the improvements are constructed] / LTS [after the improvements are constructed])

Finding for Impact TRANS-3: The County finds that with implementation of Mitigation Measure TRANS-3, Impact TRANS-3 would be considered less-than-significant; however,

construction of the improvement described in the mitigation measures may not occur prior to development of the project, in which case the project would result in a temporary significant and unavoidable traffic impact until the mitigation measure is implemented. Therefore, the County conservatively finds that although Mitigation Measure TRANS-3 will be incorporated into the project via conditions of approval, the project's transportation impact would remain temporarily significant and unavoidable until the mitigation measure is constructed.

Impact TRANS-5: Intersection #2, Green Valley Road/El Dorado Hills Boulevard/Salmon Falls Road, operates at LOS F during the AM and PM peak hours without the project, and the project contributes more than 10 peak hour trips to the intersection during both peak hours under the Cumulative (2025) Plus Proposed Project scenario. This is a significant impact.

Mitigation Measure TRANS-5: In addition to implementation of Mitigation Measures TRANS-1 and TRANS-3, the project applicant shall pay TIM fees towards the installation of an additional through lane in each direction along Green Valley Road if this improvement is included in the 10-year County CIP. Payment of TIM fees is considered to be the project's proportionate fair share towards mitigation of this impact. If the additional through lanes are not included in the 10-year CIP prior to this impact being triggered (issuance of the first building permit), the applicant shall construct the improvements and may be eligible for reimbursement of costs in excess of the project's fair share, subject to a reimbursement agreement with the County. (SU [until the improvements are constructed] / LTS [after the improvements are constructed])

Finding for Impact TRANS-5: The County finds that with implementation of Mitigation Measure TRANS-5, Impact TRANS-5 would be considered less-than-significant; however, construction of the improvement described in the mitigation measures may not occur prior to development of the project, in which case the project would result in a temporary significant and unavoidable traffic impact until the mitigation measure is implemented. Therefore, the County conservatively finds that although Mitigation Measure TRANS-5 will be incorporated into the project via conditions of approval, the project's transportation impact would remain temporarily significant and unavoidable until the mitigation measure is constructed.

Impact TRANS-9: Implementation of the proposed project would add additional queue lengths to various intersections. This would result in a significant impact.

Mitigation Measure TRANS-9: The applicant shall construct intersection improvements as described below:

Intersection #2, Green Valley Road/El Dorado Hills Boulevard/Salmon Falls Road

- **WBL:** If this improvement is not constructed with TRANS-5 prior to issuance of the project's first building permit, the westbound left-turn pocket at this intersection from Green Valley Road to El Dorado Hills Boulevard shall be extended to 250 feet (from 105 feet) to accommodate future traffic projections. This extension would require widening Green Valley Road between El Dorado Hills Boulevard and Silva Valley Parkway. The documented queuing currently is utilizing the entire storage space between intersections, but is not exceeding it. This queuing would exceed the storage capacity with future traffic, as well as with the addition of the proposed project. To the extent the cost of this improvement exceeds the project's proportionate fair share, the applicant may be eligible

for reimbursement. (SU [until the improvement is constructed] / LTS [after construction of the improvement is completed])

- **WBT/R:** If this improvement is not constructed with TRANS-5 prior to issuance of the project's first building permit, to accommodate the westbound through queue, an additional westbound through lane shall be provided on Green Valley Road between El Dorado Hills Boulevard and Silva Valley Parkway that is long enough to accommodate the anticipated queuing and other operational considerations. To the extent the cost of this improvement exceeds the project's proportionate fair share, the applicant may be eligible for reimbursement. (SU [until the improvement is constructed] / LTS [after construction of the improvement is completed])
- **NBT/R:** The northbound through queue extends beyond the next intersection to the south, Timberline Ridge Drive. To prevent blocking of traffic entering and exiting Timberline Ridge Drive, "Keep Clear" markings shall be added to northbound El Dorado Hills Boulevard lanes in front of the Timberline Ridge Drive intersection. There is approximately 960 feet beyond Timberline Ridge Drive until the next intersection to the south that would accommodate the queue. (LTS)

Intersection #12, El Dorado Hills Boulevard/Francisco Drive

- **SBT:** The southbound through queue extends beyond the next intersection to the north, Telegraph Hill Road. To prevent blocking of traffic entering and exiting Telegraph Hill Road, "Keep Clear" markings shall be added to southbound El Dorado Hills Boulevard lanes in front of the Telegraph Hill Road intersection. There is approximately 440 feet beyond Telegraph Hill Road until the next intersection to the north that would accommodate the queue.

Finding for Impact TRANS-9: The County finds that with implementation of Mitigation Measure TRANS-9, Impact TRANS-9 would be considered less-than-significant; however, construction of the improvement described in the mitigation measures may not occur prior to development of the project, in which case the project would result in a temporary significant and unavoidable traffic impact until the mitigation measure is implemented. Therefore, the County conservatively finds that although Mitigation Measure TRANS-9 will be incorporated into the project via conditions of approval, the project's transportation impact would remain temporarily significant and unavoidable until the mitigation measure is constructed.

