

Z15-0002/PD15-0004/P15-0006/S17-0015 EXHIBIT Z FINAL ENVIRONMENTAL IMPACT REPORT

November 2020



FINAL ENVIRONMENTAL IMPACT REPORT

Montano De El Dorado Phase I and II Master Plan



State Clearinghouse No: 2017072027
PREPARED FOR:
El Dorado County Planning and
Building Department, Planning Services
2850 Fairlane Court
Placerville, CA 95667

Final Environmental Impact Report
for the
Montano De El Dorado Phase I and II Master Plan

State Clearinghouse #2017072027

PREPARED FOR:

El Dorado County Planning and Building Department
Planning Services Division

2850 Fairlane Court

Placerville, CA 95667

Contact:

Tom Purciel, Associate Planner

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Ascent Environmental, Inc.

455 Capitol Mall, Suite 300

Sacramento, CA 95814

Contact:

Pat Angell, Principal

November 2020

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LIST OF ABBREVIATIONS

AQMD	Air Quality Management District
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CIP	Capital Improvement Program
County	County of El Dorado
dB	decibels
Draft EIR	draft environmental impact report
Final EIR	final environmental impact report
HREC	historical recognized environmental condition
L_{eq}	equivalent continuous sound level
L_{max}	maximum sound level
NOA	naturally occurring asbestos
PG&E	Pacific Gas and Electric Company
Phase I ESA	Phase I Environmental Site Assessment
project	Montano De El Dorado Phase I and II Master Plan
REC	recognized environmental condition
UAIC	United Auburn Indian Community of the Auburn Rancheria
VMT	vehicle miles traveled

1 INTRODUCTION

The final environmental impact report (Final EIR) for the Montano De El Dorado Phase I and II Master Plan (project) consists of this response to comments document, which includes comments on the draft environmental impact report (Draft EIR), responses to those comments, and revisions to the Draft EIR. This document has been prepared by the County of El Dorado (County), as lead agency, in accordance with the requirements of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (California Code of Regulations [CCR] Section 15132).

1.1 PURPOSE AND INTENDED USES OF THIS FINAL EIR

CEQA requires a lead agency that has prepared a Draft EIR to consult with and obtain comments from responsible and trustee agencies that have jurisdiction by law with respect to the project and to provide the public with an opportunity to comment on the Draft EIR. This document is the mechanism for responding to these comments. The Final EIR has been prepared to present and respond to comments received on the Draft EIR and to present corrections, revisions, and other clarifications and amplifications to the Draft EIR made in response to these comments as well as County staff initiated edits. The Final EIR will be used to support the County's decision regarding whether to approve the Montano De El Dorado Phase I and II Master Plan Project.

This Final EIR will also be used by CEQA responsible and trustee agencies to ensure that they have met their requirements under CEQA before deciding whether to approve or permit project elements over which they have jurisdiction. It may also be used by other state, regional, and local agencies that have an interest in resources that could be affected by the project or that have jurisdiction over portions of the project.

1.2 PROJECT LOCATION

The project is located in El Dorado Hills, California, an unincorporated area of El Dorado County approximately 23 miles east of Sacramento and 20 miles west of Placerville (see Draft EIR Figure 2-1). U.S. Highway 50 passes through the region one-half mile north of the project site.

Existing land uses adjacent to the project site include the existing Phase I development to the north (see Draft EIR Figure 2-2); single-family residential uses along Monte Verde Drive (Creekside Greens Development) to the east; and Latrobe Road, which borders the western boundary of the site. The southernmost portion of the site tapers to a point just before the intersection of Latrobe Road and Monte Verde Drive.

The project site occupies approximately 16.8 acres. The northernmost portion contains a graded, gravel-covered area used for additional parking for the existing Phase I development. The remainder of the site consists of nonnative annual grassland with rock outcroppings scattered throughout the property. Elevations range from 575 to 640 feet above sea level with slopes ranging between 10 percent and 40 percent.

