

RESOLUTION NO. 2016-_____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

**CERTIFYING THE ENVIRONMENTAL IMPACT REPORT FOR THE PUBLIC
SAFETY FACILITY PROJECT; MAKING FINDINGS OF FACT AND MAKING A
STATEMENT OF OVERRIDING CONSIDERATIONS**

WHEREAS, in July, 2014 the Board of Supervisors selected the property commonly known as Industrial Drive and 6625 Merchandise Way within the Diamond Springs area of unincorporated El Dorado County (APNs 329-240-55, 329-391-10) as the preferred site to develop a new Public Safety Facility and authorized a Purchase and Sale Agreement for acquisition of the property; and

WHEREAS, an Environmental Impact Report (EIR) has been prepared pursuant to CEQA to analyze the potential environmental impacts of developing a Public Safety Facility on the property; and

WHEREAS, on June 16, 2015, the County as the lead agency commenced the environmental review process with issuance of a CEQA Notice of Preparation (NOP) soliciting written comments regarding the scope and content of the EIR for the Public Safety Facility Project; and

WHEREAS, on July 9, 2015, the County held a public scoping meeting to receive oral comments on the NOP; and

WHEREAS, on July 24, 2015, the County issued an amended NOP to inform the public of an amendment to the project description to include an approximately 7-acre solar farm within the western portion of the site; and

WHEREAS, on November 12, 2015, the Planning Commission held a duly noticed public hearing and unanimously approved a Finding of Consistency, pursuant to Government Code Section 65402, finding the acquisition of real property by the County for purposes of developing a Sheriff's Headquarters Public Safety Facility to be consistent with the El Dorado County 2004 General Plan; and

WHEREAS, on December 14, 2015, a Draft Environmental Impact Report ("Draft EIR") was released for a 45-day review period ending on January 28, 2016; and

WHEREAS, a Final EIR was prepared consisting of comments on the Draft EIR submitted by interested public agencies and members of the public; written responses to the environmental issues raised in those comments; revisions to the text of the Draft EIR reflecting clarifications and changes made in response to comments; and a Mitigation Monitoring and Reporting Plan, attached hereto as Exhibit B; and

WHEREAS, the changes and clarifications to the text of the Draft EIR following public review do not qualify as significant new information that would require recirculation of the EIR; and

WHEREAS, on March 8, 2016, the Board of Supervisors independently reviewed the Draft EIR and Final EIR (together, the "EIR"), the staff report, and public testimony; and

WHEREAS, the EIR identifies one significant and unavoidable impact caused by the Project and mitigation is incorporated into the Project, which does not eliminate, but does lessen the significant and unavoidable effect, as identified in the EIR under Section 15091; and

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

1. Pursuant to Section 15090 of the CEQA Guidelines, the Board of Supervisors hereby certifies that the Final EIR: a) has been completed in compliance with CEQA; b) was presented to the Board of Supervisors, and the Board reviewed and considered the information contained in the Final EIR prior to approving the project; and c) reflects the independent judgment and analysis of the Board of Supervisors of the County of El Dorado.
2. As set forth in Section 15043 of the CEQA Guidelines, a public agency may approve a project even though the project would cause a significant effect on the environment if the agency makes a fully informed and publicly disclosed decision that: (a) There is no feasible way to lessen or avoid the significant effect (see Section 15091) and (b) Specifically identified expected benefits from the project outweigh the policy of reducing or avoiding significant environmental impacts of the project (see Section 15093). The Board of Supervisors hereby makes that decision as set forth more fully in Exhibit A.
3. Exhibit A of this Resolution provides findings of fact required under Section 15091 of the CEQA Guidelines for significant effects of the project, feasibility of mitigation measures, and feasibility of alternatives. The Board of Supervisors hereby adopts these various Findings of Fact attached hereto as Exhibit A.
4. Exhibit A, Section 7.0 of this Resolution provides the findings required under Section 15093 of the CEQA Guidelines relating to accepting adverse impacts of the project due to overriding considerations. The Board of Supervisors has balanced the economic, legal, social, technological, and other benefits of the project against the unavoidable adverse environmental effects. The Board of Supervisors finds the economic, legal, social, technological, and other benefits outweigh the adverse environmental effects of the project; therefore, the adverse environmental effects are deemed to be "acceptable" and the Board of Supervisors hereby adopts the Statement of Overriding Considerations attached hereto as Exhibit A, Section 7.0.
5. The Board of Supervisors has considered three Project alternatives identified in the DEIR, and has concluded based on substantial evidence in the record that the three alternatives are infeasible because they would not achieve the project objectives for the following reasons: 1)

The No Project Alternative would not result in the development of a new public safety facility; 2) Off-Site Alternative A would not include development of a solar farm and would require a General Plan Amendment and Rezone; 3) Off-Site Alternative B would not include development of a solar farm and would only minimally reduce the project's environmental effects. Thus, the Board of Supervisors has determined that the Public Safety Facility Project, as reviewed in the EIR, can be feasibly implemented in light of economic, legal, social, technological, and other considerations, as discussed herein under Section 15091.

6. After considering the EIR, and in conjunction with making these findings, the Board of Supervisors hereby finds that pursuant to Section 15092 of the CEQA Guidelines that approval of the Project may result in significant effects on the environment; however, the County has determined that the one remaining significant effect on the environment, as set forth in Exhibit A, is found to be unavoidable under Section 15091 and acceptable due to overriding considerations under Section 15093.

BE IT FURTHER RESOLVED, the Board of Supervisors hereby adopts the findings made at such time as this Board stated their intention to approve the Project and incorporates said findings herein by reference.

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

AYES:

NOES:

ABSENT:

Deputy Clerk

Chair, Board of Supervisors

Exhibit A

Findings of Fact and Statement of Overriding Considerations

PUBLIC SAFETY FACILITY PROJECT

CEQA FINDINGS

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

February 2016

The Final Environmental Impact Report (Final EIR) prepared by El Dorado County (County) for the Public Safety Facility Project (project) consists of the Draft EIR, revisions to the Draft EIR text, responses to comments on the Draft EIR, including text changes to the Draft EIR, and the Mitigation Monitoring and Reporting Program (MMRP). The Final EIR identifies significant environmental impacts that will result from implementation of the project. The Final EIR identified a total of 16 significant impacts; implementation of the identified mitigation measures would reduce 15 of these impacts to less-than-significant levels. The Final EIR identified one significant and unavoidable environmental impact. A feasible mitigation measure has been required for this impact, but the measure would not reduce the impact to a less-than-significant level. Therefore, the short-term construction noise impact would remain significant and unavoidable.

For the significant and unavoidable effect, the County finds that specific economic, technological, public, and political benefits override and outweigh the project's significant unavoidable impact. The CEQA Findings document contains a Statement of Overriding Considerations for the one (1) significant and unavoidable project impact.

As required by CEQA, the County Board of Supervisors, in adopting these CEQA Findings and Statement of Overriding Considerations, also adopts a 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 Public Safety Facility 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 Public Safety Facility 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 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 that would substantially lessen the significant environmental effects of such projects...”

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 as 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. The concept of “feasibility” also encompasses the question whether a particular mitigation measure promotes the underlying goals and objectives of the project. “Feasibility” under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant, environmental, social, and technological factors.”

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. 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.

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 proposed 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."

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:

- Public Safety Facility Project Application materials;

- 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 K and the Draft EIR), dated December 2015 (State Clearinghouse # 2015062046);
- 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 Chapter of the Final EIR, dated February 2016) (State Clearinghouse # 2015062046);
- The Mitigation Monitoring and Reporting Program for the project;
- The Staff Report for the March 8, 2016, Board of Supervisors hearing;
- 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 that 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. 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 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 Considerations.

SECTION 2.0 PUBLIC SAFETY FACILITY 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:

1. Provide an appropriately sized and programmed facility to meet the current and future needs of the Sheriff's Department.
2. Develop a new Public Safety Facility to centralize and consolidate existing patrol, detective, command, dispatch, radio shop, human resources, support services, finance, evidence, coroner, morgue, training and OES operations, thereby improving the Department's efficiency and response times.
3. Select a site using the Board of Supervisors approved site criteria and associated weighting that includes:
 - Level 3 (highest weighting) - site size, public access, purchase cost, development cost, expansion potential, and government connectivity;
 - Level 2 - traffic impact, public image, zoning, environmental impact, long term cost, and development risk; and
 - Level 1 - drive time patrol, drive time non-patrol, acoustics, utilities and infrastructure, and communication.
4. Lower long term operational costs to the County by eliminating expensive yearly rental costs for leased, off-site facilities.
5. Increase the safety of the public and employees by providing a state-of-the art public safety facility in compliance with current State and local building codes and law enforcement best practices.
6. Reduce County operational energy costs by including net metering on the Public Safety Facility and virtual net metering via an adjacent solar farm.
7. Provide dual access points to the facility for staff and emergency personnel.
8. Lower risk exposure associated with outdated owned and leased facilities

2.2 PROJECT DESCRIPTION

The Project consists of development of a multi-building Public Safety Facility on approximately 11 acres of the 30.34-acre site for the El Dorado County Sheriff's Office, with a maximum development potential totaling approximately 106,331 square feet (sf). The proposed Public Safety Facility would centralize and consolidate the Sheriff's Office functions currently operating out of seven different facilities. The other major project component consists of an approximately 7-acre solar farm facility, which would be located immediately west of the Public Safety Facility buildings. The 6.16-acre portion of the 30.34-acre site located north of Industrial Drive is not proposed for development as part of this project.

Based on the Sheriff's Operational Assessment and Facility Study completed in 2013, the multi-building Public Safety Facility is anticipated to consist of four buildings, according to the major divisions listed in the following table:

Conceptual Building Summary		
Building Use	Number of Stories	Size (sf)
Training building with indoor firing range	1	24,000
Sheriff administration building	2	59,331
County morgue	1	12,000
SWAT, Search and Rescue, and radio shop	1	11,000
<i>Total:</i>		<i>106,331</i>

After design-level planning is completed, the actual building configuration may change; and the total square footage for the proposed project may be less than 106,331 sf. While the building configurations shown on the Site Plan are conceptual, and subject to change, the final building configurations would not differ substantially from the arrangement shown in Figure 3-3 of the Project Description Chapter of the Draft EIR. For example, the Public Safety Facility buildings would continue to be clustered near the southeastern corner of the project site, such that they are placed closer to the existing off-site industrial uses, rather than the homes west of the project site. Similarly, the on-site solar farm would remain within the western portion of the project site to help buffer the Public Safety Facility's operations from the nearest residences.

Additional proposed, ancillary solar-generating facilities would be located at the southwest portion of the site, west of the Public Safety Facility buildings. Approximately seven acres of land are proposed to be used to generate two to three megawatts (MW) of power. The seven-acre solar site would be fenced. The power generated on the seven acres would be used to offset other County power costs through "Virtual Net Metering". The design would use a fixed-tilt system, but may incorporate single-axis tracking, as engineering and topography necessitate.

A list of responsible and/or permitting agencies is included below. However, this list is not exhaustive and could include other agencies.

- Regional Water Quality Control Board (RWQCB) – The project would obtain permits from the RWQCB for stormwater discharge under the National Pollutant Discharge Elimination System (NPDES) program administered by the RWQCB.
- El Dorado County Air Quality Management District (EDAQMD) – EDAQMD would approve construction and operation permits.

2.3 ALTERNATIVES

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

- **CEQA-Required No Project Alternative.** This alternative assumes that the proposed project is not built, but the project site would otherwise be developed under the existing General Plan and Zoning designations.
- **Off-Site Alternative A.** This alternative assumes development of the proposed project with a smaller footprint and similar building uses at an alternate site. The Off-Site Alternative A site is comprised of two parcels (327-160-47 and 327-160-50) located approximately 1.10 miles northwest of the proposed project site, north of Mother Lode

Drive, east of El Dorado Road, south of Runnymede Drive and U.S. Highway 50 (US 50), and west of Runnymede Court.

- Off-Site Alternative B. This alternative assumes development of the proposed project with similar building uses on an alternate site. The Off-Site Alternative B site is comprised of three parcels (a portion of 327-110-05, 325-220-20, and 325-220-48) located approximately 1.25 miles northwest of the proposed project site, north of US 50 and Revonoc Lane, east of El Dorado Road, south of Missouri Flat Road, and west of the Kmart off Missouri Flat Road and US 50.

A more detailed description of these alternatives, and required findings, are set forth in Section 6.0: 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 that 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 AESTHETICS

Impact 4.1-2: Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

Mitigation Measure 4.1-2: Prior to the issuance of a building permit, the project applicant shall submit a lighting plan to the El Dorado County Community Development Agency for review and approval. The project applicant shall implement the approved lighting plan. The lighting plan shall comply with the El Dorado County Ordinance Code for lighting, including, but not be limited to, the following:

- *Lighting plans shall contain, at a minimum, the location and height of all light fixtures, the manufacturer's name and style of light fixture, and specifications for each type of fixture.*
- *All outdoor lighting shall be hooded or screened as to direct the source of light downward and focus onto the property from which it originates and shall not negatively impact adjacent properties or directly reflect upon any adjacent residential property.*
- *Parking lot and other security lighting shall be top and side shielded to prevent the light pattern from shining onto adjacent property or roadways, excluding lights used for illumination of public roads.*
- *Upward lighting shall be minimized to the greatest extent possible.*

- *External lights used to illuminate a sign or the side of a building or wall shall be shielded to prevent the light from shining off of the surface intended to be illuminated.*

Findings for Impact 4.1-2: Mitigation Measure 4.1-2 requires that the project applicant be responsible for submitting a lighting plan which complies with the El Dorado County Ordinance Code for lighting. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure 4.1-2 will be incorporated into the project via conditions of approval, and will reduce Impact 4.1-2 to a less-than-significant level.

3.2 BIOLOGICAL RESOURCES

Impact 4.3-2: Have a substantial adverse effect, either directly or through habitat modifications, on any wildlife species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.