Impact AIR-2: Construction of the proposed project would generate air pollutant emissions that could violate air quality standards.

Mitigation Measure AIR-2: Consistent with guidance from the El Dorado County AQMD, the following actions shall be required in relevant construction contracts and specifications for the project:

- Conduct watering as necessary for visible emissions not to exceed more than 25 feet beyond the active cut areas or beyond the property line in any direction (Rule 223-2.4.A).
- For all disturbed surface areas (except completed grading areas), apply dust suppression in a sufficient quantity and frequency to maintain a stabilized surface; any areas which cannot

be stabilized, as evidenced by wind driven dust, must have an application of water at least twice per day to at least 80 percent of the unstabilized area.

- Water all unpaved roads used for any vehicular traffic at least once per every two hours of active operations and restrict vehicle speed to 15 mph (Rule 223-2.4 B).
- Pave or apply chemical stabilization at sufficient concentration and frequency to maintain a stabilized surface starting from the point of intersection with the public paved surface, and extending for a centerline distance of at least 100 feet and width of at least 20 feet or pave from the point of intersection with the public paved road surface, and extending for a centerline distance of at least 25 feet and width of at least 20 feet, and install a track-out control device immediately adjacent to the paved surface such that exiting vehicles do not travel on any unpaved road surface after passing through the track-out control device.
- The project's prime contractor shall provide the El Dorado County APCD an approved plan demonstrating that heavy-duty (i.e., greater than 50 horsepower) off-road vehicles to be used in the construction project, and operated by either the prime contractor or any subcontractor, will achieve, at a minimum a fleet-averaged 15 percent NO_x reduction compared to the most recent ARB fleet average. Successful implementation of this measure requires the prime contractor to submit a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during the construction project. The inventory shall include the horsepower rating, engine production year, and hours of use or fuel throughput for each piece of equipment. The inventory list shall be updated and submitted monthly throughout the duration of when the construction activity occurs.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure, Title 13, Section 2485 of the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the ARB Regulation for In-Use Off-Road Diesel Fueled Fleets.

Finding for Impact AIR-2: The County finds that even with implementation of Mitigation Measure AIR-2, there is no mitigation available to reduce the project's air quality impact to a less-than-significant level. Therefore, the County finds that although Mitigation Measure AIR-2 will be incorporated into the project via conditions of approval, the project's air quality impact would remain significant and unavoidable.

Impact AIR-3: Operation of the proposed project would generate air pollutant emissions that would exceed the El Dorado AQMD criteria and could contribute substantially to a violation of air quality standards.

Mitigation Measure AIR-3: The project shall incorporate the following design elements into the project:

- The project shall only permit natural gas fireplaces.
- Design of the project shall improve the pedestrian network both on the project site and through connections adjacent to the project.
- Design of the project shall not restrict resident access to public transit.
- Garages included as part of the project shall be electric vehicle charging compatible through inclusion of a dedicated electrical outlet.
- The project shall install Energy Star or ground source heat pumps.
- The project sponsor shall consult the El Dorado County AQMD on the installation of ozone destruction catalysts on air conditioning systems.
- The project sponsor shall provide the option of roof-mounted photovoltaic energy systems on new homes.

Finding for Impact AIR-3: The County finds that even with implementation of Mitigation Measure AIR-3, there is no mitigation available to reduce the project's air quality impact to a less-than-significant level. Therefore, the County finds that although Mitigation Measure AIR-3 will be incorporated into the project via conditions of approval, the project's air quality impact would remain significant and unavoidable.

Impact AIR-4: Operation of the proposed project would result in a significant cumulative net increase in criteria pollutant emissions.

Mitigation Measure AIR-4: Implement Mitigation Measure AIR-3. As shown in Table IV.D-8, even with mitigation, the project would continue to exceed the maximum daily emission threshold. This impact would be significant and unavoidable.

Finding for Impact AIR-4: The County finds that even with implementation of Mitigation Measure AIR-4, there is no mitigation available to reduce the project's air quality impact to a less-than-significant level. Therefore, the County finds that although Mitigation Measure AIR-4 will be incorporated into the project via conditions of approval, the project's cumulative air quality impact would remain significant and unavoidable.

Impact GHG-1: Construction and operation of the proposed project – in combination with emissions from other past, present, and reasonably probable future projects – would result in GHG emissions that would have a significant physical adverse impact and would significantly and cumulatively contribute to global climate change. The project's incremental impacts from GHG emissions are also cumulatively considerable.

Mitigation Measure GHG-1: The following measures shall be incorporated into project design to reduce project GHG emissions:

- Implement Mitigation Measures AIR-2 and AIR-3.
- Building construction shall exceed the energy efficiency standards of Title 24 through application of the 2013 California Green Building Standards Code mandatory measures adopted by the County.