1.3 PROJECT OBJECTIVES

The objectives of the project are to:

- ▶ capitalize on the site's proximity to a major transportation corridor within El Dorado Hills;
- ▶ expand the adjacent Montano De El Dorado retail center (Phase I) with retail, hospitality, and office uses (Phase II);
- ▶ provide for the safe and efficient movement of pedestrians and vehicles;
- ▶ provide product choice to residents while reducing sales outflow to other counties; and
- ▶ provide high quality investment within El Dorado Hills to create jobs and sales tax revenue to the County.

1.4 SUMMARY DESCRIPTION OF THE PROJECT

The proposed project would expand the existing Montano De El Dorado retail center (Phase I) to include additional retail space, an office building, hotel, and a small amphitheater through the development of Phase II located south of Phase I. Phase II would consist of a total of 10 buildings for a total floor area of approximately 75,400 square feet and 143,900 square feet of commercial and office uses. The project would also include the provision of outdoor special events within existing Phase I and within the proposed amphitheater and parking lots within Phase II.

1.5 MAJOR CONCLUSIONS OF THE ENVIRONMENTAL ANALYSIS

State CEQA Guidelines Section 15382 defines a significant effect on the environment as “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.” Sections 3.1 through 3.13 of the Draft EIR describe in detail the significant environmental impacts that would result from implementing the project. Chapter 4 of the Draft EIR provides a discussion of cumulative and growth-inducing impacts. Table ES-1 of the Draft EIR summarizes the environmental impacts and mitigation measures discussed in these sections.

For the following environmental issue areas, one or more impacts have been identified as significant and unavoidable; that is, no feasible mitigation is available to reduce the project’s impacts or the project’s contribution to cumulative impacts to a less-than-significant level:

- ▶ Project construction activities would generate noise levels substantially higher than ambient conditions. Mitigation has been recommended to reduce this impact. However, the mitigation measures would not completely offset this impact. Therefore, the impact would be **significant and unavoidable** (see Impact 3.10-1).
- ▶ Site preparation and grading may include blasting to remove rock outcroppings. Vibration levels generated from blasting activities would exceed the Federal Transit Administration’s criteria for human disturbance for “infrequent events” at sensitive receptors located within 230 feet and would exceed the California Department of Transportation’s criteria for structural damage to normal buildings at locations within 80 feet of the blasting site. Because the exact locations where blasting would be conducted are not known at the time of writing this EIR, it is possible that project-related blasting activity could expose people and buildings to levels of ground vibration that exceed these standards. Mitigation has been recommended to reduce this impact. However, the mitigation measures would not completely offset this impact. Therefore, the impact would be **significant and unavoidable** (see Impact 3.10-2).
- ▶ The project would increase vehicle miles traveled under project and cumulative conditions. Mitigation has been recommended to reduce this impact. However, the mitigation measures would not completely offset this impact. Therefore, the impact would be **significant and unavoidable** (see Impacts 3.12-1 and 4-14).

1.6 CEQA PUBLIC REVIEW PROCESS

On May 29, 2020, the County of El Dorado released the Draft EIR for a 45-day public review and comment period that was later extended to close on July 28, 2020. The Draft EIR was submitted to the State Clearinghouse for distribution to reviewing agencies and posted on the County’s website (<http://www.edcgov.us/government/planning>).

A public hearing was held on June 25, 2020, to receive input from agencies and the public on the Draft EIR. The hearing was held during a special meeting of the Planning Commission at 8:30 a.m. The hearing was recorded and is available for viewing through the County’s website at <https://eldorado.legistar.com/MeetingDetail.aspx?ID=782800&GUID=FE356F39-463A-4885-AC6F-34E3B0A04DC7&Options=info|&Search=>.

As a result of these notification efforts, written and oral comments were received from agencies, organizations, and individuals on the content of the Draft EIR. Chapter 2, “Responses to Comments,” identifies these commenting parties, presents their respective comments, and presents responses to these comments. None of the comments received, or the responses provided, constitute “significant new information” by CEQA standards (CCR Section 15088.5).