Mitigation Measure 4.3-2: Prior to issuance of a grading permit for development, a pre-construction nesting bird survey shall be conducted on-site within 14 days prior to site clearing if site clearing associated with the project would commence between March 1st and August 15th ("the nesting season in northern California"). If disturbance associated with the project would occur outside of the nesting season, no surveys shall be required. The written results of the pre-construction survey shall be submitted to the County Development Services Division. If migratory birds are identified as nesting on the project site, a non-disturbance buffer of 75 feet shall be established or as otherwise prescribed by a qualified ornithologist. If raptors are identified as nesting on the project site, a non-disturbance buffer of 500 feet shall be established or as otherwise prescribed by a qualified ornithologist. The buffer shall be demarcated with painted orange lath or via the installation of orange construction fencing. Disturbance within the buffer shall be postponed until a qualified ornithologist has determined that the young have attained sufficient flight skills to leave the area or that the nesting cycle has otherwise completed.

Findings for Impact 4.3-2: Mitigation Measure 4.3-2 requires that the project applicant be responsible for completing a pre-construction nesting bird survey on-site within 14 days prior to site clearing if site clearing associated with the project would commence between March 1st and August 15th ("the nesting season in northern California"). If nesting birds are present, buffers will be established. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure 4.3-2 will be incorporated into the project via conditions of approval, and will reduce Impact 4.3-2 to a less-than-significant level.

Impact 4.3-5: Conflicts with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. This is a significant impact.

Mitigation Measure 4.3-5(a): Prior to the issuance of a grading permit, the applicant shall submit an Oak Woodland Habitat Mitigation Plan for review and approval by the

County Development Services Division. The Oak Woodland Habitat Mitigation Plan shall provide on-site mitigation for the canopy impacted by the proposed project, based on the County's formula of 200 one-gallon oak trees per acre of impact. In compliance with the County's requirement, 15 one-gallon oak trees shall be planted as part of the project's landscaping as mitigation for the loss of 0.07-acre of impacted oak canopy.

Mitigation Measure 4.3-5(b): Prior to Grading Plan approval, the plans shall include a list of tree protection methods, for review and approval of the County Community Development Agency. The list of tree protection methods shall be implemented during construction of the project. The list of tree protection methods shall include, but not necessarily be limited to, the following:

- The applicant shall hire an International Society of Arboriculture (ISA) certified arborist to be present on-site during all grading, construction, and tree removal activities. The arborist shall evaluate all proposed improvements that may affect each native tree to be preserved, make recommendations on these proposed improvements, and oversee construction of these improvements during site development to ensure that the appropriate trees are removed or preserved in compliance with the tree removal permit and approved Improvement Plans.
- The applicant shall install a four-foot tall, brightly colored (yellow or orange), synthetic mesh material fence around all oak trees to be preserved that are greater than six inches DBH (or 10 inches DBH aggregate for multi-trunked trees). The fencing shall delineate an area that is at least the radius of which is equal to the largest radius of the protected tree's drip line plus one foot. The fence shall be installed prior to any site preparation or construction equipment being moved onsite or any site preparation or construction activities taking place. Development of this site, including grading, shall not be allowed until this condition is satisfied. Any encroachment within the areas listed above, including within driplines of trees to be saved, must first be approved by a designated representative of the Community Development Agency. Grading, clearing, or storage of equipment or machinery may not occur until a representative of the Community Development Agency has inspected and approved all temporary construction fencing. Trees shall be preserved where feasible. This may include the use of retaining walls, planter islands, or other techniques commonly associated with tree preservation. The Grading/Improvement Plans shall indicate the location of the fencing and include a note describing the fencing requirements consistent with this mitigation measure.
- The project applicant shall implement the following guidelines before and during grading and construction for protection of all oak trees to be preserved:
 - Plans and specifications shall clearly state protection procedures for oak trees on the project site. The specifications shall also include a provision for remedies if oak trees are damaged;
 - Before construction commences, those oak trees within 25 feet of construction sites shall be pruned and the soil aerated and fertilized;

- *Vehicles, construction equipment, mobile offices, or materials shall not be parked, stored, or operated within the driplines of oak trees to be preserved;*
- *Cuts and fills around trees shall be avoided where feasible.*
- *Soil surface removal greater than one foot shall not occur within the driplines of oak trees to be preserved. Cuts shall not occur within five feet of their trunks;*
- *Earthen fill greater than one foot deep shall not be placed within the driplines of oak trees to be preserved, and fill shall not be placed within five feet of their trunks;*
- *Underground utility line trenching shall not be placed within the driplines of oak trees to be preserved where feasible without first obtaining approval from a designated representative of the Community Development Agency. If it is necessary to install underground utilities within the driplines of oak trees, boring or drilling rather than trenching shall be used;*
- *Paving shall not be placed in the vicinity of oak trees to be preserved (at a minimum, within the dripline of any oak tree) without first obtaining approval from a designated representative of the Community Development Agency; and*
- *Irrigation lines or sprinklers shall not be allowed within the dripline of native oak trees.*

Findings for Impact 4.3-5: Mitigation Measure 4.3-5(a) requires that the project applicant be responsible for submitting an Oak Woodland Habitat Mitigation Plan in order to mitigate the oak woodland canopy impacted by the project. The Oak Woodland Habitat Mitigation Plan shall provide on-site mitigation for the canopy impacted by the proposed project, based on the County's formula of 200 one-gallon oak trees per acre of impact. Mitigation Measure 4.3-5(b) requires that the project applicant be responsible for implementing tree protection methods during construction of the project. Pursuant to CEQA Guidelines Section 15091(a)(1), the County finds that Mitigation Measures 4.3-5(a) and 4.3-5(b) will be incorporated into the project via conditions of approval, and will reduce Impact 4.3-5 to a less-than-significant level.

3.3 CULTURAL RESOURCES

Impact 4.4-1: Cause a substantial adverse change in the significance of a historical resource or a unique archaeological resource as defined in Section 15064.5, directly or indirectly destroy a unique paleontological resource on site or unique geologic features, or disturb any human remains, including those interred outside of formal cemeteries.

Mitigation Measure 4.4-1(a): *If buried archeological resources, such as chipped or ground stone, historic debris, building foundations, or buried paleontological resources are discovered during ground disturbing activities, work shall stop in that area, and within 100 feet of the find, until a qualified archaeologist can assess the significance of the find and, if necessary, develop appropriate treatment measures in consultation with the County and other appropriate agencies. Possible management recommendations for historical or unique archaeological resources could include resource avoidance (i.e., preservation in place) or data recovery excavations where avoidance is infeasible in light*

of project design or layout, or is unnecessary to avoid significant effects. These recommendations shall be included on the project grading plans prior to their approval.

Mitigation Measure 4.4-1(b): If human remains of Native American origin are discovered during project construction, State laws relating to the disposition of Native American remains in coordination with the NAHC (PRC 5097.98) must be complied with. If any human remains are discovered or recognized in any location other than a dedicated cemetery, work shall stop in that area and within 100 feet of the find until:

- The County coroner has been informed and has determined that investigation of the cause of death is not required; and*
- If the remains are of Native American origin, the descendants of the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC 5097.98;*

Or

- The NAHC was unable to identify a descendant, or the descendant failed to make a recommendation within 24 hours after being notified by the Commission.*

These recommendations shall be included on the project grading plans prior to their approval.

Findings for Impact 4.4-1: Mitigation Measure 4.4-1(a) requires that the project contractor be responsible for stopping work and contacting a qualified archaeologist should buried archaeological resources, such as chipped or ground stone, historic debris, building foundations, or buried paleontological resources, be discovered during ground disturbing activities. The qualified archaeologist will assess the significance of the find and, if necessary, develop appropriate treatment measures in consultation with the County and other appropriate agencies. Mitigation Measures 4.4-1(b) requires that the project contractor be responsible for stopping work and contacting the County coroner should human remains be discovered or recognized in any location other than a dedicated cemetery during ground disturbing activities. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measures 4.4-1(a) and 4.4-1(b) will be incorporated into the project via conditions of approval, and will reduce Impact 4.4-1 to a less-than-significant level.

3.4 GEOLOGY AND SOILS

Impact 4.5-2: Substantial erosion or the loss of topsoil.

Mitigation Measure 4.5-2: Prior to issuance of a grading permit, the project applicant shall submit, for the review and approval by the El Dorado County Resource Conservation District, an erosion and sediment control plan that will utilize standard

construction practices to limit the erosion effects during construction of the proposed project. The general requirements of the erosion and sediment control plan shall comply with the general requirements defined in the County Design and Improvement Standards Manual. The requirements include:

- 1. Erosion and sediment control plans shall be designed to prevent increased discharge of sediment at all stages of grading and development from initial disturbance of the ground to project completion and shall be consistent with all local, state, and federal rules and regulations.*
- 2. Plans shall be designed with long-term erosion and sediment control as a primary consideration. Every feasible effort shall be made to ensure that site stabilization is permanent.*
- 3. Plans shall indicate the timing of each erosion control measure proposed relative to the stage of construction.*
- 4. Short-term and long-term erosion control measures must be included in all plans. Implementation of short-term measures, however, may not be necessary based on the timing of completion of grading operations.*
- 5. Runoff shall not be discharged from the site in quantities or at velocities substantially above those which occurred before grading except into drainage facilities found by the Director to be adequate to convey the estimated increase in runoff.*

Measures to comply with the above requirements could include, but are not limited to:

- Hydro-seeding;*
- Placement of erosion control measures within drainageways and ahead of drop inlets;*
- The temporary lining (during construction activities) of drop inlets with “filter fabric” (a specific type of geotextile fabric);*
- The placement of straw wattles along slope contours;*
- Directing subcontractors to a single designation “wash-out” location (as opposed to allowing them to wash-out in any location they desire);*
- The use of silt fences; and*
- The use of sediment basins and dust palliatives.*

Findings for Impact 4.5-2: Mitigation Measure 4.5-2 requires that the project applicant be responsible for submittal and implementation of an erosion and sediment control plan in order to limit the erosion effects during construction of the project. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure 4.5-2 will be incorporated into the project via conditions of approval, and will reduce Impact 4.5-2 to a less-than-significant level.

Impact 4.5-3: Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse; or, be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code.

Mitigation Measure 4.5-3: Prior to the approval of improvement plans, the plans shall be designed to incorporate the recommendations of the Geotechnical Engineering Investigation prepared for the proposed Public Safety Facility Project by Youngdahl Consulting Group, Inc. Recommendations are set forth in Section 4 of the Geotechnical Report and provide engineering practices for the undocumented fill encountered on-site to ensure that these soils do not result in adverse impacts to structures. Engineering practices include but are not limited to removal and recompaction of moisture-sensitive soils.

All building plans shall be reviewed and approved by the Building Department prior to issuance of building permits to ensure that all geotechnical recommendations specified in the geotechnical report are properly incorporated and utilized in the design.

Findings for Impact 4.5-3: Mitigation Measure 4.5-3 requires that the project applicant incorporate the recommendations of the Geotechnical Engineering Investigation into the project design to ensure that undocumented fill is properly engineered before using for site development. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure 4.5-3 will be incorporated into the project via conditions of approval, and will reduce Impact 4.5-3 to a less-than-significant level.

3.5 HAZARDS AND HAZARDOUS MATERIALS

Impact 4.6-2: Creation of a significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment.

Mitigation Measure 4.6-2: If indicators of potential hazardous materials releases or disposal areas (e.g soil staining, odors, debris fill material, etc.) are encountered at the project site during construction activities, the impacted area(s) shall be isolated from surrounding, non-impacted areas. A qualified environmental professional shall obtain samples of the identified areas for analysis of contaminants of concern in comparison with applicable regulatory screening levels (i.e., Environmental Screening Levels, California Human Health Screening Levels, Regional Screening Levels, etc.). Where the contaminant concentrations exceed the applicable regulatory screening levels, construction safety measures for excavation, storage, and disposal of the contaminated materials shall be incorporated in the project grading plans for impacted areas. All contaminated materials shall be sent off-site to a licensed landfill facility to the satisfaction of the El Dorado County Environmental Management Division.

Findings for Impact 4.6-2: Mitigation Measure 4.6-2 requires the project applicant to contact a qualified environmental professional to obtain samples should indicators of potential hazardous materials releases or disposal areas (e.g soil staining, odors, debris

fill material, etc.) be encountered at the project site during construction activities. If determined necessary, contaminated materials shall be removed and disposed of off-site at an approved facility. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure 4.6-2 will be incorporated into the project via conditions of approval, and will reduce Impact 4.6-2 to a less-than-significant level.

3.6 HYDROLOGY AND WATER QUALITY

Impact 4.7-2: Violate any water quality standards or waste discharge requirements, create or contribute substantial additional sources of polluted runoff, or otherwise substantially degrade water quality during operation of the project.

Mitigation Measure 4.7-2: The project applicant shall fully comply with the requirements of the Phase II General Permit, as implemented by El Dorado County through the Storm Water Management Plan (SWMP), Grading, Erosion and Sediment Control Ordinance (Chapter 15.14), Stormwater Quality Ordinance (Chapter 110.14), 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 Low Impact Development (LID) measures, such as minimizing disturbed areas and impervious cover and then infiltrating, storing, detaining, evapotranspiring, and/or biotreating stormwater runoff close to its source, to the maximum extent practicable. It should be noted that because the project site is characterized by shallow bedrock and low permeability soils, some LID measures, such as those that rely on infiltration, are not likely to be feasible at the project site. All post-construction BMPs shall be included on the improvement plans prior to their approval by the County.

Funding for the maintenance of all BMPs for the life of the proposed project shall be specified. The project sponsor shall establish a stormwater system operation and maintenance plan that specifies a regular inspection schedule of stormwater treatment facilities. The plan and subsequent reports documenting the inspections and remedial actions shall be submitted to the County for review and approval.

Findings for Impact 4.7-2: Mitigation Measure 4.7-2 requires that the project applicant be responsible for complying with the requirements of the Phase II General Permit, as implemented by El Dorado County through the SWMP, Grading, Erosion and Sediment Control Ordinance (Chapter 15.14), Stormwater Quality Ordinance (Chapter 110.14), Design and Improvement Standards Manual, Drainage Manual, and General Plan Goal 7.3. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure 4.7-2 will be incorporated into the project via conditions of approval, and will reduce Impact 4.7-2 to a less-than-significant level.

Impact 4.7-4: Substantially alter the existing drainage pattern of the site or area, or create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems.

Mitigation Measure 4.7-4: In conjunction with submittal of improvement plans for the proposed project, a design-level drainage report shall be submitted to the El Dorado County Planning Services Department for review and approval. The drainage report shall identify specific storm drainage design features to control the 100-year, 24-day increased runoff from the project site to ensure that the rate of runoff leaving the developed site does not exceed predevelopment levels, or the design capacity of the nearby stormwater facilities. This may be achieved through: on-site conveyance and detention facilities, off-site detention or retention facilities, channel modification, or equally effective measures to control the rate and volume of runoff.