- All homes shall be equipped with exterior outlets on structures to facilitate the use of electric powered landscape equipment.
- All new homes shall be equipped with high efficiency lighting.
- The project applicant shall develop a water conservation strategy to reduce indoor and outdoor water use by approximately 20 percent over standard building construction practices.
- The project applicant shall implement the 2013 Plumbing Code to reduce indoor and outdoor water use by installing low-flow bathroom faucets, kitchen faucets, toilets and showers, and project landscaping that utilizes water-efficient plants and irrigation systems.
- The project applicant shall ensure the recycling and composting services available from El Dorado County Disposal are provided to the residents of the project site.
- The project shall provide a pedestrian access network that internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the project site.
- The project shall incorporate all 2013 California Green Building Standard Code Residential Voluntary Tier 1 Measures (Residential Voluntary Measures included in Appendix A4, Division A4.6, Tier 1), except the following:
 - Section A4.106.8 regarding installation of Level 2 EV charging stations in garages and/or parking lots;
 - Section A4.106.4 regarding permeable paving utilized for parking, walking or patio surfaces;
 - Section A4.403.2 regarding reduction in cement use; and
 - Section A4.405.3 regarding post-consumer and pre-consumer recycled content value (RCV) materials use in the project.

Finding for Impact GHG-1: The County finds that even with implementation of Mitigation Measure GHG-1, there is no mitigation available to reduce the project's greenhouse gas emission impact to a less-than-significant level. Therefore, the County finds that although Mitigation Measure GHG-1 will be incorporated into the project via conditions of approval, the project's greenhouse gas emissions impact would remain significant and unavoidable.

Impact GHG-2: The proposed project would conflict with plans adopted for the purpose of reducing GHG emissions.

The proposed project would not conflict with the measures outlined in the existing California legislation adopted to reduce Statewide GHG emissions. However, as shown in the analysis above, even with the implementation of comprehensive measures to reduce GHG emissions, the measures would only reduce emissions by 19 percent, which would not meet the State's goal of reducing emissions by 30 percent by 2020. Therefore, the proposed project would conflict with an applicable plan, policy or regulation for the purpose of reducing greenhouse gas emissions, and the project would have a significant and unavoidable impact.

Mitigation Measure GHG-2: Implement Mitigation Measure GHG-1. Even with the implementation of comprehensive measures to reduce GHG emissions, the project would still have a significant and unavoidable impact.

Finding for Impact GHG-2: The proposed project would not conflict with the measures outlined in the existing California legislation adopted to reduce Statewide GHG emissions. However, as shown in the analysis within the Draft EIR, even with the implementation of comprehensive measures to reduce GHG emissions, the measures would only reduce emissions by 19 percent, which would not meet the State's goal of reducing emissions by 30 percent by 2020. Therefore, the proposed project would conflict with an applicable plan, policy or regulation for the purpose of reducing greenhouse gas emissions, and the project would have a significant and unavoidable impact. The County finds that even with implementation of Mitigation Measure GHG-2, there is no mitigation available to reduce the project's greenhouse gas emission impact to a less-than-significant level. Therefore, the County finds that although Mitigation Measure GHG-2 will be incorporated into the project via conditions of approval, the project's greenhouse gas emissions impact would remain significant and unavoidable.

Impact NOI-1: Project construction activities could result in noise levels in excess of the County's noise performance standards for construction activities as measured at adjacent residential land uses.

Mitigation Measure NOI-1: The applicant and/or project contractor shall implement the following measures:

- All construction equipment must have appropriate sound muffling devices, which shall be properly maintained and used at all times such equipment is in operation.
- The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
- The construction contractor shall locate on-site equipment staging areas so as to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest the project site during the construction period.
- All noise producing construction activities, including warming-up or servicing equipment and any preparation for construction, shall be limited to the hours between 7:00 a.m. and 7:00 p.m. on weekdays, and between 8:00 a.m. and 5:00 p.m. on weekends and federally recognized holidays.
- Even with implementation of these measures, maximum anticipated construction noise levels would still be anticipated to exceed the County's construction noise threshold of 75 dBA L_{max} as measured at the nearest higher-density residential land uses. Therefore, this impact would remain significant and unavoidable.

Finding for Impact NOI-1: The County finds that even with implementation of Mitigation Measure NOI-1, there is no mitigation available with currently feasible technology to reduce the project's construction period noise impacts to a less-than-significant level. Therefore, the County finds that although Mitigation Measure NOI-1 will be incorporated into the project via conditions of approval, the project's construction noise impact would remain significant and unavoidable.

SECTION 6.0 FEASIBILITY OF PROJECT ALTERNATIVES

6.1 PROJECT ALTERNATIVES

The Draft EIR includes four alternatives: the No Project alternative; the Small Lot Clustered Development alternative; the Reduced Build alternative; and the Non-Gated Development Alternative Variant. The County hereby concludes that the Draft EIR sets forth a reasonable range of alternatives to the proposed project so as to foster informed public participation and informed decision-making. The County finds that the alternatives identified and described in the Draft EIR were considered and further finds them to be infeasible as described below pursuant to CEQA Section 21081.