1.7 ORGANIZATION OF THE FINAL EIR

This Final EIR is organized as follows:

- ▶ **Chapter 1, "Introduction,"** describes the purpose and intended uses of the Final EIR, summarizes the Montano De El Dorado Phase I and II Master Plan and the major conclusions of the Draft EIR, provides an overview of the CEQA public review process, and describes the content of the Final EIR.
- ▶ **Chapter 2, "Responses to Comments,"** contains a list of all the parties who submitted comments on the Draft EIR during the public review period; copies of the comment letters received; a summary of comments received during the June 25, 2020, public hearing; and responses to the comments.
- ▶ **Chapter 3, "Revisions to the Draft EIR,"** presents revisions to the Draft EIR text made in response to comments, or to amplify, clarify, or make minor modifications or corrections to the text. Changes in the text are signified by strikeouts (~~strikeouts~~) where text is removed and by underline (underline) where text is added.
- ▶ **Chapter 4, "References,"** identifies the sources of information used for the analysis presented in this document.
- ▶ **Chapter 5, "List of Preparers,"** identifies the lead agency contacts, as well as the preparers of this Final EIR.

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2 RESPONSES TO COMMENTS

This chapter contains comment letters received during the public review period for the Draft EIR, which concluded on July 28, 2020, including summaries of comments received during the June 25, 2020, Planning Commission public hearing. In conformance with Section 15088(a) of the State CEQA Guidelines, written responses were prepared addressing comments on environmental issues received from reviewers of the Draft EIR.

2.1 LIST OF COMMENTERS ON THE DRAFT EIR

Table 2-1 presents the list of commenters, including the numerical designation for each comment received, the author or speaker of the comment, and the date of the comment.

Table 2-1 List of Commenters

Letter No.	Commenter	Date
AGENCIES		
A1	California Department of Toxic Substances Control	June 8, 2020
A2	Shingle Springs Band of Miwok Indians	June 16, 2020
A3	El Dorado County Air Quality Management District	July 9, 2020
A4	California Department of Fish and Wildlife	July 10, 2020
A5	California Department of Transportation	July 28, 2020
ORGANIZATIONS		
O1	El Dorado County Historical Society	June 2, 2020
O2	El Dorado Hills Area Planning Advisory Committee	June 23, 2020
O3	Pacific Gas and Electric Company	July 8, 2020
O4	El Dorado Hills Area Planning Advisory Committee	July 23, 2020
O5	Preserve EDH	July 28, 2020
INDIVIDUALS		
I1	Nancy DeRodeff	May 31, 2020
I2	Josh Carroll	June 11, 2020
I3	Kerry Draper	June 23, 2020
I4	Christine Gaewsky	June 24, 2020
I5	Jessica Anderson	June 24, 2020
I6	Shalini Pandey	June 26, 2020
I7	Susan Rhoades	June 26, 2020
I8	Brenda Boissevain	June 26, 2020
I9	Jerry Barton	June 29, 2020
I10	Jackson Properties	June 30, 2020
I11	Erik Mikkelsen	July 5, 2020
I12	Unknown (.txt file)	July 5, 2020

Table 2-1 List of Commenters

Letter No.	Commenter	Date
PUBLIC HEARING ON THE DRAFT EIR (06/25/2020)		
PH1	James Williams, Planning Commissioner	June 25, 2020
PH2	Jon Vegna, Planning Commission Chair	June 25, 2020
PH3	James Williams, Planning Commissioner	June 25, 2020
PH4	Jeff Hansen, Planning Commissioner	June 25, 2020
PH5	Jon Vegna, Planning Commission Chair	June 25, 2020
PH6	James Williams, Planning Commissioner	June 25, 2020
PH7	Jon Vegna, Planning Commission Chair	June 25, 2020
PH8	Julie, Creekside Resident	June 25, 2020
PH9	Christy G., Creekside Resident	June 25, 2020

2.2 COMMENTS AND RESPONSES

The written and oral comments received on the Draft EIR and the responses to those comments are provided below. The comment letters and oral comments made at the public hearing are reproduced in their entirety and are followed by the response(s). Where a commenter has provided multiple comments, each comment is indicated by a line bracket and an identifying number in the margin of the reproduced comment.