Design-level recommendations provided in the drainage report shall be included in the improvements plans prior to their approval by the El Dorado County Planning Services Department.

Findings for Impact 4.7-4: Mitigation Measure 4.7-4 requires that the project applicant be responsible for submitting and implementing a design-level drainage report to ensure that the project's storm drainage system is designed to control the rate of runoff leaving the developed site to predevelopment levels. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure 4.7-4 will be incorporated into the project via conditions of approval, and will reduce Impact 4.7-4 to a less-than-significant level.

3.7 NOISE

Impact 4.9-4: A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project related to operation.

Mitigation Measure 4.9-4: In conjunction with the submittal of building plans for the Public Safety Facility Project, at which time engineering details will be available for the proposed project, including outdoor equipment specifications and building pad locations, the applicant shall submit a design-level acoustical analysis to the Community Development Agency. The acoustical analysis shall calculate the exterior noise levels at nearby residential property lines, resulting from the project's stationary noise sources, including the indoor firing range and associated outdoor equipment, backup generator, rooftop HVAC equipment, and any other outdoor stationary project equipment. If the predicted noise levels at the receiving residential property lines do not exceed the standards specified in Table 6-2 of the El Dorado County General Plan, then no further mitigation is required. If predicted noise levels exceed the noise standards in Table 6-2 at nearby residential property lines, then the acoustical report shall include recommendations to ensure that the noise levels are reduced to levels at or below those shown in Table 6-2. Possible noise attenuation measures, which could be used to achieve

the County's noise standards at nearby residential property lines, include but are not limited to:

- Building and Equipment Orientation: use building placement as a means to shield residential areas from on-site equipment noise sources. Orient exterior doors associated with the indoor range away from residential areas.
- Building Materials:

Indoor Firing Range: possible measures for the indoor firing range include using increased sound ratings for the building shell, and/or sound absorption material on indoor firing range room surfaces, and/or moveable interior partitions.

Rooftop Mechanical Equipment: possible measures include use of solid parapets at least partially blocking the line of sight to rooftop equipment.

Indoor Firing Range (outdoor equipment): concrete block walls (or similar solid construction equaling the weight per square foot of concrete block) shall surround the outdoor mechanical equipment yard housing the indoor shooting range equipment (fans, pumps, filtration, etc.), at a height sufficient to block the line of sight to the nearest residential receptor.

Backup Generator: engine generator and enclosure should be specified to meet 80 dBA or less at a distance of 23 feet from the unit.

All noise attenuation measures recommended in the design-level acoustical study shall be incorporated into the project construction drawings for review and approval by the Community Development Agency.

Findings for Impact 4.9-4: Mitigation Measure 4.9-4 requires that the project applicant be responsible for submitting and implementing a design-level acoustical analysis in order to calculate the exterior noise levels at nearby residential property lines resulting from the project's stationary noise sources, and incorporate noise attenuation measures in the project if predicted noise levels would exceed County standards. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure 4.9-4 will be incorporated into the project via conditions of approval, and will reduce Impact 4.9-4 to a less-than-significant level.

3.8 TRANSPORTATION AND CIRCULATION

Impact 4.10-1: Traffic related to construction activities.

Mitigation Measure 4.10-1: Prior to the beginning of construction, the contractor shall prepare a construction traffic management plan to the satisfaction of the County Traffic

Engineer. The plan shall ensure that acceptable operating conditions on local roadways are maintained. At a minimum, the plan shall include the following:

- Description of trucks including: number and size of trucks per day (e.g., 85 trucks per day), coordination of expected arrival/departure times, designation of truck circulation patterns.
- Description of staging area including: location, maximum number of trucks simultaneously permitted in staging area, use of traffic control personnel, specific signage.
- Description of street closures and/or bicycle and pedestrian facility closures including: duration, advance warning and posted signage, safe and efficient access routes for existing businesses and emergency vehicles, and use of manual traffic control.
- Description of driveway access plan including: provisions for maintained access to surrounding businesses, provisions for safe vehicular, pedestrian, and bicycle travel, minimum distance from any open trench, special signage, and private vehicle accesses.

Findings for Impact 4.10-1: Mitigation Measure 4.10-1 requires that the project applicant be responsible for preparing a construction traffic management plan in order to ensure that acceptable operating conditions on local roadways are maintained. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure 4.10-1 will be incorporated into the project via conditions of approval, and will reduce Impact 4.10-1 to a less-than-significant level.

Impact 4.10-2: Study intersections under Existing Plus Project Conditions.

Mitigation Measure 4.10-2(a): Missouri Flat Road / China Garden Road. Prior to issuance of any building permits, the project applicant shall pay the countywide TIM fees for the project consistent with the County's CIP program.

Installation of a traffic signal at the Missouri Flat Road / China Garden Road intersection will improve the LOS at the intersection to LOS B with a delay of 16.1 seconds. Alternatively, restricting the eastbound and westbound approaches to right-turns only would result in acceptable operations in both peak hours.

Therefore, appropriate mitigation would include payment of traffic impact mitigation fees to satisfy the project's fair share obligation towards this improvement if it is included in the 20-Year CIP, or construction of the improvement with reimbursement or fee credit for costs that exceed the project's proportional share if the improvement is needed but not included in future updates to the 20-Year CIP or constructed by others, as determined by CDA.

Mitigation Measure 4.10-2(b): Missouri Flat Road / Enterprise Drive. Prior to issuance of any building permits, the project applicant shall pay the countywide TIM fees for the project consistent with the County's CIP program.

Signalization of this intersection will result in an LOS A condition in the a.m. peak hour (8.5 seconds) and LOS B condition in the p.m. peak hour (18.4 seconds).

Therefore, appropriate mitigation would include payment of traffic impact mitigation fees to satisfy the project's fair share obligation towards this improvement if it is included in the 20-Year CIP, or construction of the improvement with reimbursement or fee credit for costs that exceed the project's proportional share if the improvement is needed but not included in future updates to the 20-Year CIP or constructed by others, as determined by CDA.

Findings for Impact 4.10-2: Mitigation Measures 4.10-2(a) and (b) require the project applicant to submit payment of TIM fees for impacts to the Missouri Flat Road / China Garden Road intersection, and the Missouri Flat Road / Enterprise Drive intersection. The TIM fees will be used to fund 20-year CIP improvements identified for these intersections through the County's Intersection Needs Prioritization Process. Mitigation Measures 4.10-2(a) and (b) are consistent with item (2) of County Policy TC-Xf, which states that for non-residential projects that trigger the County's thresholds for intersections already operating unacceptably, the County shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain Level of Service standards detailed in this Transportation and Circulation Element; or (2) ensure the construction of the necessary road improvements are included in the County's 20-year CIP. Thus, payment of the TIM fees would be considered sufficient mitigation for these impacts.

Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measures 4.10-2(a) and 4.10-2(b) will be incorporated into the project via conditions of approval, and will reduce Impact 4.10-2 to a less-than-significant level.

Impact 4.10-3: Year 2025 Plus Project Condition impacts to the following four intersections: Missouri Flat Road / China Garden Road; Missouri Flat Road / Enterprise Drive; Pleasant Valley Road at SR 49; and Pleasant Valley Road / Forni Road.

Mitigation Measure 4.10-3(a): Missouri Flat Road / China Garden Road. Implement Mitigation Measure 4.10-2(a) regarding payment of TIM fees for the project.

The CIP improvements needed to mitigate this intersection impact in the Year 2025 condition are already identified in Mitigation Measure 4.10-2(a). Signalization will improve the LOS at this intersection to LOS B during both peak hours in the Year 2025 condition. Alternatively, restricting the eastbound and westbound approaches to right-turns only would result in acceptable LOS C operations in both peak hours in the Year 2025 condition.

Mitigation Measure 4.10-3(b): Missouri Flat Road / Enterprise Drive. Implement Mitigation Measure 4.10-2(b) regarding payment of TIM fees for the project.

The CIP improvements needed to mitigate this intersection impact in the Year 2025 condition, are already identified in Mitigation Measure 4.10-2(b). Signalization will improve the LOS at this intersection to LOS B during both peak hours in the Year 2025 condition.

Mitigation Measure 4.10-3(c): Pleasant Valley Road at SR 49. *Prior to issuance of any building permits, the project applicant shall pay the countywide TIM fees for the project consistent with the County's CIP program.*

Installation of a traffic signal will maintain acceptable levels of service at the intersection during the AM peak hour (LOS C – 20.2 seconds). Therefore, appropriate mitigation would include payment of TIM fees to satisfy the project's fair share obligation towards this improvement if it is included in the 20-Year CIP, or construction of the improvement with reimbursement or fee credit for costs that exceed the project's proportional share if the improvement is needed but not included in future updates to the 20-Year CIP or constructed by others, as determined by CDA.

Mitigation Measure 4.10-3(d): Pleasant Valley Road / Forni Road. *Prior to issuance of any building permits, the project applicant shall pay the countywide TIM fees for the project consistent with the County's CIP program.*

Installation of a two-way-left-turn lane identified in the County's CIP will allow the intersection to operate at LOS D (26.5 seconds) in the AM peak hour. The project is programmed for construction between Fiscal Year 2025/26 and 2034/35 and is therefore consistent with General Plan Policy TC-Xf.

Findings for Impact 4.10-3: *Mitigation Measures 4.10-3(a) through 4.10-3(d) require the project applicant to submit payment of TIM fees for impacts to the intersections of Missouri Flat Road / China Garden Road, Missouri Flat Road / Enterprise Drive, Pleasant Valley Road / SR 49, and Pleasant Valley Road / Forni Road. The TIM fees will be used to fund 20-year CIP improvements identified for these intersections through the County's Intersection Needs Prioritization Process. Mitigation Measures 4.10-3(a) through (d) are consistent with item (2) of County Policy TC-Xf, which states that for non-residential projects that trigger the County's thresholds for intersections already operating unacceptably, the County shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain Level of Service standards detailed in this Transportation and Circulation Element; or (2) ensure the construction of the necessary road improvements are included in the County's 20-year CIP. Thus, payment of the TIM fees would be considered sufficient mitigation for these impacts.*

Pursuant to CEQA Guidelines Section 15091(a)(1), the County finds that Mitigation Measures 4.10-3(a), 4.10-3(b), 4.10-3(c), and 4.10-3(d) will be incorporated into the project via conditions of approval, and will reduce Impact 4.10-3 to a less-than-significant level.

Impact 4.10-4: Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses.

Mitigation Measure 4.10-4: The project applicant shall fund and construct the traffic signal at the Missouri Flat Road / Industrial Drive intersection. The traffic signal improvement shall be shown on the project improvement plans prior to their approval by the El Dorado County Community Development Agency. Installation of a new traffic signal would improve the operating conditions to LOS B (17.5 seconds) in the AM peak hour and LOS B (13.4 seconds) in the PM peak hour.

Findings for Impact 4.10-4: Mitigation Measure 4.10-4 requires that the project applicant be responsible for funding and constructing a traffic signal at the Missouri Flat Road / Industrial Drive intersection. Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measure 4.10-4 will be incorporated into the project via conditions of approval, and will reduce Impact 4.10-4 to a less-than-significant level.

Impact 4.10-7: Study intersections LOS under Year 2035 Plus Project Conditions.

Mitigation Measure 4.10-7(a): Missouri Flat Road / China Garden Road. Implement Mitigation Measure 4.10-2(a) regarding payment of TIM fees for the project.

The CIP improvements needed to mitigate this intersection impact in the Year 2035 condition are already identified in Mitigation Measure 4.10-2(a). Signalization will improve the LOS at this intersection to LOS B during both peak hours in the Year 2035 condition. Alternatively, restricting the eastbound and westbound approaches to right-turns only would result in acceptable LOS C operations in both peak hours in the Year 2035 condition.

Mitigation Measure 4.10-7(b): Missouri Flat Road / Enterprise Drive. Implement Mitigation Measure 4.10-2(b) regarding payment of TIM fees for the project.

The CIP improvements needed to mitigate this intersection impact in the Year 2035 condition, are already identified in Mitigation Measure 4.10-2(b). Signalization will improve the LOS at this intersection to LOS A during the AM peak hour and LOS B during the PM peak hour in the Year 2035 condition.

Mitigation Measure 4.10-7(c): Pleasant Valley Road at SR 49. Implement Mitigation Measure 4.10-3(c) regarding payment of TIM fees for the project.

The CIP improvements needed to mitigate this intersection impact in the Year 2035 condition, are already identified in Mitigation Measure 4.10-3(c). Signalization will improve the LOS at this intersection to LOS C during the AM peak hour.

Findings for Impact 4.10-7: Mitigation Measures 4.10-7(a) through 4.10-7(c) require the project applicant to submit payment of TIM fees for cumulative impacts to the intersections of Missouri Flat Road / China Garden Road, Missouri Flat Road / Enterprise

Drive, and Pleasant Valley Road / SR 49. The TIM fees will be used to fund 20-year CIP improvements identified for these intersections through the County's Intersection Needs Prioritization Process. Mitigation Measures 4.10-7(a) through (c) are consistent with item (2) of County Policy TC-Xf, which states that for non-residential projects that trigger the County's thresholds for intersections already operating unacceptably, the County shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain Level of Service standards detailed in this Transportation and Circulation Element; or (2) ensure the construction of the necessary road improvements are included in the County's 20-year CIP. Thus, payment of the TIM fees would be considered sufficient mitigation for these impacts.

Pursuant to *CEQA Guidelines* Section 15091(a)(1), the County finds that Mitigation Measures 4.10-7(a), 4.10-7(b), and 4.10-7(c) will be incorporated into the project via conditions of approval, and will reduce Impact 4.10-7 to a less-than-significant level.

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 4.1 through 4.11) provides a detailed analysis of the less-than-significant impacts of the proposed project.

4.1 AESTHETICS

Impacts related to substantially degrading the visual character or quality of the site would be considered less than significant. The proposed project site is generally vacant, undeveloped, and contains trees, shrubs, and evidence of past disturbance. The project site is largely disturbed due to the former on-site uses, including the lumber storage yard for the Old Caldor Lumber Company, as well as an equipment storage area for the Sacramento Metropolitan Utilities District (SMUD). Although the proposed Public Safety Facility would alter the existing visual character of the site, the proposed project is consistent with what is planned for the site pursuant to the *El Dorado County General Plan*, and is surrounded by existing industrial development to the north, south, and east. The proposed buildings would be consistent and compatible with the majority of the existing visual character of the surrounding area.