Section 15091(a)(3) of the *CEQA Guidelines* describes that one of the findings that a lead agency can make concerning significant project impacts is that specific economic, legal, social, technological, or other considerations, make infeasible the project alternatives identified in the EIR. In the EIR, the alternatives were screened for technical, logistical, and financial feasibility, but the alternatives were not evaluated for all economic, legal, social or other considerations that make up the broader definition of “feasibility” in Section 15091(a)(3). Thus, the use of the term “infeasible” in the findings below concerning the alternatives is more expansive than references to “feasible” in the EIR’s discussion of alternatives, which was limited to technical, logistical and financial feasibility. An alternative may have been determined to be technically, logistically, and financially “feasible” in the EIR and still ultimately be concluded by the County to meet the definition of “infeasibility” per Section 15091(a)(3) when all considerations are taken into account. The term “infeasible” in the Findings below uses the broader definition in Section 15091(a)(3), which is consistent with case law interpreting this provision of CEQA. The determination of infeasibility “involves a balancing of various ‘economic, environmental, social, and technological factors.’”⁹ Where there are competing and conflicting interests to be resolved, the determination of infeasibility “is not a case of straightforward questions of legal or economic feasibility,” but rather, based on policy considerations.¹⁰

6.1.1 No Project Alternative

Description

The No Project Alternative assumes that the project site would be developed under the existing General Plan and Zoning designations. The existing General Plan Designation (Low Density Residential) would be consistent with the existing zoning (AE) per Table 2-4 of the General Plan. While the project site does include a small portion (0.32 acres) zoned Estate Residential-Five Acres (RE-5), for purposes of this alternative, the entire site is assumed to have an AE designation. The purpose of the AE district is to designate lands subject to the Williamson Act. While the parcels that included Williamson Act designations were rolled out in 1997 and 1999, the AE designation for the project site remains. Within the AE District, uses are generally limited to those that include and support agricultural operations, including grazing. Structures are generally limited to one single-family dwelling unit per parcel and other structures that support agricultural operations.

⁹ *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417.

¹⁰ *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001–1002.

Given the minimum lot size requirement (20 acres), 14 parcels could be created and developed for agricultural production under this alternative. For purposes of the EIR's analysis, it was assumed that the Dixon residence parcel would also be 20 acres. It was also assumed that any structures developed under this alternative would occur at least 500 feet from the project boundary.

The site design for the No Project alternative would include one entrance on Green Valley Road and one EVA access point to the project site on Lima Way. This alternative would not include age-restricted units, Village or Neighborhood Parks, the clubhouse, or trails proposed as part of the project. Residential and agricultural uses would connect to EID facilities for water or sewer service.

The No Project alternative assumes development would occur under the existing General Plan and Zoning designation resulting in 20-acre lots within the El Dorado Hills Community Region, an area identified for suburban and urban development. Within the AE District, uses are generally limited to those that include and support agricultural operations, including grazing. Structures are generally limited to one single-family dwelling unit per parcel and other structures that support agricultural operations. This alternative would not include age-restricted units, Village or Neighborhood Parks, the clubhouse, or trails proposed as part of the project.

Impacts

Land Use and Planning Policy: The existing zoning on the project site is AE, which is a designation used for agricultural land in a Williamson Act Contract; however, there has not been an active Williamson Act Contract associated with the project site since 1999. While the project site is currently zoned for agricultural use, it is located within the El Dorado Hills Community Region, an area identified for urban/suburban uses. This alternative would allow for the agricultural use of the project site that could result in conflicts with adjacent residential uses (such as noise, dust, and odors associated with agricultural uses). Therefore, this alternative could result in new and significant land use impacts on adjacent existing uses when compared to the proposed project.

Transportation and Circulation: This alternative would result in approximately 591 fewer units than the proposed project and would significantly reduce the vehicle trips generated by the project site. Even accounting for trips associated with the agricultural production of the project site, it is assumed that any transportation impacts associated with the proposed project would be significantly reduced when compared to implementation of the proposed project. While traffic modeling has not been prepared to assess whether all transportation impacts associated with the No Project alternative would be considered less-than-significant, this alternative would result in reduced transportation and circulation impacts when compared to the proposed project.

Air Quality: This alternative would result in approximately 591 fewer units than the proposed project, which would significantly reduce vehicle trips generated by the project site, and in turn reduce potential air quality impacts. This alternative would still be required to implement mitigation measures to address airborne asbestos associated with construction activities. While this alternative would be required to implement measures identified by the El Dorado County AQMD to address construction air pollutant emissions, given the reduced amount of construction associated with this alternative, the impact would likely be reduced to a less-than-significant level. This alternative would introduce trips associated with agricultural production (which were not part of the proposed project);

however, due to the reduction in development when compared to the proposed project (and reduction in associated vehicle trips), operational impacts (both individual and cumulative) would likely be reduced to less-than-significant levels. This alternative would likely result in reduced air quality impacts compared to the proposed project.