2.3 AGENCIES

From: [Weckesser, Stacy@DTSC](mailto:Weckesser.Stacy@DTSC)
To: Tom.Purciel@edcgov.us
Cc: State.Clearinghouse@opr.ca.gov; [Jameson, Lora@DTSC](mailto:Jameson.Lora@DTSC); [Kereazis, Dave@DTSC](mailto:Kereazis.Dave@DTSC); [McCreary, Gavin@DTSC](mailto:McCreary.Gavin@DTSC)
Subject: EIR for Montano De El Dorado Phase I and II Master Plan
Date: Monday, June 8, 2020 12:52:18 PM
Attachments: [Montano De El Dorado Phase I and II Master Plan.pdf](#)

<p>Letter A1</p>

Good Afternoon,

Please see the attached PDF copy of the Environmental Impact Report for Montano De El Dorado Phase I and II Master Plan. Hard copies can be made available upon request.

If you have any questions please contact Gavin McCreary at (916) 255-3710 or via email at Gavin.McCreary@dtsc.ca.gov.

<p>A1-1</p>

Warm Regards,

Stacy Weckesser
Office Assistant
Department of Toxic Substances Control
(916) 255-3698



Jared Blumenfeld
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D.
Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Gavin Newsom
Governor

June 8, 2020

Mr. Tom Purciel
County of El Dorado
2850 Fairlane Court, Building C
Placerville, California 95667
Tom.Purciel@edcgov.us

MONTANO DE EL DORADO PHASE I AND II MASTER PLAN – DATED MAY 2020
(STATE CLEARINGHOUSE NUMBER: 2017072027)

Dear Mr. Purciel:

The Department of Toxic Substances Control (DTSC) received a Draft Environmental Impact Report (EIR) for Montano De El Dorado Phase I and II Master Plan. The proposed project would expand the existing Montano De El Dorado retail center (Phase I) to include additional retail space, an office building, hotel, and a small amphitheater. Phase II would consist of a total of 10 buildings for a total floor area of approximately 75,400 square feet and 143,900 square feet of commercial and office uses. The project would also include the provision of outdoor special events within existing Phase I and within the proposed amphitheater and parking lots within Phase II.

A1-2

DTSC recommends that the following issues be evaluated in the EIR Hazards and Hazardous Materials section:

1. The EIR should acknowledge the potential for historic or future activities on or near the project site to result in the release of hazardous wastes/substances on the project site. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The EIR should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.
2. Refiners in the United States started adding lead compounds to gasoline in the 1920s in order to boost octane levels and improve engine performance. This practice did not officially end until 1992 when lead was banned as a fuel additive in California. Tailpipe emissions from automobiles using leaded gasoline contained lead and resulted in aerially deposited lead (ADL) being deposited in

A1-3

A1-4

Mr. Tom Purciel
 June 8, 2020
 Page 2

and along roadways throughout the state. ADL-contaminated soils still exist along roadsides and medians and can also be found underneath some existing road surfaces due to past construction activities. Due to the potential for ADL-contaminated soil DTSC, recommends collecting soil samples for lead analysis prior to performing any intrusive activities for the project described in the EIR.

A1-4
 cont.

3. If any sites within the project area or sites located within the vicinity of the project have been used or are suspected of having been used for mining activities, proper investigation for mine waste should be discussed in the EIR. DTSC recommends that any project sites with current and/or former mining operations onsite or in the project site area should be evaluated for mine waste according to DTSC’s 1998 Abandoned Mine Land Mines Preliminary Assessment Handbook (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/11/aml_handbook.pdf).

A1-5

4. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC’s 2006 *Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers* (https://dtsc.ca.gov/wpcontent/uploads/sites/31/2018/09/Guidance_Lead Contamination_050118.pdf).

A1-6

5. If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to *DTSC’s 2001 Information Advisory Clean Imported Fill Material* (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/SMP_FS_Cleanfill-Schools.pdf).

A1-7

6. If any sites included as part of the proposed project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the EIR. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC’s 2008 *Interim Guidance for Sampling Agricultural Properties (Third Revision)* (<https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Ag-Guidance-Rev-3-August-7-2008-2.pdf>).