In addition, because the proposed solar panels would be relatively low profile and non-reflective, the 7-acre solar farm in the western portion of the project site would not substantially alter the existing visual character and quality of the project site, which currently retains relatively little value from a visual character and quality perspective, due to its highly disturbed nature. Therefore, the proposed project would result in a less-than-significant impact related to degradation of the existing visual character or quality of the site at the project-level and cumulative-level.

Cumulative impacts associated with long-term changes of visual character in the region would not be significant. Similar to the proposed project, future development within the County would

be required to comply with the County's General Plan, any applicable specific plan, any applicable development guidelines, and the County Ordinance Code. Compliance with such would help to ensure that cumulative impacts related to aesthetics are minimized through the location and design of future projects and consistency with what has been anticipated and previously analyzed by the County. Overall, in terms of the change to the visual character of the region, development on the project site would be typical of what is anticipated to occur in the surrounding area and elsewhere in El Dorado County. Based on the above, the proposed project's incremental contribution toward cumulative impacts related to the visual character of the region would be less than cumulatively considerable.

Cumulative impacts associated with increased light and glare would not be significant. While the proposed project's effects related to new sources of light and glare, in combination with related effects of other cumulative development, would be potentially significant, the project's incremental contribution to this significant cumulative impact will be rendered less than cumulatively considerable through its compliance with County Ordinance Code requirements and the mitigation measures set forth in this chapter.

4.2 AIR QUALITY AND GREENHOUSE GAS EMISSIONS

Impacts related to violating an air quality standard would be considered less than significant. The proposed commercial development would not result in construction emissions that would exceed the applicable thresholds of significance. Therefore, the proposed project would result in a less-than-significant impact related to violation of an air quality standard or contribution to an existing or projected air quality violation during construction. Similarly, the operational emissions resulting from the project would not exceed the applicable thresholds of significance. Therefore, the proposed project would result in a less-than-significant impact related to violation of an air quality standard or contribution to an existing or projected air quality violation during operation.

Impacts related to generating substantial pollutant concentrations would be considered less than significant. The proposed project is well below the screening level established by the EDCAQMD for an industrial park or a general office land use. As such, according to the EDCAQMD, the project would not be expected to result in mass emissions or emissions concentrations of carbon monoxide (CO), inhalable coarse particulates (PM₁₀), or any other pollutant that would cause or contribute significantly to a violation of the associated ambient air quality standards (AAQS). Therefore, in accordance with the State-wide CO Protocol, the proposed project would not be expected to generate localized CO emissions that would contribute to an exceedance of AAQS. Consequently, the proposed project would not expose sensitive receptors to substantial concentrations of localized CO. Construction-related activities have the potential to generate concentrations of Toxic Air Contaminants (TACs), specifically diesel particulate matter (DPM), from on-road haul trucks and off-road equipment exhaust emissions. However, construction is temporary and occurs over a relatively short duration in comparison to the operational lifetime of the proposed project. Methodologies for conducting health risk assessments are associated with long-term exposure periods. Only portions of the site would be disturbed at a time throughout the construction period, with operation of construction equipment occurring intermittently throughout the course of a day. In addition, the proposed

project is not located in an area identified as likely to contain NOA. As such, the proposed project would not result in any impacts related to exposure to asbestos. Therefore, impacts related to exposure of sensitive receptors to substantial pollutant concentrations would be less than significant.

Impacts related to creation of objectionable odors would be considered less than significant. Typical odor-generating land uses include, but are not limited to, wastewater treatment plants, sanitary landfills, composting/green waste facilities, recycling facilities, petroleum refineries, chemical manufacturing plants, painting/coating operations, rendering plants, and food packaging plants. The proposed project would not introduce any such land uses and is not located in the vicinity of any existing or planned such land uses. Diesel fumes from construction equipment could be found to be objectionable; however, operation of construction equipment would be regulated by EDCAQMD rules and regulations, would occur intermittently throughout the course of a day, and be temporary in nature. For the aforementioned reasons, the project would not result in any noticeable objectionable odors associated with construction or operation, and impacts would be less than significant.

Impacts related to greenhouse gas emissions would be considered less than significant. The project's maximum unmitigated construction-related and operational greenhouse gas (GHG) emissions would be below the applicable thresholds of significance. Accordingly, the proposed project would not be expected to have a cumulatively considerable contribution to a significant cumulative GHG impact during construction or operation. Therefore, impacts related to GHG emissions would be less than significant.

Cumulative impacts related to net increases of criteria air pollutants would not be significant. As discussed above, the proposed project would not exceed any significance criteria set forth by the EDCAQMD, and project-level impacts would not be significant. In addition, the proposed project would be required to comply with all applicable EDCAQMD rules and regulations.

4.3 BIOLOGICAL RESOURCES

Impacts related to special-status plants would be considered less than significant. According to the *Wetland & Biological Resources Assessment* prepared for the proposed project by Barnett Environmental Consulting, the study area lacks serpentine and/or gabbroic soils and protocol-level surveys of the study area during the species' 2015 flowering periods failed to reveal any of the special-status plant species with could potentially occur within the project vicinity. In addition, the existing and past disturbance of the site likely precludes the presence of special-status plant species on the site. Therefore, the special-status plant species generated by the California Natural Diversity Database (CNDDDB) and California Native Plant Society (CNPS) searches would not be supported on the property in the current condition. As a result, the proposed project would have a less-than-significant impact to plant species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS).

Impacts related to wetlands would be considered less than significant. Wetlands do not occur within the study area, with the exception of the 1,045-foot long (0.10-acre) drainage along the site's western boundary, the 102-foot long (0.009-acre) ditch in the site's southwestern corner, and the 750-foot long (0.07-acre) ditch along the site's southern boundary. However, none of these "other waters of the U.S." would be removed or permanently affected by the proposed project. As a result, the implementation of the proposed project would have a less-than-significant impact to any riparian habitat, or seasonal wetlands.

Impacts related to wildlife corridors would be considered less than significant. The project site provides limited opportunities for native, resident, or migratory wildlife to use the site as a movement corridor as the project site is located in a largely developed portion of the El Dorado County General Plan area. Therefore, impacts related to movement of wildlife would be less than significant.

Cumulative biological resources effects would not be significant. While the project would result in the development of a vacant site, the site has a long history of disturbance, and currently provides only marginal habitat value for special-status species. The development of a disturbed site within a fragmented area, which no longer provides open spaces or agricultural areas, would not significantly contribute toward the cumulative impact in the region concerning loss of nesting habitat for several raptor species.

In addition, although development of the proposed project would require removal of some of the on-site trees, including oak trees, Mitigation Measures 4.3-5(a) and 4.3-5(b) would be considered sufficient to reduce associated impacts to a less-than-significant level through replanting oak trees on-site for the loss of native oaks, and protection of trees that would remain on the site. Mitigation Measures 4.3-5(a) and 4.3-5(b) would be consistent with the recommendations related to loss of oak woodland habitat resulting from buildout of the General Plan EIR.

4.4 CULTURAL RESOURCES

Cumulative cultural resources effects would not be significant. Because the proposed project would implement site-specific mitigation consistent with the California Health and Safety Code and the California Public Resources Code, and impacts to any historic or archaeological resources associated with the site would be site-specific, the project's incremental contribution towards the cumulative impact to cultural resources would be less than cumulatively considerable.

4.5 GEOLOGY AND SOILS

Impacts related to earthquakes and seismic effects would be considered less than significant. The project site is not underlain by any active or potentially active faults based on published records and geological maps. In addition, the project site is not located within an Alquist-Priolo Earthquake Fault Zone, and surface evidence of faulting was not observed by Youngdahl Consulting Group during site reconnaissance. Although all of California is typically regarded as seismically active, the El Dorado County region does not commonly experience strong ground shaking resulting from earthquakes along known and previously unknown active faults. Based

upon the aforementioned factors, Youngdahl Consulting Group has concluded that fault rupture at the project site resulting from seismic activity is unlikely. Therefore, impacts related to exposure of people and structures to potential substantial adverse effects involving seismic activity, including fault rupture, ground shaking, ground failure, such as liquefaction, and landslides, would be considered less than significant.

Cumulative geology and soils effects would not be significant. Potentially adverse environmental effects associated with geologic or soils constraints, topographic alteration, and erosion, are usually site-specific and generally would not combine with similar effects that could occur with other projects in El Dorado County. For example, impacts resulting from development on expansive soils or undocumented fill at one project site are not worsened by impacts from development on expansive soils or undocumented fill at another project site. Rather, the soil conditions, and the implications of those conditions for each project, are independent. Therefore, the proposed project's incremental contribution to cumulative geologic-related impacts and hazards would be less than cumulatively considerable.

4.6 HAZARDS AND HAZARDOUS MATERIALS

Impacts related to the routine use of hazardous materials would be considered less than significant. Construction activities associated with the site would involve the use of heavy equipment, which would include the use of fuels and oils, and various other products such as concrete, paints, and adhesives. However, the project contractor would be required to comply with all California Health and Safety Codes and local ordinances regulating the handling, storage, and transportation of hazardous and toxic materials, as overseen by the California Environmental Protection Agency (Cal-EPA) and California Department of Toxic Substance Control (DTSC).

With respect to project operation, the design of the proposed firearms training facility would include an effective lead management program that is protective of the training site and surrounding area from lead contamination by implementing a five-step approach to lead management. The proposed County morgue building is anticipated to involve biohazardous waste. Biohazardous waste resulting from autopsies will be temporarily stored, as necessary, in red bags. Full "red-bag" containment would be required for all biohazardous waste. Disposal of this biohazardous waste, and any tissues/organs/body fluids retained at autopsy, or as part of any coroner investigative procedure, will be disposed of pursuant to California Health and Safety Code Section 7054.4. For this facility, it is anticipated that human waste byproducts from autopsies will be collected by a private, registered biohazardous waste hauler and delivered for disposal at an appropriate hazardous waste facility.

Impacts related to wildland fires would be considered less than significant. According to the U.S. Forest Service Wildland Fire Assessment System, the project site is within an area designated as low to moderate for fire danger. The El Dorado County Fire Protection District (EDCFD) provides fire protection for the immediate vicinity of the proposed project site. To prevent and minimize fire wildland fire hazards, the EDCFD requires all new development and structures to adhere to fire code building requirements. Furthermore, the County's General Plan contains fire protection policies (i.e.; Policy 6.2.1.1, 6.2.2.1, 6.2.2.2, 6.2.3.2, 6.2.3.4) to ensure cooperation

with the EDCFD's fire requirements and preventive measures. Therefore, the proposed project's impacts related to wildland fires would be less than significant.

Cumulative impacts related to hazardous materials effects would not be significant. Impacts associated with hazardous materials are site-specific and generally do not affect, or are not affected by, cumulative development. In addition, project-specific impacts were found to be less-than-significant or less-than-significant with the implementation of the recommended mitigation measures. Furthermore, any future proposed development projects would be subject to the same environmental review, as well as the same federal, State, and local hazardous materials management requirements as the proposed project, which would minimize potential risks associated with increased hazardous materials use in the community, including potential effects, if any, on the proposed project. Therefore, the proposed project's contribution to cumulative impacts associated with hazards and hazardous materials would be less than cumulatively considerable.

4.7 HYDROLOGY AND WATER QUALITY

Impacts related to water quality would be considered less than significant. The proposed project would be required to comply with the County's requirements for controlling pollution from construction activities, including obtaining a grading permit and compliance with the provisions of the County's Grading Ordinance and Storm Water Management Plan (SWMP). In addition, because the proposed project would involve construction activities resulting in a land disturbance of more than one acre, the applicant is required by the State to obtain coverage under the State Water Resources Control Board (SWRCB) General Construction Stormwater Permit, which pertains to pollution from grading and project construction. The General Construction Stormwater Permit requires filing of a Notice of Intent with the SWRCB and preparation of a detailed Storm Water Pollution Prevention Plan (SWPPP) for the site prior to construction. Therefore, the proposed project would have a less-than-significant impact related to water quality during construction.

Impacts related to groundwater recharge would be considered less than significant. Development of the proposed project would result in new impervious surfaces that currently do not exist on the site. Thus, an incremental reduction in the amount of natural soil surfaces available for the infiltration of rainfall and runoff to the underlying aquifer would occur. As the project is not located on an active stream channel, development of the site would not be expected to substantially modify the groundwater recharge potential in the area from current conditions. In addition, new groundwater wells would not be established as part of the proposed project. Overall, development of the proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge, and impacts would be less than significant.

Cumulative hydrology and water quality effects would not be significant. While cumulative development within El Dorado County and surrounding areas would result in additional stormwater runoff and entry of pollutants into receiving waters via construction and operation of future projects, each project is required to comply with the County's regulatory stormwater documents, standards, and requirements. Compliance with such would ensure that each project

provides adequate storage capacity and drainage for the additional stormwater runoff generated, as well as incorporates sufficient best management practices (BMPs) to successfully remove pollutants from site runoff during the construction and operational phases. Overall, the cumulative impacts to hydrology and water quality associated with implementation of past, present, and reasonably foreseeable future projects, as well as the proposed project, would be less than cumulatively considerable.

4.8 LAND USE AND PLANNING

Impacts related to the division of an established community would be less than significant. 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.

Impacts related to consistency with adopted plans and policies would be less than significant. The project site is designated as Industrial in the El Dorado County General Plan. In addition, the project site is zoned Industrial. The proposed project includes development of a multi-building public safety facility on approximately 11 acres for the El Dorado County Sheriff's Office, with a maximum development potential totaling approximately 106,331 sf. The other major project component consists of an approximately 7-acre solar farm facility, which would be located immediately west of the public safety facility buildings. According to Chapter 130.34, Industrial Districts, of the El Dorado County Code, the proposed public safety facility and solar farm would both be allowable uses in the Industrial zoning district. In addition, the project design is consistent with the relevant policies of the El Dorado County General Plan. Therefore, the proposed project would have a less-than-significant impact related to consistency with adopted plans and policies.