Greenhouse Gas Emissions: This alternative would result in approximately 591 fewer units than the proposed project, which would significantly reduce vehicle trips generated by the project site, and in turn reduce greenhouse gas emissions. While this alternative would introduce trips associated with agricultural production (which were not part of the proposed project), due to the reduction in development when compared to the proposed project (and reduction in associated vehicle trips), the greenhouse gas emission impact would likely be reduced to a less-than-significant level. This alternative would likely result in reduced greenhouse gas emission impacts when compared to the proposed project.

Noise: This alternative would result in the construction of 13 new residential parcels, the retention of the Dixon Residence parcel, and the introduction of additional agricultural uses to the project site. For this alternative, it is assumed that new construction would be located at least 500 feet from the project boundary, resulting in a less-than-significant construction noise impact. While there would be trips associated with agricultural use of the project site, given the overall reduction in development associated with this alternative, the traffic noise associated with operation of this alternative would likely be considered less-than-significant. A mitigation measure would still be required to reduce potential impacts to residential uses located in the northern portion of the project site, but this impact would be reduced to a less-than-significant impact. While noise impacts associated with agricultural uses (farming equipment, livestock, etc.), would be introduced to the project site under this alternative, it is likely that the overall noise impacts would be reduced under this alternative when compared to the proposed project.

Biological Resources: Biological resources mitigation measures required under this alternative would be the same as the proposed project, to protect bird nests and to address oak removal. It is likely that due to the reduction in development of the project site, fewer oak trees would be removed under this alternative and biological resource impacts would be reduced under this alternative when compared to the proposed project.

Hydrology and Water Quality: As with the proposed project, this alternative would be connected to EID due to its location within the Community Region in compliance with General Plan Policy 5.2.1.11, and would not be expected to impact groundwater supplies. Additionally, this alternative would result in significantly less development than the proposed project; as such, it is expected to generate a significantly reduced amount of run-off from the project site. As with the proposed project, this alternative could result in construction and operational period water quality impacts requiring mitigation measures. Given the reduced size of development associated with this alternative, potential hydrology and water quality impacts would be reduced when compared to the proposed project.

Utilities: While this alternative would result in significantly less residential development (591 fewer units) than the proposed project, this alternative would introduce active agricultural production to the project site, and would use EID water supplies for the irrigation. Overall, potential utility impacts under this alternative would likely be reduced when compared to the proposed project.

Public Services: The reduction in development associated within this alternative would translate into a reduced demand for police, fire, school and recreational services. While this alternative would not include any of the recreational amenities of the proposed project (parks and trails), this alternative would result in a reduced public service impact when compared to the proposed project.

Visual Resources: Under this alternative, significantly fewer residential units would be constructed, and the general look of the project site would change from suburban to agricultural. As with the proposed project, this alternative would not impact a scenic view or vista. Given the reduced amount of development, a corresponding reduction in light and glare would also occur. While the project results in no significant visual resources impacts, implementation of the No Project alternative would likely result in a reduction of the less-than-significant impacts.

Impacts levels associated with population and housing, cultural resources, geology, soils, seismicity, hazards under this alternative would be similar to the propose project.

Feasibility

While a number of impacts associated would be reduced or eliminated under this alternative when compared to the proposed project, this alternative would result in agricultural uses within an area of the County identified for urban or suburban development, which could result in a new land use impact. Additionally, as noted in the Draft EIR, there are 10 project objectives; this alternative would meet or partially meet only one of those objectives. The No Project Alternative also would not achieve as many of the benefits of the proposed project as set forth in the Statement of Overriding Considerations, below. Furthermore, the No Project Alternative would not achieve the General Plan's Land Use Objective 2.1.1, and Policy 2.1.1.2, because the No Project Alternative would not direct intensive development to the Community Regions. For all of the foregoing reasons, and any of them individually, the No Project Alternatives is determined to be infeasible.

6.1.2 Small Lot Clustered Alternative

Description

Under this alternative, residential development would be located on smaller lots within the center of the site in order to preserve larger areas of open space. This alternative would include 605 units (none of which would be age-restricted), two parks, and an increased amount of open space. As this alternative does not include an age-restricted component, a clubhouse is not included in this alternative. This alternative would include a similar circulation plan as the proposed project; two roadways to Green Valley Road would be constructed, as well as three EVAs to adjacent neighborhood streets.

Impacts

Transportation and Circulation: While this alternative would result in a denser development footprint, the number of units would remain the same. While the number of units would stay the same, the trips associated with this alternative would be greater than the proposed project as conversion of the age-restricted to market rate units would result in an increase in project trip generation. Therefore, this alternative would, at a minimum, result in greater transportation and circulation impacts as the proposed project and could result in new traffic impacts as the trips generated by the proposed project would increase. This alternative would likely result in greater transportation and circulation impacts than the proposed project.

Air Quality: While the number of residential units under this alternative would be the same, the daily vehicle trips under this alternative would be increased when compared to the proposed project as there would be no age-restricted units (and associated reduction in vehicle trips); as such, this alternative would result in greater air quality impacts than the proposed project. Mitigation measures would be required to address airborne asbestos, construction emissions, and operation emissions. As with the proposed project, this alternative would result in significant and unavoidable construction and operation emissions.