A1-8

DTSC appreciates the opportunity to comment on the EIR. Should you need any assistance with an environmental investigation, please submit a request for Lead Agency Oversight Application, which can be found at: <https://dtsc.ca.gov/wp->

A1-9

Mr. Tom Purciel
June 8, 2020
Page 3

[content/uploads/sites/31/2018/09/VCP_App-1460.doc](#). Additional information regarding voluntary agreements with DTSC can be found at: <https://dtsc.ca.gov/brownfields/>.

If you have any questions, please contact me at (916) 255-3710 or via email at Gavin.McCreary@dtsc.ca.gov.

A1-9
cont.

Sincerely,



Gavin McCreary
Project Manager
Site Evaluation and Remediation Unit
Site Mitigation and Restoration Program
Department of Toxic Substances Control

cc: (via email)

Governor's Office of Planning and Research
State Clearinghouse
State.Clearinghouse@opr.ca.gov

Ms. Lora Jameson, Chief
Site Evaluation and Remediation Unit
Department of Toxic Substances Control
Lora.Jameson@dtsc.ca.gov

Mr. Dave Kereazis
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

Letter A1 California Department of Toxic Substances Control

Gavin McCreary, Project Manager

June 8, 2020

- A1-1 The comment introduces the email attachment that is the complete comment letter from the California Department of Toxic Substances Control. Thank you for providing comments on the Draft EIR. The reader is referred to the responses to comments A1-2 through A1-9.
- A1-2 The comment provides a summary of the project description. Comment noted. Draft EIR Chapter 2, "Project Description," provides a complete description of all project details.
- A1-3 The comment states that the Draft EIR should acknowledge the potential for historic or future activities on or near the project site to result in the release of hazardous wastes/substances and acknowledge the possible need for further studies, investigations, or remediation.
- As discussed in Section 3.8, "Hazards and Hazardous Materials," the Draft EIR described the potential presence of hazards and hazardous materials on and near the project site and discussed the Phase I Environmental Site Assessment (Phase I ESA) prepared for the project. The Phase I ESA did not identify the presence or likely presence of hazardous substances the Phase II portion of project site related to a past release or conditions that pose a material threat of a future release to the environment. The Phase I portion of the project site has already been developed with commercial structures and, because of the age and type of development, is not considered a potential source of contamination. Draft EIR Impact 3.8-1 concluded that implementing the project would result in a less-than-significant impact because the project must adhere to existing regulations and comply with the safety procedures mandated by applicable federal, state, and local laws and regulations that would minimize the risks resulting from the routine transportation, use, storage, or disposal of hazardous materials or hazardous wastes associated with construction and implementation of the project.
- A1-4 The comment recommends soil sampling and analysis for aerially deposited lead before any intrusive activities are performed on the project site.
- Soil testing by the California Department of Transportation and others along roads heavily traveled before 1987 indicates that aerially deposited lead from the historical use of leaded gasoline may be present in the surface soil of the unpaved shoulders. The lead is generally attributed to emissions from vehicles with internal-combustion engines powered by leaded gasoline. The phasedown of lead in gasoline began in 1974 when, under the authority of the Clean Air Act Amendments of 1970, the U.S. Environmental Protection Agency introduced rules requiring the use of unleaded gasoline in new cars equipped with catalytic converters. The introduction of catalytic converters for control of hydrocarbon, nitrous oxide, and carbon monoxide emissions required that motorists use unleaded gasoline because lead destroys the emissions control capacity of catalytic converters. By the early 1980s, gasoline lead levels had declined about 80 percent as a result of both the regulations and fleet turnover. Beginning in 1992, lead was banned as a fuel additive in California.
- A review of aerial photographs of the project vicinity reveals that Latrobe Road and White Rock Road were two-lane roads until at least 2002. Because these roads were small and not likely to have been heavily traveled before 1987, it is unlikely that there would be substantial concentrations of aerially deposited lead on the project site. Also, the Phase I ESA prepared for the project evaluated the potential for hazardous conditions and materials to be on the project site and concluded that there were no recognized environmental conditions (RECs) or historical recognized environmental conditions (HRECs), and no further action was recommended (Youngdahl 2017a:16). No lead contamination was identified in soil exploratory test pit data (Youngdahl 2017b).
- A1-5 The comment states that if any sites in the project area have been used or are suspected of having been used for mining activities, proper investigation for mine waste should be discussed in the EIR.