Cumulative land use effects would not be significant. Land use conflicts are site-specific and would not result in a cumulative impact. Incompatibility issues are addressed and mitigated on a project-by-project basis. The proposed project has been designed to be consistent with the El Dorado County General Plan. Therefore, the project's contribution to cumulative land use impacts related to land incompatibilities would be less than cumulatively considerable.

4.9 NOISE

Impacts related to construction vibration would be considered less than significant. Elevated vibration levels are only expected to occur during construction. Normal operation of the Public Safety Facility will not generate substantial vibration to any nearby receivers. The closest a grader would get to any occupied buildings in the industrial zone directly south would be approximately 60 feet. Similarly, the closest proposed building for the Public Safety Facility (Morgue & Coroner) would be approximately 60 feet from the nearest industrial building to the east. Using a bulldozer source to represent a grader at 0.089 peak particle velocities inches per second (PPV in/sec), vibration levels are anticipated to be below 0.024 in/sec PPV, and well below any potential damage threshold. Because construction vibrations are not predicted to cause damage to existing buildings or cause annoyance to sensitive receptors, implementation of the

proposed project would not expose persons to or generate excessive groundborne vibration or groundborne noise levels. Therefore, potential impacts related to construction vibration would be considered less than significant.

Impacts related to a substantial permanent increase in noise would be considered less than significant under the existing plus project and cumulative plus project conditions. The EIR determined that the project's traffic noise level increases along surrounding roadways would not be considered significant. The highest L_{dn} increase (+1 dB) will occur as a result of increased traffic on Industrial Drive because the existing traffic levels along this roadway are low. The increase is limited by the fact that the assumed higher percentage of heavy trucks serving the industrial land surrounding the project site will decrease due to the predominance of normal automobile and small truck activity created by the project. Similarly, in the Cumulative Plus Project condition, the highest L_{dn} increase (+1 dB), attributable to the project's incremental contribution to cumulative traffic noise, will occur as a result of increased traffic on Industrial Drive because the existing traffic levels are considerably low. Therefore, traffic-related noise impacts to existing sensitive receptors would be considered less-than-significant, and cumulative traffic noise impacts would be less than cumulatively considerable.

4.10 TRANSPORTATION AND CIRCULATION

Impacts related to alternative modes of transportation would be considered less than significant. The El Dorado County Transit Authority (EDCTA) provides service on Missouri Flat Road near the project site (Diamond Springs route, which runs approximately ¼-mile north of the project site). In addition, EDCTA operates commuter routes to downtown Sacramento Monday through Friday. A park-and-ride lot is available along Commerce Way, between Enterprise Drive and Pleasant Valley Road, approximately ¼-mile southeast of the project site. While the proposed project could generate some ridership on local busses, any increase in ridership would not be such that new transit stops would be necessary. Sheriff's Offices are not typically associated with high transit ridership, as compared to other locales such as employment centers or retail outlets. Thus, the proposed project would not disrupt existing or planned transit services or facilities in a way that would discourage use, or create inconsistencies with any adopted plans, guidelines, policies or standards related to transit. Therefore, impacts related to the transit system would be considered less than significant.

The project could generate some demand for bicycle facilities. Bicycle facilities are currently provided on Missouri Flat Road from Golden Center Drive to Plaza Drive, to the north of the project site; therefore, any potential demand would be served. In addition, the project would construct curb, gutter, and sidewalk along the project access roadway to serve any potential pedestrian demand from nearby residences to the north. The curb, gutter, and sidewalk would be designed and constructed to meet County standards.

Accordingly, the proposed project would not disrupt or exceed capacity for existing or planned bicycle and/or pedestrian facilities in a way that would discourage use or result in unsafe conditions including conflicts with other modes. In addition, the project would construct curb, gutter, and sidewalk along the project access roadway to serve any potential pedestrian demand. The proposed project would not create inconsistencies with any adopted plans, guidelines,

policies or standards related to bicycle or pedestrian systems. Therefore, impacts to bicycle and pedestrian facilities would be considered less than significant.

4.11 UTILITIES

Impacts related to water supplies would be considered less than significant. Based on information provided in Table 1 of El Dorado Irrigation District (EID) 2009 Water Resources and Service Reliability Report, one equivalent dwelling units (EDU) equals approximately 0.59 acre-feet (ac-ft) of water. Therefore, the project's water demand would be approximately 7.08 ac-ft per year. In terms of water supply, as of January 1, 2013, 1,935 EDUs were available in EID's Western/Eastern Water Supply Region. Accordingly, sufficient water is available to serve the proposed project. In addition, according to the EID's Urban Water Management Plan (UWMP) 2010 Update, the EID has sufficient water to meet the projected demand of the service area through the year 2035. Furthermore, the EID would provide water treatment services to the proposed project by the Reservoir 1 Water Treatment Plant (WTP) and the Reservoir A WTP. Therefore, the proposed project would have a less-than-significant impact associated with an increase in demand for water supply, treatment, and distribution.

Impacts related to wastewater treatment and collection would be considered less than significant. Wastewater treatment is provided to the project area by the EID's Deer Creek Wastewater Treatment Plant (DCWWTP). As discussed above, the DCWWTP currently has a dry weather flow capacity of 5.0 million gallons per day (mgd), but currently accepts approximately 2.64 mgd, leaving approximately 2.36 mgd of remaining capacity. Per EID's Wastewater Facilities Master Plan, the wastewater generation rate for Commercial land uses is 500 gallons per day (based on average dry weather flow) per acre. Therefore, the proposed project would generate approximately 5,500 gallons of wastewater per day. The proposed project's incremental increase in wastewater generation would not increase the capacity of the DCWWTP beyond the ability of the existing facility, and impacts related to wastewater collection and treatment services would be considered less than significant.

Impacts related to solid waste would be considered less than significant. The proposed project is consistent with the type of development that has been anticipated for the site; thus, the amount of solid waste generated by the project has been anticipated in regional solid waste planning efforts. In addition, the project's solid waste would be disposed of at the Potrero Hills Landfill, which has sufficient capacity to serve the regional waste disposal needs until approximately 2048. Should the landfill be near capacity, the Potrero Hills Landfill would apply for another operating permit for an additional disposal unit, consisting of 140 acres, which would extend the life of the landfill by approximately 45 years. The remainder of the 1,200-acre property may also be used as landfill disposal units, further extending the operational life of the landfill. Because the proposed project would not generate solid waste such that the permitted landfill capacity could not accommodate the project's solid waste disposal needs, impacts related to solid waste services would be less than significant.

Impacts related to electricity would be considered less than significant. PG&E would provide electricity service to the site, and existing electrical lines within Industrial Drive and Merchandise Way are very reliable, due to the lines' proximity to the Diamond Springs

substation, and the minimum number of devices in the circuit between the parcel and the substation that could fail. The proposed project includes solar-generating facilities in the secured parking area, which would serve to minimize the project's demand upon PG&E's existing electrical infrastructure in the vicinity of the project site. The solar-generating facilities to be located in the secured parking area of the Public Safety Facility will generate electricity sufficient to supply approximately 50 percent of the Public Safety Facility's total electricity consumption. As a result of the above considerations, the proposed project would result in a less-than-significant impact to electrical facilities.

Cumulative utilities impacts would not be significant. EID anticipates having adequate domestic water supply through the year 2035. In addition, the DCWWTP has adequate capacity to accommodate the proposed project and future anticipated development within EID's service area. Furthermore, the Potrero Hills Landfill is expected to have adequate capacity to serve the regional solid waste disposal needs until the anticipated closure date of approximately 2048. Therefore, cumulative impacts related to increased demand for utilities would be considered less than cumulatively considerable.

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

A significant unavoidable construction noise impact was identified for the project. The analysis assumed that a grader would be used during site work and could be as close as 800 feet to the nearest west property line for the Public Safety Facility, as close as 250 feet from the nearest west residential property line for the solar farm, and as close as 550 feet to the nearest residential property line to the north. Foundation work will be more concentrated in the center of the project site at the building pad locations at a minimum distance of at 830 feet to the nearest residence in any direction. Noise levels from the single grader are predicted to reach an L_{eq} of 57 dBA at the residential property line to the west of the site, due to construction of the Public Safety Facility. In addition, noise levels are predicted to reach up to an L_{eq} of 67 dBA at the residential property line to the west, due to grading at the solar farm, and 60 dBA at the north residential property line without shielding or mitigation. Noise levels during building foundation work with several pieces of equipment operating simultaneously are predicted to reach 59 dBA at both residential areas without shielding or mitigation.

Many jurisdictions exempt construction noise during normal, daytime hours. However, Policy 6.5.1.11 of the Noise Element of El Dorado County sets daytime noise level limits for construction noise. The predicted noise levels exceed the County's 55 dBA hourly L_{eq} daytime limit for construction noise impacting residential properties (see Table 4.9-8). Because construction of the proposed project would occur during normal daytime hours (7 AM to 7 PM), this would be considered a significant impact.

While feasible mitigation measures are required in the EIR, 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 temporary significant, unavoidable effect of the proposed project is outweighed by its overriding benefits.

Impact 4.9-1: A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without project.

Mitigation Measure 4.9-1: The following criteria shall be included in the grading plan submitted by the applicant for review and approval by the El Dorado County Community Development Agency prior to issuance of grading permits:

- A. Equipment shall be well maintained with effective exhaust mufflers and intake silencers where applicable. Mufflers shall meet the equipment manufacturer's specifications and be free of rust, holes, and exhaust leaks. Construction contractors should select the quietest equipment possible with included optional noise control measures where feasible.*
- B. Construction techniques and equipment that minimizes noise and vibration will be implemented into the construction plan.*
- C. Combine noisy operations to occur during the same period. The total noise level produced will not be significantly greater than the level produced if the operations were performed separately.*
- D. Plan noisiest equipment and activities during daytime hours with the highest background sound levels.*
- E. To the extent feasible, place the loudest equipment and activities on the construction area as far as possible from noise-sensitive locations.*
- F. Contractors shall utilize existing site electrical power where possible to avoid operating diesel-powered generators.*
- G. Avoid excessive engine revving using lower engine speed where possible and turn off idling equipment. Do not use engine braking. Haul trucks should coast by residential properties under as low of engine speed as possible while avoiding heavy braking.*
- H. The contractor shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and institute reasonable measures as warranted to correct the problem to the satisfaction of the El Dorado County Community Development Agency. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.*

The above measures shall be utilized during construction, to the extent feasible, as determined by the El Dorado County Community Development Agency.

Finding for Impact 4.9-1: The County finds that with implementation of Mitigation Measure 4.9-1, construction noise levels would be reduced. However, other measures capable of further reducing construction noise levels to below the County's relevant construction noise standards, such as temporary acoustical barriers, are not feasible based on site conditions. Therefore, the County conservatively finds that although Mitigation Measure 4.9-1 will be incorporated into the project via conditions of approval, the project's construction noise impact would remain temporarily significant and unavoidable.

SECTION 6.0 FEASIBILITY OF PROJECT ALTERNATIVES

6.1 PROJECT ALTERNATIVES

The Draft EIR includes an evaluation of three potentially feasible alternatives: the No Project Alternative, Off-Site Alternative A, and Off-Site Alternative B. 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.

In determining the nature and scope of alternatives to be examined in an EIR, local agencies shall be guided by the doctrine of 'feasibility.' As statutorily defined, "'Feasible' means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." (§ 21061.1; see also Guidelines, § 15364 [same definition but with addition of "legal" factors].) "Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent)." (Guidelines, § 15126.6, subd. (f)(1).)

As discussed in *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, the issue of feasibility arises at two different junctures: (1) in the assessment of alternatives in the EIR and (2) during the agency's later consideration of whether to approve the project. But differing factors come into play at each stage. For the first phase--inclusion in the EIR--the standard is whether the alternative is potentially feasible. (Guidelines, § 15126.6, subd. (a).) By contrast, at the second phase--the final decision on project approval--the decisionmaking body evaluates whether the alternatives are actually feasible. (See Guidelines, § 15091, subd. (a)(3).) At that juncture, the decision makers may reject as infeasible alternatives that were identified in the EIR as potentially feasible.

6.1.1 No Project Alternative

Description

The No Project Alternative assumes that the 30.34-acre project site would ultimately be developed consistent with currently allowable land uses, zoning, and allowed development intensities. In this case, it is reasonable to assume that failure to proceed with the current project would not result in the retention of the site in its current undeveloped form. Rather, given the current industrial zoning and surrounding developed environment, as well as the relatively minimal amount of environmental constraints on-site, it is likely that the site will be developed in the future.

The project site is zoned Industrial (I) and designated in the County's General Plan as Industrial. The Industrial land use designation permits the construction of manufacturing, processing, distribution, and storage uses. The Industrial zoning designation permits the following development provisions:

- Minimum lot area: 10,000 sf;
- Maximum building coverage: 60 percent;
- Minimum lot width: 60 feet;
- Minimum yards: front, ten feet; sides, five feet or zero feet and fireproof wall without opening; rear, ten feet; and
- Maximum building height: 50 feet.

Based on the size and designation of the developable portion of the project site (24.18 acres south of Industrial Drive), the site could support development of a 631,968 sf (60 percent maximum building coverage) industrial use. For the purposes of this analysis, development of industrial uses up to 500,000 sf (47.5 percent maximum building coverage) is assumed in order to provide a conservative analysis and ensure differentiation between the alternatives to the proposed project. The industrial uses would be developed within a single story building consistent with the existing industrial buildings in the project site vicinity. The No Project Alternative assumes development consistent with the existing land use designations and zoning, which would allow a more intense use than the proposed project.

Impacts

Aesthetics: Because the No Project Alternative would result in the conversion of the project site to urban development, the No Project Alternative would alter the existing visual character and quality of the site and the site's surroundings, and would introduce new sources of light and glare to the area. The magnitude of impacts related to alteration of the existing visual character under the No Project Alternative could be greater than the proposed project due to the increased scale of the buildings. Any development on the project site, be it the No Project Alternative or the proposed project, would be subject to the County Ordinance Code requirements related to light and glare. In addition, the No Project Alternative would be consistent with the adjacent existing industrial development in the vicinity. Therefore, the level of potential impacts associated with aesthetics, including potential cumulative impacts, would be expected to be similar under the No Project Alternative as compared to the proposed project.