Greenhouse Gas Emissions: While the number of residential units under this alternative would be the same, the daily vehicle trips under this alternative would increase when compared to the proposed project as there would be no age-restricted units (and an associated reduction in vehicle trips); as such, this alternative would result in greater greenhouse gas emission impacts than the proposed project. As with the proposed project, this alternative would result in a significant and unavoidable greenhouse gas emission impact.

Noise: As the number of residential units and daily trips under this alternative would be somewhat greater than the project, this alternative would result in similar noise impacts. Mitigation measures would likely be required to address traffic noise. A significant and unavoidable impact related to construction noise would still occur under this alternative. Noise impacts under this alternative would be somewhat greater than the proposed project.

Biological Resources: This alternative clusters development and would allow for more of the project site to remain in open space. Under this alternative, fewer oak trees would be removed from the project site. While this alternative would still require mitigation measures to address nesting birds and oak tree removal, this alternative would have a reduced biological resources impact when compared to the proposed project as more trees would be preserved in open space areas.

Hydrology and Water Quality: While this alternative would result in a reduced development footprint, this alternative would still require mitigation measures to address construction and operational water quality impacts. As the overall development would be reduced, the hydrology impacts of this alternative would be reduced when compared to the proposed project.

Public Services: This alternative would result in an increase in residents. As this alternative does not include age-restricted units (which are anticipated to not generate school age residents), this alternative would result in a total of 434 students, which is an increase in 115 students than would be generated by the proposed project. Additionally, the increase in residents would likely result in an

increased demand for public services. As such, the demand on public services from development of this alternative would be greater than the proposed project.

Visual Resources: This alternative would have the same number of units as the proposed project, but these units would be clustered toward the center of the site. Because of this clustering, more open space can be maintained around the perimeter of the site. As with the proposed project, this alternative would not impact a scenic view or vista. While the project results in no significant visual resources impacts, implementation of this alternative would likely result in a reduction to the less-than-significant impacts as more open space can be incorporated into this alternative's site plan.

Impacts levels associated with land use, population and housing, cultural resources, geology, soils, seismicity, hazards, and utilities under this alternative would be similar to the propose project.

Feasibility

Overall, the Small Lot Clustered Alternative would result in fewer impacts related to biological resources and hydrology and water quality as compared to the proposed project, would increase the amount of open space on the project site, and would result in greater environmental impacts related to transportation and circulation, air quality, greenhouse gas emissions, and public services. This alternative would not meet the objective to provide a broad range of residential product types and the objective to offer a range of designs and amenities to meet the needs of the changing demographics of the County, including families, empty nesters and active adults. This alternative would not achieve as many of the benefits of the proposed project, as set forth in the Statement of Overriding Considerations, below. For all of the foregoing reasons, and any of them individually, the Small Lot Clustered Alternative is determined to be infeasible.

6.1.3 Reduced Build Alternative

Description

This alternative assumes adoption of a Medium Density Residential General Plan Amendment to allow parcel sizes of 1 acre (with the exception of the Dixon Residential Lot, which would be 5 acres). Under this alternative, approximately 30 percent (84 acres) of the site would remain in open space resulting in 191 acres that could be developed with 1 acre parcels. Under this alternative, no parks, clubhouse, or age-restricted units would be developed. This alternative would include a similar circulation plan as the proposed project; two roadways to Green Valley Road would be constructed, as well as three EVAs to adjacent neighborhood streets.

Impacts

Transportation and Circulation: This alternative would result in significantly fewer dwelling units compared to the proposed project, and an associated reduction in the number of trips would occur with implementation of this alternative. While traffic modeling was not undertaken to ascertain whether any impacts associated with the proposed project would be reduced to a less-than-significant level under this alternative, it can be assumed that transportation and circulation impacts associated with the Reduced Build alternative would be reduced when compared to the proposed project.

Air Quality: This alternative would result in significantly fewer dwelling units compared to the proposed project, and an associated reduction in the number of trips. Given the reduction in vehicle trips, air quality impacts would also be reduced. While air quality modeling was not undertaken to ascertain whether any impacts associated with the proposed project would be reduced to a less-than-significant level under this alternative, it can be assumed that air quality impacts associated with the Reduced Build alternative would be reduced when compared to the proposed project.

Greenhouse Gas Emissions: This alternative would result in significantly fewer dwelling units compared to the proposed project, and an associated reduction in the number of trips. Given the reduction in vehicle trips, greenhouse gas emissions impacts would also be reduced. While modeling was not undertaken to ascertain whether the emissions impact associated with the proposed project would be reduced to a less-than-significant level under this alternative, it can be assumed that greenhouse gas emission impact associated with the Reduced Build alternative would be reduced when compared to the proposed project.