- As noted on Draft EIR page 1-5, no mineral extraction operations exist at the property, and there are no oil and gas extraction wells on or in the vicinity of the property. The Phase I ESA noted that although a study of aerial photographs from various years indicates mining activities east of the project site, there were no RECs or HRECs, and no further action was recommended (Youngdahl 2017a:16). Thus, the Phase I ESA indicated that further investigation for mine waste was not needed.
- A1-6 The comment states that if buildings or other structures are to be demolished on the project site, surveys should be conducted for the presence of various potentially hazardous building materials.
- As discussed on Draft EIR page 2-1, the Phase I area has already been constructed, and the Phase II site is undeveloped. Thus, the project would not involve any building demolition, and there is no need for surveys for the presence of hazardous building materials.
- A1-7 The comment states that if the project would require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination.
- As noted on Draft EIR page 2-41, grading activities would result in approximately 201,800 cubic yards of cut and 31,700 cubic yards of fill with up to 170,100 cubic yards of soil to be exported off-site. Because the project would export soil but not import soil, no testing of imported soils would be needed.
- A1-8 The comment states that if the project site has been used for agricultural, weed abatement, or related activities, proper investigation for organochlorinated pesticides should be discussed in the EIR.
- The Phase I ESA noted that the project site has been primarily vacant and that there are no RECs or HRECs on the project site (Youngdahl 2017a:16). Thus, additional investigation for organochlorinated pesticides is not needed.
- A1-9 The comment concludes the California Department of Toxic Substances Control's comments and provides contact information for follow-up. Comment noted.

Letter
A2

From: [Katie Solorio](#)
To: montano@edcgov.us
Cc: [Kara Perry](#)
Subject: Montano De El Dorado Phase I and II
Date: Friday, June 19, 2020 1:49:45 PM
Attachments: [Montano De El Dorado Phase I and II.pdf](#)

Good Afternoon,

Please see the response letter regarding the Montano De El Dorado Project. For any questions regarding this letter, please contact Site Protection Manager Kara Perry, who is copied on this e-mail.

A2-1

Thank you,



Katie Solorio
Administrative Assistant
Cultural Resources Department

Phone: (530) 698-1555
Fax: (530) 558-2034
Email: KSolorio@ssband.org

Shingle Springs Band of Miwok Indians | P.O. Box 1340, Shingle Springs, CA 95682

SSBMI Disclaimer: This email (Montano De El Dorado Phase I and II) is from Shingle Springs Band of Miwok Indians: Cultural Resources Department and is intended for montano@edcgov.us. Any attachments thereto may contain private, confidential, and privileged material. Any review, copying, or distribution of this email (or any attachments thereto) by parties other than the Shingle Springs Band of Miwok Indians (and its affiliated departments or programs) or the intended recipient(s) is strictly prohibited. If you properly received this e-mail as an employee of the Shingle Springs Band of Miwok Indians, outside legal counsel or retained expert, you should maintain its contents in confidence in order to preserve the attorney-client or work product privilege that may be available to protect confidentiality.

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**SHINGLE SPRINGS BAND
OF MIWOK INDIANS**

Shingle Springs Rancheria
(Verona Tract), California
5168 Honpie Road
Placerville, CA 95667
Phone: 530-676-8010
shinglespringsrancheria.com

CULTURAL RESOURCES

June 16, 2020

El Dorado County
Tom Purciel
2850 Fairlane Court
Placerville, CA 95667

Dear Tom Purciel,

The Most Likely Descendant, Daniel Fonseca would like to initiate consultation process with you in regard to the Montano De El Dorado Phase I and II in El Dorado County. Among other things, we would like this consultation to address the cultural and historic resource issues, pursuant to the regulations implementing Section 106 of the National Historic Preservation Act and Assembly Bill 52.

A2-2

Prior to meeting we would like to request any and all completed record searches and/or surveys that were done in/around the project area up to and including environmental, archaeological and cultural reports.