Air Quality and Greenhouse Gas Emissions: The No Project Alternative would involve a greater number of trips than the proposed project (2,991 daily trips vs. 494 daily trips for the proposed project), due to the increased square footage that could be built on-site under this scenario (500,000 sf of industrial uses versus the project's 106,331 square feet). The California Emissions Estimator Model (CalEEMod) version 2013.2.2 software was utilized to estimate the No Project Alternative's criteria air pollutant emissions during operation of the Alternative. The unmitigated emissions of reactive organic gas (ROG) and oxides of nitrogen (NO_x) associated with the No Project Alternative would be more than the proposed project during operations. For either the proposed project or the No Project Alternative, the emissions would be below the applicable thresholds of significance for criteria pollutants. In general, because the emissions estimated for

the No Project Alternative would be more than that of the proposed project, the potential impact associated with operational emissions would be more under the No Project Alternative than the proposed project.

In addition, unlike the proposed project, because the No Project Alternative is above the screening level established by the EDCAQMD for a general office land use (234,000 sf), the Alternative would be expected to result in mass emissions or emissions concentrations of CO, PM₁₀, or any other pollutant that would cause or contribute significantly to a violation of the associated AAQS. Additional air quality analysis for CO, PM₁₀, or any other pollutant would be required for the No Project Alternative.

Overall, the No Project Alternative would result in greater air quality impacts than the proposed project due to the increased number of vehicle trips under this scenario.

Biological Resources: Because the No Project Alternative would be developed on the same site as the proposed project, the No Project Alternative would not impact special-status plant species. In addition, the biologist did not observe riparian habitat, seasonal wetlands, vernal pools, or soil/vegetative indicators of their presence on the project site. While the disturbed site contains marginal habitat for migratory birds, the native oak trees located on the site could provide potentially suitable nesting habitat for several raptor species and migratory birds that have been recorded in the vicinity. Thus, the same potential for impacts to special-status wildlife species and migratory birds, their eggs, and/or young would occur under both the proposed project and the No Project Alternative. Overall, potential impacts related to biological resources would be similar under the No Project Alternative, as compared to the proposed project.

Cultural Resources: Because the No Project Alternative would be developed on the same site as the proposed project, the same potential exists for damage to or destruction of previously unknown prehistoric and/or historic cultural resources or human remains during ground disturbing activities. The same mitigation measures would be required under the No Project Alternative as for the proposed project in order to reduce potential impacts to less-than-significant levels. Therefore, the overall potential impacts related to cultural resources would be similar under the No Project Alternative as compared to the proposed project.

Geology and Soils: The proposed project involves the development of approximately 18 acres, seven of which would be developed with a solar farm. Development of the seven-acre solar farm would not require ground disturbance activities across the entire seven-acre solar farm. Industrial development associated with the No Project Alternative may occur on approximately 24 acres. Though not all 24 acres may need to be disturbed during industrial development, a potential exists for more ground disturbance to occur on-site as a result of the No Project Alternative, in comparison with the proposed project. This, in turn, could result in a greater amount of soil erosion. However, similar to the proposed project, applicants would need to comply with the State's NPDES program and prepare a SWPPP to address the potential for degradation of water quality during construction. Nonetheless, the No Project Alternative could result in greater geology and soils impacts as compared to the proposed project.

Hazards and Hazardous Materials: The No Project Alternative would be subjected to the same potential for release of hazardous materials into the environment (i.e., previously unidentified hazards or hazardous materials); however, similar mitigation measures would be required for the No Project Alternative to ensure such impacts are reduced to less-than-significant levels. In terms of operations, the proposed project would involve some hazardous materials, including biohazardous waste. Similarly, depending on future development proposals, the No Project Alternative could also involve the use of hazardous or biohazardous materials. However, all operations, whether occurring under the No Project Alternative or the proposed project, would be required to comply with the applicable State and local regulations. Therefore, the overall potential impacts related to hazards and hazardous materials would be similar under the No Project Alternative as compared to the proposed project.

Hydrology and Water Quality: Industrial development associated with the No Project Alternative may occur on approximately 24 acres. Though not all 24 acres would be developed with impervious surfaces, a potential exists for more impervious surface to be created on-site as a result of the No Project Alternative, in comparison with the proposed project. The increase in impervious surfaces, in turn, could result in a greater amount of storm water runoff during storm events. However, similar to the proposed project, any industrial development on the site, such as that which could occur under the No Project Alternative, would be required by the County to integrate a drainage system that would treat and detain stormwater runoff, so that downstream pipe capacity and water quality are not impacted. Therefore, a substantial increase in the overall amount of runoff as a direct result of the No Project Alternative would not be expected.

As site disturbance would be increased under the No Project Alternative, as compared to the proposed project, an increased potential to affect downstream water quality from construction-related stormwater runoff exists; however, the No Project Alternative would be required to comply with County and State requirements, similar to the proposed project, which would ensure that any impacts would be reduced to less than significant. While, as compared to the proposed project, the No Project Alternative may involve operational uses that could generate more urban pollutants that could enter stormwater runoff, the Alternative's stormwater system design would be required to comply with County and State requirements, including incorporation of water quality treatment features. Therefore, the overall potential impacts related to water hydrology and quality would be possibly greater under the No Project Alternative, as compared to the proposed project.

Land Use and Planning: The land uses proposed for both the proposed project and the No Project Alternative would be consistent with the land use and zoning designations for the site; thus, potential impacts related to land use and planning resulting from the No Project Alternative would be similar to that of the proposed project. Therefore, because the No Project Alternative would involve industrial uses, potential impacts related to land use and planning would be similar to that of the proposed project, in that neither is expected to result in significant impacts.

Noise: The No Project Alternative would involve an increase in site disturbance from 18 acres under the proposed project to approximately 24 acres under the No Project Alternative; thus, construction-related noise impacts would be expected to be increased under the No Project Alternative. A significant and unavoidable impact related to construction noise would still occur.

In addition, the No Project Alternative could introduce operational noise sources to the project area, such as heavy diesel truck deliveries, or industrial manufacturing equipment. Depending on the use, the operational noise levels associated with the No Project Alternative could be greater than the proposed project. In addition, due to the increase in square footage under the No Project Alternative, the Alternative would result in an increase in daily vehicle trips as compared to the proposed project. Thus, the increase in vehicle trips would result in an associated increase in transportation noise in the area, which would cause a greater noise-related potential impact than that of the proposed project. Overall, the No Project Alternative would result in greater noise related potential impacts, as compared to the proposed project.

Transportation and Circulation: The No Project Alternative could result in an additional 2,991 daily vehicle trips, as compared to the project. The additional trips can be attributed to the increased size of industrial development potentially occurring under the No Project Alternative, and the fact that the No Project Alternative would likely create new trips, while the proposed project would re-distribute existing trips occurring to/from the various Sheriff facilities. As such, the No Project Alternative would add more daily vehicle trips to the surrounding roadway network as compared to the proposed project, which would further exacerbate the impacts to intersections identified for the proposed project. Therefore, the No Project Alternative would result in greater impacts to transportation and circulation as compared to the proposed project.

Utilities: The No Project Alternative would increase the total industrial building square footage, as compared to the proposed project, by approximately 393,669 sf. The increase in square footage would likely result in an increased demand on water supply and sewer facilities compared to the proposed project. Therefore, the overall impacts related to water and sewer would likely be greater than the proposed project. In addition, the additional square footage and potential for multiple users on the project site, associated with the No Project Alternative, could result in an increased demand for solid waste disposal. However, the site has been planned for industrial use and the Potrero Hills Landfill has sufficient capacity to serve regional waste disposal needs until 2048. Overall, development of the No Project Alternative would result in greater impacts related to utilities compared to that of the proposed project.

Feasibility

While a number of impacts would be similar under this alternative when compared to the proposed project, this alternative would result in development of a large industrial building, which could result in an increase in traffic trips, noise levels, and air quality emissions. In addition, impacts related to geology and soils, hydrology and water quality, and utilities would be greater than the proposed project. As noted in the Draft EIR, the County has identified eight project objectives - this alternative would not meet or partially meet any 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. For all of the foregoing reasons, and any of them individually, the No Project Alternatives is determined to be infeasible.

6.1.2 Off-Site Alternative A

Description

Off-Site Alternative A would include the development of the proposed project at an alternate site. The Off-Site Alternative A site is located approximately 1.10 miles northwest of the proposed project site, north of Mother Lode Drive, east of El Dorado Road, south of Runnymede Drive and U.S. Highway 50 (US 50), and west of Runnymede Court. Under Off-Site Alternative A, the following elements would be developed: 83 public parking spaces, 219 private parking spaces (302 spaces as compared to 370 spaces for the proposed project), two site access points, and a maximum of 106,331 sf of public safety uses. Off-Site Alternative A would include four buildings on 12.2 acres, which would be used as follows:

- 24,000 sf Training Building;
- 59,331 sf Sheriff Administration building;
- 12,000 sf County Morgue; and
- 11,000 sf Service Building.

The anticipated building uses would be identical to the proposed project; however, the solar farm component would not be developed by Off-Site Alternative A. The Off-Site Alternative A site has been previously mass pad graded with a grading permit.

Impacts

Aesthetics: Both the proposed project and Off-Site Alternative A would alter the existing visual character and quality of the site and the site's surroundings and introduce new sources of light and glare. Because residential development is located in close proximity to the Off-Site Alternative A site, similar mitigation measures would be required to reduce impacts related to light and glare. Because Off-Site Alternative A would develop the site with similar buildings and uses over a similar overall footprint, a similar change in visual character and quality of the site would occur. Therefore, development of Off-Site Alternative A would result in similar impacts, as compared to the proposed project.

Air Quality and Greenhouse Gas Emissions: Off-Site Alternative A would result in the same number of vehicle trips as the proposed project, and therefore similar mobile source emissions would occur. Due to the smaller area of disturbance associated with development of Off-Site Alternative A, in comparison to the proposed project, as a result of the elimination of the seven-acre solar farm, the associated construction-related air pollutant emissions and short-term GHG emissions would be less than what is projected from the proposed project. The proposed project site and the Off-Site Alternative A site are located in an area identified as not likely to contain NOA. Thus, impacts related to NOA under Off-Site Alternative A would be less-than-significant, similar to that of the proposed project.

The CalEEMod version 2013.2.2 software was utilized to estimate Off-Site Alternative A's criteria air pollutant emissions during operation of the Alternative. Similar operational characteristics as the proposed project were assumed in the model. The unmitigated emissions of criteria air pollutants associated with Off-Site Alternative A would be comparable to those resulting from the proposed project. Off-Site Alternative A would result in a slight increase in NO_x emissions, but would result in a slight reduction in emissions of ROG. For either the

proposed project or Off-Site Alternative A, the emissions of ROG and NO_x would be below the applicable thresholds of significance for criteria pollutants. Both the proposed project and Off-Site Alternative A would result in less-than-significant impacts related to air quality.

Overall, Off-Site Alternative A would result in similar air quality and climate change impacts as the proposed project.

Biological Resources: The Off-Site Alternative A site has been previously mass-graded for development under a grading permit. Due to the existing conditions of the site, special-status plant species are not likely supported by the Off-Site Alternative A site. Because Off-Site Alternative A would be developed on a previously disturbed site, similar to the proposed project site, this Alternative would not likely impact special-status plant species. In addition, riparian habitat, seasonal wetlands, vernal pools, or soil/vegetative indicators of their presence are not likely to occur on the off-site location. The Off-Site Alternative A property is characterized, in part, by an overall lack of trees. Limited vegetation exists on the off-site property. While the proposed project site contains limited vegetation, several trees would need to be removed on the project site in order to accommodate the public safety facility project. As a result, development under the Off-Site A Alternative would be expected to have fewer impacts to trees and raptors and migratory birds, who may nest in on-site vegetation. Overall, potential impacts related to biological resources would be similar, or possibly less, under Off-Site Alternative A, as compared to the proposed project.

Cultural Resources: The potential disturbance area for the proposed project would be limited to approximately 18 acres, consisting of the 11-acre public safety facility area and the 7-acre solar farm area. Furthermore, it is anticipated that the entire 7-acre solar site would not be disturbed during construction, as grading would be minimized to the maximum extent feasible. Ground disturbance as a result of this Off-site Alternative would be less, as compared to the proposed project, by approximately six acres. This, in turn, could result in a reduced potential to impact previously unidentified archaeological and/or historic resources during construction. In summary, it is anticipated that this Alternative could still result in potentially significant impacts to unknown cultural resources. Off-Site Alternative A would also require mitigation similar to the measures included in Cultural Resources chapter in order to ensure impacts would be less than significant. Overall, potential impacts related to cultural resources could be fewer under Off-Site Alternative A, as compared to the proposed project.

Geology and Soils: Off-site Alternative A could reduce the area of ground disturbance by a maximum of approximately six acres, as compared to the proposed project. The reduced area of disturbance could reduce the potential for soil erosion to occur as a result of development of the public safety facility buildings. Given that the Off-Site Alternative A property is within the same region as the proposed project site, other geologic conditions are anticipated to be similar amongst both sites. For example, similar potential for on-site hazards related to earthquakes, such as liquefaction and ground shaking, would occur for Off-Site Alternative A and the proposed project. Overall, Off-Site Alternative A could result in fewer impacts associated with geology and soils (erosion), compared to the proposed project.

Hazards and Hazardous Materials: Similar to the proposed project, limited use of hazardous materials would occur during construction of Off-Site Alternative A. The project contractor is required to comply with all California Health and Safety Codes and local County ordinances regulating the handling, storage, and transportation of hazardous and toxic materials. During operation, hazardous materials use would be limited to the use of biohazardous materials associated with the County Morgue, and lead associated with the indoor firing range. Disposal of the biohazardous waste, and any tissues/organs/body fluids retained at autopsy, or as part of any coroner investigative procedure, would be disposed of pursuant to California Health and Safety Code Section 7054.4. Furthermore, the proposed project and Off-Site Alternative A would utilize BMPs and an automatic bullet recovery system to avoid lead contamination. It should also be noted that transformer oil and other oil-filled transformers will not be located on the Off-Site Alternative A site as the Alternative does not include the solar farm. In summary, impacts related to the creation of hazards to the public or the environment related to the routine transport, use, or disposal of hazardous materials would be similar for the proposed project and Off-Site Alternative A.