Biological Resources: This alternative would result in fewer residential units and the retention of more of the project site in open space. While this alternative would still require mitigation measures to address nesting birds and tree removal, this alternative would have reduced biological resources impacts when compared to the proposed project.

Hydrology and Water Quality: While this alternative would result in fewer residential units, this alternative would still require mitigation measures to address construction and operational water quality impacts. As the overall development would be reduced, the hydrology impacts of this alternative would be reduced when compared to the proposed project.

Utilities: This alternative would result in reduced utilities demand when compared to the proposed project; however, it is likely mitigation measures related to water and wastewater infrastructure required for the proposed project would still be required under this alternative. While mitigation measures would be required under this alternative, this alternative would have a reduced utilities impact when compared to the proposed project.

Public Services: With fewer residential units than the proposed project, the Reduced Build alternative would result in a reduced demand for police, fire and school services. While this alternative would result in reduced public services demand, this alternative would not incorporate parks included in the proposed project, so additional demand may be placed on other recreation facilities. However, this alternative would have a reduced public service impact when compared to the proposed project.

Visual Resources: This alternative would have significantly fewer units than the proposed project, and would generally incorporate less development and more open space than the proposed project. As with the proposed project, this alternative would not impact a scenic view or vista. While the project results in no significant visual resources impacts, implementation of this alternative would likely result in a reduction to the less-than-significant impacts as more open space can be incorporated into this alternative's site plan.

Impacts levels associated with land use, population and housing, noise, cultural resources, geology, soils, seismicity, and hazards under this alternative would be similar to the propose project.

Feasibility

While the County recognizes the environmental benefits of this alternative, this alternative would not meet, to the same degree as the proposed project, the objective to implement the County's General Plan by providing urban/suburban type development within lands designated as Community Region in order to ensure the preservation of large expanses of open space and agricultural lands within the County. Nor would this alternative meet the objectives to provide a broad range of residential product types or to offer a range of designs and amenities to meet the needs of the changing demographics of the County, including families, empty nesters and active adults. This alternative would not achieve as many of the benefits of the proposed project, as set forth in the Statement of Overriding Considerations, below. For all of the foregoing reasons, and any of them individually, the Reduced Build Alternative is determined to be infeasible.

6.1.4 Non-Gated Development Alternate Variant

The Non-Gated Development alternative assumes that the site would be developed as currently proposed, except that the proposed EVA off of county-maintained Lima Way would be an open public roadway with travel allowed in both directions in an effort to improve emergency access and circulation associated with the project. The remaining EVAs off of privately maintained Marden Drive and Green Springs Road would remain gated. Under this alternative, the two entrances on Green Valley Road would remain as proposed.

Description

This alternative would result in vehicular access from the project site to Silva Valley Parkway via Lima Way, Aberdeen Lane, and Appian Way (collectively Highland View), and would be anticipated to provide an alternate route to gain access to points south, including US-50, for at least a portion of the project site. Project access through Highland View could attract project traffic away from Green Valley Road resulting in increased traffic volumes along these neighborhood roadways. Though difficult to project the potential usage of this circulation alternative, initial estimates indicated that up to 20 percent of the project traffic might potentially use the Highland View connection to Silva Valley Parkway, thereby reducing Green Valley Road volumes. While this shift in traffic may lessen project impacts along Green Valley Road west of the project site, it is possible that additional impacts may be realized along Highland View and/or at the Silva Valley Parkway intersection. It should be noted that creation of a Lima Way connection between Highland View and the proposed project could not only result in project generated trips using these roadways, it could also result in existing traffic from Highland View traveling through the project site to gain access to Green Valley Road and points to the east.

Impacts

Impacts levels associated with land use, population and housing, air quality, greenhouse gas emissions, biological resources, cultural resources, geology, soils, seismicity, hydrology, hazards, utilities, public services and visual resources under this alternative would be similar to the propose project.

Feasibility

This alternative would meet all the project objectives and was intended to be part of a future circulation pattern by the County when requiring the Lima Way stub-out prior to approving the Highland View subdivision, but would likely result in new transportation impacts related to access through the Highland View neighborhood. The EIR analysis of transportation impacts from the project did not include an open circulation pattern through Lima Way. Even so, transportation impacts from the project were found to be less than significant or, conservatively, temporarily significant but unavoidable until such time as the 10-year CIP roadway improvements were completed. By modifying the patterns of the same traffic volumes that were analyzed in the EIR, opening Lima Way to through traffic would have similar environmental impacts to keeping it closed. However, the residents of the Highland View neighborhood have expressed a concern regarding the potential for increased hazards from speeding traffic on their narrow, sloping streets. As stated previously, determination of infeasibility involves a balancing of various factors including social ones. As the Highland View neighborhood requests the gated EVA for public safety reasons, the County concurs from a policy standpoint. In addition, the applicant is now proposing to gate the Dixon Ranch Residential subdivision in response to the neighborhood concerns, thereby preventing public circulation through Lima Way. Because of these reasons, the County has determined the Non-Gated Development Alternate Variant to be infeasible.

SECTION 7.0 STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a project against its unavoidable risks when determining whether to approve a project. If the specific economic, legal, social, technological or other benefits of the project outweigh the unavoidable adverse environmental effects, those effects may be considered acceptable. CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the EIR or elsewhere in the administrative record.

The County of El Dorado has made a reasonable good faith effort to eliminate or substantially mitigate the environmental impacts resulting from the proposed project. The County recognizes, however, that even with implementation of all feasible mitigation measures, the project will have significant and unavoidable impacts. In particular, the proposed project would result in significant unavoidable impacts related to transportation, air quality, greenhouse gas emissions and noise even after incorporation of all feasible mitigation measures. These significant unavoidable impacts are identified and discussed in Section 5 of these Findings. The County further specifically finds that these significant unavoidable impacts are outweighed by the proposed project's benefits and constitutes an overriding consideration warranting approval of the proposed project.

The County of El Dorado finds that any one of the benefits set forth below is sufficient by itself to warrant approval of the proposed project, and justify the unavoidable adverse environmental impacts from the project. This determination is based on the findings herein and the evidence in the record. Having balanced the unavoidable adverse environmental impacts against each of the benefits, the County of El Dorado adopts this Statement of Overriding Considerations, for the following reasons:

1. Economic Considerations and Job Creation

Project construction is projected to generate an increase in the County of El Dorado's economy over the construction-period. Additionally, the construction of the project is expected to create increased employment opportunities annually over the construction period.

At buildout, the project is projected to generate positive fiscal impacts to the County's operating funds. The annual net fiscal impacts indicate a combined annual surplus of approximately \$89,107, including General Fund and Road Fund Revenues.¹¹

2. Social and Recreational Benefits

The proposed project provides unique social and recreational benefits. The proposed project provides diverse housing types, sizes, and designs to accommodate varying lifestyles and income levels to meet the needs of the changing demographics of the County, including families, empty nesters, and active adults.

The largest age group in El Dorado County is the 50-59 year-old range, which represents 17.6 percent of the total County population. Since 2000, the number of people ages 50-59 increased over 55 percent. Residents 60-69 make up a higher percentage of the population of El Dorado County than the State average.¹² The project will include 160 age-restricted (years 55+) residential units to accommodate the County's growing baby-boomer population and help meet the demand for retirement housing. To help meet the recreational demands of the project's active-adult population, a clubhouse is proposed as part of the age-restricted community.

The project also provides considerable open space as well as active recreational amenities (parks and trails) that would be available for public use. One publically accessible park (Village Park) is incorporated into the project and would be dedicated to the El Dorado Hills Community Services District. A variety of pedestrian circulation amenities are included in the project design, and a series of pedestrian paths and trails are proposed, including a multi-use trail. Open space is proposed throughout the project site to preserve existing trees and wetlands, serve as a stormwater detention area, and to provide a buffer to neighboring land uses. Parks, open space, and landscaped areas would total approximately 84 acres (30 percent) of the project site.

3. Environmental Benefits

A fundamental objective of El Dorado County's General Plan is to direct intensive development to the identified Community Regions and Rural Centers. By directing growth to the Community Regions and Rural Centers, the General Plan helps protect the County's agricultural lands, open space, and natural resources. The proposed project site is entirely within the urban limit line of the El Dorado Hills Community Region; the residential development proposed by the project furthers the County's vision of compact growth, which in turn, protects the County's important agricultural and natural resources located outside of the Community Regions and Rural Centers.

¹¹ DPGF, 2015. *Dixon Ranch Fiscal Impact Analysis, Scenario 2: Full Buildout*. July 15.

¹² El Dorado County, 2011. *Economic & Demographic Profile (El Dorado County, 2010-2011)*. Available online at: www.eldoradocounty.org/pdf/ElDoradoProfile10_11.pdf (accessed August 19, 2015).

The project has been designed to avoid and substantially minimize environmental impacts. The project includes two detention basins at the southwest corner to mitigate flows to pre-project levels at that location. The project improvements and drainage crossings are designed to accomplish total avoidance of on-site verified jurisdictional wetlands. The existing ponds located along the alignment of Green Springs Creek would be substantially maintained in their current condition. The project will be phased to ensure consistency with County policies protecting oak woodlands. The project site is not designated prime farmland, unique farmland, or farmland of statewide importance, and the project site is not identified as “choice agricultural land” in the County’s General Plan.

4. Policy

The proposed project implements and furthers important plans and policies adopted and endorsed by the County. Development of the proposed residential, recreational, and open spaces uses is endorsed by the El Dorado County General Plan as a logical location for these proposed uses. By directing growth to the El Dorado Hills Community Region, the proposed project is compatible with existing and future uses and with General Plan policies related to growth, and would provide needed housing and facilities, including housing and facilities for the County’s growing active adult population.

On balance, the County finds that there are specific considerations associated with the project that serve to override and outweigh the project’s significant unavoidable effects. Therefore, pursuant to *CEQA Guidelines* Section 15093(b), these adverse effects are considered acceptable.

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