Hydrology and Water Quality: Off-Site Alternative A, similar to the proposed project, would alter the existing drainage pattern of the site. Off-Site Alternative A would dedicate 68 fewer parking spaces than the proposed project. As such, the amount of impervious surfaces under Off-Site Alternative A, and the potential for urban pollutants to be carried by said impervious surfaces to the receiving drainage system, would be less than that of the proposed project. As the site is not located within a floodplain, both Off-Site Alternative A and the proposed project would result in less-than-significant impacts related to placement of structures within a floodplain. Overall, Off-Site Alternative A would result in similar hydrology and water quality related potential impacts, as compared to the proposed project.

Land Use and Planning: The land use proposed for both the proposed project and Off-Site Alternative A would be generally consistent with the land use and zoning designations for the site. However, approximately half of the Off-Site Alternative A property is zoned Multi-Family Residential and designated for residential uses in the General Plan. Therefore, a General Plan Amendment and Rezone would be required and impacts related to land use and planning could be considered greater than that of the proposed project, as Off-Site Alternative A would require County approval of a rezone and General Plan amendment. Overall, Off-Site Alternative A would result in greater impacts to land use and planning, compared to the proposed project.

Noise: Crestview Mobile Home Park is located immediately south of the Off-Site Alternative A property. As a result, existing mobile home residents south of the Off-Site Alternative A location could be subject to higher noise levels during temporary construction operations, as compared to the residents nearest to the proposed project site, which are located to the west, across the El Dorado trail/railroad corridor. Because Off-Site Alternative A would develop the same uses as the proposed project, operational noise levels would be similar to that of the proposed project, though the project's stationary noise sources could be located closer to residences, in this case, at the Crestview Mobile Home Park. Therefore, construction and operational noise impacts at the nearest receptors resulting from Off-Site Alternative A could be potentially greater, as compared to the proposed project.

Transportation and Circulation: Off-Site Alternative A would consolidate the existing trips to the various sheriff facilities in the area and the trip generation would be similar to the proposed project. Therefore, Off-Site Alternative A would result in the same increase in traffic volumes as the proposed project, though the increased volumes would be experienced on different roadways. The majority of trips to/from the off-site property would use the El Dorado Road/US 50 interchange, rather than the Missouri Flat Road/US 50 interchange, as would be the case for the proposed project. The overall El Dorado Road/US 50 interchange area is less congested than the Missouri Flat Road/US 50 interchange area. Less congestion at this interchange area could mean that development of the project at the Off-Site Alternative A site could result in fewer traffic impacts than the proposed project, though this would require confirmation via site-specific traffic analysis. Overall, Off-Site Alternative A would result in similar transportation and circulation impacts, compared to the proposed project, but possibly fewer.

Utilities: Off-Site Alternative A would have the same total square footage as the proposed project. As such, Off-Site Alternative A would be expected to result in the same increase in demand for water supply and sewer collection and treatment as the proposed project. Therefore, impacts to water supply and wastewater treatment facilities would be similar to the proposed project, which would be less than significant. Overall, development of Off-Site Alternative A would result in similar impacts related to public services and utilities than the proposed project.

Feasibility

The actual feasibility of this alternative is determined at project approval by the El Dorado County Board of Supervisors. At this final stage of project approval, the agency considers whether “[s]pecific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.” (§ 21081, subd. (a)(3).) Broader considerations of policy thus come into play when the decisionmaking body is considering *actual* feasibility than when the EIR preparer is assessing *potential* feasibility of the alternatives.

The first consideration is satisfaction of project objectives. Off-Site Alternative A would eliminate the solar farm component of the proposed project, due to space and topographical constraints. Therefore, this Alternative would not meet the sixth project objective, which is as follows:

6. Reduce County operational energy costs by including net metering on the Public Safety Facility and virtual net metering via an adjacent solar farm.

The failure of Off-Site Alternative A to provide virtual net metering on-site to help reduce overall County operational costs renders the alternative infeasible within the meaning of CEQA, as the Board of Supervisors, acting in its legislative capacity, concludes that the alternative would not meet a key objective of the Project, and is undesirable from a policy standpoint.

The second consideration is consistency with the El Dorado County General Plan. Unlike the proposed project, which is consistent with the project site’s General Plan and zoning designation

of Industrial, implementation of Off-Site Alternative A would require that the Board of Supervisors approve a General Plan amendment and rezone of the Off-Site A property to redesignate the approximate eastern half of the Off-Site Alternative A property from Multifamily Residential (GP and zoning) to Industrial (GP and zoning).

In addition, while Off-Site Alternative A would result in fewer impacts related to biological resources, cultural resources, geology and soils, and transportation and circulation, as compared to the proposed project, this alternative would result in greater environmental impacts related land use and planning and noise. Specifically, with respect to noise, the significant and unavoidable construction noise impact, which would occur under the proposed project scenario, would not be eliminated should Off-Site Alternative A be implemented in its stead.

For all of the foregoing reasons, and any of them individually, Off-Site Alternative A is determined to be infeasible.

6.1.3 Off-Site Alternative B

Description

Off-Site Alternative B includes the development of the proposed project at an alternate site. The Off-Site Alternative B site is located approximately 1.25 miles northwest of the proposed project site, north of US 50, east of El Dorado Road, and south of Missouri Flat Road and US 50. Under Off-Site Alternative B, the following elements would be developed: 271 public parking spaces, 219 private parking spaces (490 spaces as compared to 370 spaces for the proposed project), two site access points, and 106,331 sf of public safety uses. Off-Site Alternative B would include four buildings on 22 acres which would be used as follows:

- 24,000 sf Training Building;
- 59,331 sf Sheriff Administration building;
- 12,000 sf County Morgue; and
- 11,000 sf Service Building.

While the Off-Site Alternative B site is approximately 22 acres, the entire 22 acres would not be developed because some areas in the northern and eastern portions of the alternative site would be avoided due to topographical constraints. It is anticipated, then, that a similar overall development footprint, and likewise area of disturbance, would be applicable for both the proposed project and Off-Site Alternative B. Due to these topographical constraints, the solar farm component would not be developed by Off-Site Alternative B. The Off-Site Alternative B site contains an intermittent stream (Mound Springs Creek), a wetland, and scattered oak trees.

Impacts

Aesthetics: Both the proposed project and Off-Site Alternative B would alter the existing visual character and quality of the site and the site's surroundings, and introduce new sources of light and glare. Because the Off-Site Alternative B site is generally vacant and undeveloped, similar mitigation measures would be required to reduce impacts related to light and glare. Because Off-

Site Alternative B would develop the site with a similar footprint and similar building uses, the same magnitude of change in visual character and quality of the site would occur. Therefore, development of Off-Site Alternative B would result in similar potential impacts, as compared to the proposed project.

Air Quality and Greenhouse Gas Emissions: Off-Site Alternative B would likely result in a similar number of vehicle trips compared to the proposed project and therefore similar emissions associated with vehicle trips. The proposed project would disturb approximately 11 acres for the Public Safety Facility and approximately seven acres for the solar farm (approximately 18 acres total). Development of Off-Site Alternative B would preserve some area in the northern and eastern portions of the alternative site. Therefore, because Off-Site Alternative B does not include development of a solar farm and would preserve some areas as open space, less than 22 acres would be disturbed for development of the Public Safety Facility under Off-Site Alternative B. This would generally result in similar area of disturbance associated with development of Off-Site Alternative B, in comparison to the proposed project, and the associated construction-related air pollutant emissions and short-term GHG emissions would be similar to what is projected from the proposed project. The proposed project site and the Off-Site Alternative B site are located in an area identified as not likely to contain NOA. Thus, impacts related to NOA under Off-Site Alternative A would be less-than-significant, similar to that of the proposed project.

The CalEEMod version 2013.2.2 software was utilized to estimate Off-Site Alternative B's criteria air pollutant emissions during operation of the Alternative. Similar operational characteristics as the proposed project were assumed in the model. The unmitigated emissions of criteria air pollutants associated with Off-Site Alternative B would be greater than the proposed project, due to the larger parking lots. Off-Site Alternative B would result in an increase in both ROG and NO_x emissions. For either the proposed project or Off-Site Alternative B, the emissions of ROG and NO_x would be below the applicable thresholds of significance for criteria pollutants. Both the proposed project and Off-Site Alternative B would result in less-than-significant impacts related to air quality.

Overall, Off-Site Alternative B would result in increased criteria air pollutant impacts, as compared to the proposed project. GHG impacts would be expected to be similar given that GHG emissions are primarily attributable to mobile emissions; and mobile emissions would be same for both Off-Site Alternative B and the proposed project due to the equivalent amount of vehicle trips.

Biological Resources: The Off-Site Alternative B site is currently undeveloped and contains a stream, wetland, and oak woodland habitats. Due to the existing conditions of the site, special-status plant and wildlife species are likely supported by the Off-Site Alternative B site. In addition, riparian habitat, seasonal wetlands, vernal pools, or soil/vegetative indicators of their presence are likely to occur on the site. Although the area of disturbance is expected to be similar under both the proposed project and Off-Site Alternative B, the Alternative could result in greater effects to birds protected under the Migratory Bird Treaty Act that may nest in on-site grass/shrub areas or on-site trees due to the abundance of habitat located on the Alternative site. It is anticipated that this Alternative would still result in potentially significant impacts to nesting

migratory birds. Overall, potential impacts related to biological resources would be greater under Off-Site Alternative B, as compared to the proposed project.

Cultural Resources: Although Off-Site Alternative B would reduce the project site from 30.34 acres to 22 acres, the potential disturbance area for both the proposed project and this off-site alternative are assumed to be similar for reasons set forth above. However, it is noteworthy that the Off-site Alternative B property has not undergone the same level of disturbance as the proposed project site, and a seasonal creek traverses this off-site location. These factors may lead to a greater potential for cultural resources to be present on the Off-site Alternative B property. In summary, it is anticipated that this Alternative could still result in potentially significant impacts to unknown cultural resources. Off-Site Alternative A would also require mitigation similar to the measures included in Draft EIR in order to ensure impacts would be less than significant. Overall, potential impacts related to cultural resources could be greater under Off-Site Alternative B, as compared to the proposed project.

Geology and Soils: Development of Off-Site Alternative B would result in similar site disturbance as the proposed project. The site conditions are not the same under the proposed project and Off-Site Alternative B. The proposed project site has been previously disturbed, while the Off-Site Alternative B site contains an intermittent stream (Mound Springs Creek), a wetland, and scattered oak trees. However, the general location and development requirements of Off-Site Alternative B are similar to the proposed project. As such, similar potential for on-site hazards related to earthquakes and expansive soils would be expected to occur under Off-Site Alternative B. Off-Site Alternative B would require the same mitigation measures as the proposed project to reduce potential impacts related to structural damage to less-than-significant levels. On the other hand, because this off-site location has not previously been heavily disturbed, like the proposed project site, an increased potential for soil erosion to occur at this off-site location may occur when native top soils are broken up and loosened during construction activities. The erosion concern is heightened by the presence of the on-site drainage, which could be subject to sedimentation due to on-site transport of eroded soils. Overall, Off-Site Alternative B could result in greater impacts associated with geology and soils, compared to the proposed project.

Hazards and Hazardous Materials: Similar to the proposed project, limited use of hazardous materials would occur during construction. The project contractor is required to comply with all California Health and Safety Codes and local County ordinances regulating the handling, storage, and transportation of hazardous and toxic materials. During operation, hazardous materials use would be limited to the use of biohazardous materials associated with the County Morgue, and lead associated with the indoor firing range. Disposal of the biohazardous waste, and any tissues/organs/body fluids retained at autopsy, or as part of any coroner investigative procedure, would be disposed of pursuant to California Health and Safety Code Section 7054.4. Furthermore, the proposed project and Off-Site Alternative B would utilize BMPs and an automatic bullet recovery system to avoid lead contamination. It should also be noted that transformer oil and other oil-filled transformers will not be located on the Off-Site Alternative B site as the Alternative does not include the solar farm. In summary, impacts related to the creation of hazards to the public or the environment related to the routine transport, use, or

disposal of hazardous materials would be similar for the proposed project and Off-Site Alternative B.

Hydrology and Water Quality: Off-Site Alternative B, similar to the proposed project, would alter the existing drainage pattern of the site. Off-Site Alternative B would dedicate 120 more parking spaces than the proposed project. As such, the amount of impervious surfaces under Off-Site Alternative B, and the potential for urban pollutants to be carried by said impervious surfaces to the receiving drainage system, would be greater than that of the proposed project. In addition, the Off-Site Alternative B site contains an intermittent stream (Mound Springs Creek) and an associated wetland. Therefore, impacts related to runoff as a result of the existing stream would be greater than the proposed project. As the site is not located within a floodplain, both Off-Site Alternative B and the proposed project would result in less-than-significant impacts related to placement of structures within a floodplain. Overall, Off-Site Alternative B would result in greater hydrology and water quality related potential impacts, as compared to the proposed project.

Land Use and Planning: The land use proposed for both the proposed project and Off-Site Alternative B would be generally consistent with the land use and zoning designations for the site. Therefore, impacts related to land use and planning would be similar to that of the proposed project, as both are consistent with that which is planned for the sites. Overall, Off-Site Alternative B would result in similar impacts to land use and planning, compared to the proposed project.

Noise: Due to the close proximity of existing rural residences to the Off-Site Alternative B site, a significant and unavoidable impact related to construction noise would still occur. A few residences are located in closer proximity to the Off-Site Alternative B boundaries, as compared to the nearest residences to the proposed project site; therefore, existing residents near the off-site location could be subject to higher noise levels during temporary construction operations. Because Off-Site Alternative B would develop the same uses as the proposed project, operational noise levels would be similar to that of the proposed project, though the project's stationary noise sources could be located closer to rural residences. Therefore, construction and operational noise impacts at the nearest receptors resulting from Off-Site Alternative B could be potentially greater, as compared to the proposed project.

Transportation and Circulation: Because Off-Site Alternative B would also consolidate the existing trips to the various sheriff facilities in the area, the trip generation from Off-Site Alternative and the proposed project would be identical. Therefore, Off-Site Alternative B would result in the same increase in traffic volumes as the proposed project, though the increased volumes would be experienced on different roadways. The trips to/from the off-site property would either use the El Dorado Road/US 50 interchange or the Missouri Flat Road/US 50 interchange. The trips to/from the proposed project site, on the other hand, would be expected to use solely the Missouri Flat Road/US 50 interchange. The change in trip distribution could mean that development of the project at the Off-Site Alternative B site could result in the spreading out of project trips over more roadways, thus reducing congestion along major travel routes, though this would require confirmation via site-specific traffic analysis. Overall, Off-Site Alternative B

would result in similar, and possibly fewer, transportation and circulation impacts, compared to the proposed project.

Utilities: Off-Site Alternative B would include the same square footage as the proposed project. As such, Off-Site Alternative B would be expected to result in the same demand on water supply and sewer facilities. Off-Site Alternative B would result in less-than-significant impacts to water supply and wastewater treatment facilities, like the proposed project. Overall, development of Off-Site Alternative B would result in similar impacts related to utilities than the proposed project.

Feasibility

The actual feasibility of this alternative is determined at project approval by the El Dorado County Board of Supervisors. At this final stage of project approval, the agency considers whether “[s]pecific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.” (§ 21081, subd. (a)(3).) Broader considerations of policy thus come into play when the decisionmaking body is considering *actual* feasibility than when the EIR preparer is assessing *potential* feasibility of the alternatives.

The first consideration is satisfaction of project objectives. Off-Site Alternative B would eliminate the solar farm component of the proposed project, due to space and topographical constraints. Therefore, this Alternative would not meet the sixth project objective, which is as follows:

6. Reduce County operational energy costs by including net metering on the Public Safety Facility and virtual net metering via an adjacent solar farm.

The failure of Off-Site Alternative B to provide virtual net metering on-site to help reduce overall County operational costs renders the alternative infeasible within the meaning of CEQA, as the Board of Supervisors, acting in its legislative capacity, concludes that the alternative would not meet a key objective of the Project, and is undesirable from a policy standpoint.

The second consideration has to do with the limited extent to which this alternative would be expected to reduce the proposed project’s environmental impacts. Specifically, with respect to noise, the significant and unavoidable construction noise impact, which would occur under the proposed project scenario, would not be eliminated should Off-Site Alternative A be implemented in its stead. Moreover, construction noise levels could be higher at nearby receptors under this alternative due to the fact that a few residences are located in closer proximity to the Off-Site Alternative B boundaries, as compared to the nearest residences to the proposed project site.

While this alternative may possibly reduce transportation impacts by placing the project near a less congested freeway interchange (US 50/El Dorado Road v. US 50/Missouri Flat Road for the

proposed project), this alternative is generally expected to have increased impacts in other CEQA issue areas, as compared to the proposed project.

For all of the foregoing reasons, and any of them individually, Off-Site Alternative B is determined 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 one temporary significant and unavoidable impact. In particular, the proposed project would result in a significant and unavoidable impact related to construction noise even after incorporation of all feasible mitigation measures. The temporary significant unavoidable impact is identified and discussed in Section 5 of these Findings. The County further specifically finds that the temporary significant unavoidable impact is 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. In addition, the construction of the project is expected to create increased employment opportunities annually over the construction period.

The project would help to reduce County operational energy costs by including net metering on the Public Safety Facility and "Virtual Net Metering" through the adjacent solar farm. Should the County receive the grant funding for the solar farm and the solar farm is built, the electricity generated by the solar farm would result in an overall positive impact related to operational GHG emissions and global climate change due to the production of renewable energy. The electricity generated by the solar farm would likely be used to fulfill the remainder of the electricity consumption for the Public Safety Facility, as well as to offset other County power costs through "Virtual Net Metering".

Furthermore, the consolidation of the many Sheriff facilities into one central facility, as part of the project, would help to lower long term operational costs to the County by eliminating expensive yearly rental costs for leased, off-site facilities.

2. Technological Benefits

A preliminary survey conducted by the Sheriff's Office in July 2011 identified numerous reasons to replace the Sheriff's Office Headquarters. Some of the critical reasons included:

- Extensive yearly rental costs for leased off-site facilities;
- Insufficient space for Sheriff's operations;
- Age of current headquarters building; much of the work spaces are operated out of condemned jail cells, and inadequate storage for equipment and ammunition;
- Lack of security for Sheriff's Office and staff vehicles;
- Operational inefficiencies;
- Cost to properly maintain existing facility is prohibitive; and
- The liability and risk associated with continued operations out of the existing facility.

The project would include development of a new Public Safety Facility in order to increase the safety of the public and employees by providing a state-of-the art public safety facility in compliance with current State and local building codes and law enforcement best practices. The technological improvements would increase efficiency and safety of the El Dorado Sheriff's Office operations.

3. Public Benefits

Recognizing the need to consolidate and improve the facilities and operations of the El Dorado County Sheriff's Office, El Dorado County commissioned Vanir Construction Management to develop a Needs Assessment for a new El Dorado County Public Safety Facility, and establish various development criteria to accommodate the space program. The *Sheriff's Operational Assessment and Facility Study* prepared by Vanir reviewed previous proposals and assessments going back to 1989. The El Dorado County Board of Supervisors approved site search criteria concurrent with the preparation of the Operational Assessment. The criteria were used to evaluate over 400 properties. A site selection team for the study consisted of: an El Dorado County Facilities Division Senior Project Manager, a local civil engineer, a development and construction specialist, a government real estate expert, and a senior representative from the Sheriff's Office. The team worked to rank the properties using the Board-approved criteria. Some of the criteria used to evaluate each property include drive time, utility and infrastructure, traffic impacts, zoning, environmental impacts, long-term costs, site size, government connectivity, public access, development costs, and other factors. The site selection team assessed each property and eventually brought a short list with numerical rankings back for Board of Supervisors review. The short list consisted of three sites, including the proposed project site, which was ultimately brought to the Board of Supervisors for review and approval. In July of 2014, the Board of Supervisors selected the proposed project site as the preferred site for a new Public Safety Facility and authorized a Purchase and Sale Agreement for acquisition of the project site.

The project would include development of a new Public Safety Facility in order to centralize and consolidate existing patrol, detective, command, dispatch, radio shop, human resources, support

services, finance, evidence, coroner, morgue, training and OES operations, thereby improving the Department's efficiency and response times. Relocating these many facilities into one headquarter facility would allow for the reuse of approximately 46,000 square feet of space – 29,000 square feet of this space is within County buildings, and the other 17,000 is in the private sector.

The project has been designed to avoid and substantially minimize environmental impacts. 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. The project includes a detention basin 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 "other waters of the U.S." In addition, the currently proposed site plan would impact approximately 7.4 percent (0.07-acre) of oak canopy, and retain 92.6 percent (0.91-acre), which satisfies the policy requirement set forth in General Plan Policy 7.4.4.4. Furthermore, under Policy 7.4.2.8, the project is required to provide on-site mitigation for the impacted canopy based on the County's formula of 200 one-gallon oak trees per acre of impact. To comply with the County's requirement, 15 one-gallon oak trees are proposed to be planted as part of the project's landscaping as mitigation for the loss of 0.07-acre of impacted oak canopy. The mitigation would be included in an Oak Woodland Habitat Mitigation Plan, which would be developed in tandem with refinement of the project site plan and design.

4. Policy Benefits

The proposed project implements and furthers important plans and policies adopted and endorsed by the County. By constructing the Public Safety Facility at the project site, the proposed project is compatible with the site search criteria set forth in the *Sheriff's Operational Assessment and Facility Study*. The aforementioned study was commissioned by the County Sheriff's Office, prepared by Vanir Construction Management, and the site search criteria was approved by the El Dorado County Board of Supervisors. As noted previously, the Board of Supervisors ultimately selected the proposed project site as the preferred site for a new Public Safety Facility and authorized a Purchase and Sale Agreement for acquisition of the project site.

As determined by the El Dorado Planning Commission on November 12, 2015, acquisition of the Public Safety Facility property is consistent with the General Plan because it is consistent with the following goals, objectives, and policies of the General Plan:

- Policy 2.2.1.2 – The Industrial land use category is to provide for a full range of light and heavy industrial uses. Types of uses that would be permitted include manufacturing, processing, distribution, and storage.
- Policy 2.2.5.21 – Requires development projects to be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by the policies in effect at the time the development project is proposed.
- Policy 5.1.2.2 – Provision of public services to new discretionary development shall not result in a reduction of service below minimum established standards to current users,

pursuant to Table 5-1. Table 5-1, Minimum Level of Service, indicates that the County Sheriff shall maintain an 8-minute response time to 80 percent of the population within community regions.

- Policy 5.1.3.1 – Growth and development and public facility expenditures shall be primarily directed to Community Regions and Rural Centers.
- Goal 5.7 – Adequate and comprehensive emergency services, including fire protection, law enforcement, and emergency medical services.
- Objective 5.7.3 – An adequate, comprehensive, coordinated law enforcement system consistent with the needs of the community.
- Policy 5.7.3.1 – Prior to approval of new development, the Sheriff's Department shall be requested to review all applications to determine the ability of the department to provide protection services. The ability to provide protection to existing development shall not be reduced below acceptable levels as a consequence of new development. Recommendations such as the need for additional equipment, facilities, and adequate access may be incorporated as conditions of approval.

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

Exhibit B

Mitigation Monitoring and Reporting Program

4

MITIGATION MONITORING AND REPORTING PROGRAM

4.1 INTRODUCTION

Section 15097 of the California Environmental Quality Act (CEQA) requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a “mitigated negative declaration” or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring and Reporting Program (MMRP) for the Public Safety Facility Project. The intent of the MMRP is to ensure implementation of the mitigation measures identified within the Environmental Impact Report (EIR) for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMRP shall be funded by the applicant.

4.2 COMPLIANCE CHECKLIST

The MMRP contained herein is intended to satisfy the requirements of CEQA as they relate to the EIR for the Public Safety Facility Project prepared by El Dorado County. The MMRP is intended to be used by County staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed in the EIR that was prepared for the proposed project.

Mitigation is defined by CEQA Guidelines, Section 15370, as a measure that:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments.

The intent of the MMRP is to ensure the implementation of adopted mitigation measures. The MMRP will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by El Dorado County. The table attached to this report identifies the mitigation measure, the

MITIGATION MONITORING AND REPORTING PROGRAM PUBLIC SAFETY FACILITY PROJECT				
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule
4.1 Aesthetics				
4.1-2	Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.	<p>4.1-2 Prior to the issuance of a building permit, the project applicant shall submit a lighting plan to the El Dorado County Community Development Agency for review and approval. The project applicant shall implement the approved lighting plan. The lighting plan shall comply with the El Dorado County Ordinance Code for lighting, including, but not limited to, the following:</p> <ul style="list-style-type: none"> • Lighting plans shall contain, at a minimum, the location and height of all light fixtures, the manufacturer's name and style of light fixture, and specifications for each type of fixture. • All outdoor lighting shall be hooded or screened as to direct the source of light downward and focus onto the property from which it originates and shall not negatively impact adjacent properties or directly reflect upon any adjacent residential property. • Parking lot and other security lighting shall be top and side shielded to prevent the light pattern from shining onto adjacent property or roadways, excluding lights used for illumination of public roads. 	El Dorado County Community Development Agency	Prior to the issuance of a building permit

MITIGATION MONITORING AND REPORTING PROGRAM PUBLIC SAFETY FACILITY PROJECT				
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule Sign-off
		<ul style="list-style-type: none"> Upward lighting shall be minimized to the greatest extent possible. External lights used to illuminate a sign or the side of a building or wall shall be shielded to prevent the light from shining off of the surface intended to be illuminated. 		
4.3 Biological Resources				
4.3-2	Have a substantial adverse effect, either directly or through habitat modifications, on any wildlife species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.	<p>4.3-2 Prior to issuance of a grading permit for development, a pre-construction nesting bird survey shall be conducted on-site within 14 days prior to site clearing if site clearing associated with the project would commence between March 1st and August 15th ("the nesting season in northern California"). If disturbance associated with the project would occur outside of the nesting season, no surveys shall be required. The written results of the pre-construction survey shall be submitted to the County Development Services Division. If migratory birds are identified as nesting on the project site, a non-disturbance buffer of 75 feet shall be established or as otherwise prescribed by a qualified ornithologist. If raptors are identified as nesting on the project site, a non-disturbance buffer of 500 feet shall be established or as otherwise prescribed by a qualified ornithologist. The buffer shall be</p>	El Dorado County Development Services Division	Prior to issuance of a grading permit for development if site clearing is to occur between March 1 st and August 15 th

MITIGATION MONITORING AND REPORTING PROGRAM PUBLIC SAFETY FACILITY PROJECT				
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule Sign-off
		demarcated with painted orange lath or via the installation of orange construction fencing. Disturbance within the buffer shall be postponed until a qualified ornithologist has determined that the young have attained sufficient flight skills to leave the area or that the nesting cycle has otherwise completed.	—	
4.3-5	Conflicts with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	4.3-5(a) Prior to the issuance of a grading permit, the applicant shall submit an Oak Woodland Habitat Mitigation Plan for review and approval by the County Development Services Division. The Oak Woodland Habitat Mitigation Plan shall provide on-site mitigation for the canopy impacted by the proposed project, based on the County's formula of 200 one-gallon oak trees per acre of impact. In compliance with the County's requirement, 15 one-gallon oak trees shall be planted as part of the project's landscaping as mitigation for the loss of 0.07-acre of impacted oak canopy.	El Dorado County Development Services Division	Prior to the issuance of a grading permit
		4.3-5(b) Prior to Grading Plan approval, the plans shall include a list of tree protection methods, for review and approval by the County Community Development Agency. The list of tree protection methods shall be implemented during construction of the project. The list of tree protection methods shall include, but not necessarily limited to, the following:	El Dorado County Community Development Agency	Prior to Grading Plan approval

MITIGATION MONITORING AND REPORTING PROGRAM PUBLIC SAFETY FACILITY PROJECT				
Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule Sign-off
		<ul style="list-style-type: none"> The applicant shall hire an International Society of Arboriculture (ISA) certified arborist to be present on-site during all grading, construction, and tree removal activities. The arborist shall evaluate all proposed improvements that may affect each native tree to be preserved, make recommendations on these proposed improvements, and oversee construction of these improvements during site development to ensure that the appropriate trees are removed or preserved in compliance with the tree removal permit and approved Improvement Plans. The applicant shall install a four-foot tall, brightly colored (yellow or orange), synthetic mesh material fence around all oak trees to be preserved that are greater than six inches DBH (or 10 inches DBH aggregate for multi-trunked trees). The fencing shall delineate an area that is at least the radius of which is equal to the largest radius of the protected tree's drip line plus one foot. The fence shall be installed prior to any site preparation or construction equipment being 	—	