A2-3

Please let this letter serve as a formal request for the Shingle Springs Band Of Miwok Indians to be added as a consulting party in identifying any Tribal Cultural Properties (TCPs) that may exist within the project's Area of Potential Effects (APE).

A2-4

Please contact Kara Perry, Site Protection Manager, (530) 488-4049, kperry@ssband.org, to schedule a consultation pursuant to Section 106 of the NHPA and AB 52.

Sincerely,

Daniel Fonseca
Cultural Resource Director
Tribal Historic Preservation Officer (THPO)
Most Likely Descendant (MLD)

Letter A2 Shingle Springs Band of Miwok Indians

Daniel Fonseca, Cultural Resource Director

June 16, 2020

- A2-1 The comment introduces the email attachment that is the complete comment letter from the Shingle Springs Band of Miwok Indians. Thank you for providing comments on the Draft EIR. The reader is referred to the responses to comments A2-2 through A2-4.
- A2-2 The comment states that the Most Likely Descendant, Daniel Fonseca, would like to initiate the consultation process with the County regarding the Montano De El Dorado Phase I and II project to address the cultural and historic resource issues, pursuant to the regulations implementing Section 106 of the National Historic Preservation Act and Assembly Bill 52.
- As discussed on Draft EIR page 3.4-4, the County contacted the following tribes in a letter dated August 2, 2017, as recommended by the Native American Heritage Commission: Ione Band of Miwok Indians, T'si-Akim Maidu, Nashville-El Dorado Miwok, Washoe Tribe of Nevada and California, United Auburn Indian Community of the Auburn Rancheria (UAIC), Shingle Springs Band of Miwok Indians, and Wilton Rancheria. The letters were transmitted via the U.S. Postal Service and included a brief description of the project and a location map. UAIC responded to request consultation for this project. Consultation activities included a field survey with UAIC staff and inclusion of mitigation recommended by UAIC. Because the Shingle Springs Band of Miwok Indians did not respond to the County's August 2017 invitation to consult under Assembly Bill 52 within the 30-day period, the County was unable to engage in consultation with the Shingle Springs Band of Miwok Indians. However, the County encourages the Shingle Springs Band of Miwok Indians to continue to participate in the public review process for this project before the Planning Commission and Board of Supervisors.
- A2-3 The comment requests copies of all completed record searches and surveys that were conducted in and around the project site up to and including environmental, archaeological, and cultural reports. The County sent these requested materials to the Shingle Springs Band of Miwok Indians on October 6, 2020.
- A2-4 The comment formally requests that the Shingle Springs Band Of Miwok Indians be added as a consulting party in identifying any Tribal Cultural Properties that may exist within the project's Area of Potential Effects and provides additional contact information.
- The County acknowledges the Shingle Springs Band of Miwok Indian's request. The tribe will be provided with formal notification of any discoveries that may be of Native American origin.

Letter A3

From: [Tom Purciel](#)
To: [Cori Resha](#)
Cc: [Pat Angell](#)
Subject: Fwd: Montano De El Dorado Phase I and II Master Plan Project (Z15-0002, PD15-0004, P15-0006, S17-0015) DEIR
Date: Monday, July 13, 2020 5:09:51 PM
Attachments: [Montano De El Dorado AQMD DEIR Comments.docx](#)

----- Forwarded message -----

From: Lisa Petersen <lisa.petersen@edcgov.us>
Date: Mon, Jul 13, 2020 at 4:36 PM
Subject: Montano De El Dorado Phase I and II Master Plan Project (Z15-0002, PD15-0004, P15-0006, S17-0015) DEIR
To: Tom Purciel <tom.purciel@edcgov.us>

Hi Tom,

The subject Draft Environmental Impact Report includes all AQMD proposed measures. Attached please find a letter indicating AQMD approval. I A3-1

Best regards,

Lisa Petersen
 Air Quality Engineer
 EDC Air Quality Management District
 330 Fair Lane Bldg. A, Placerville, CA 95667
 530.621.7574
www.facebook.com/EDCAQMD

--

Tom Purciel
 Project Planner

County of El Dorado
 Department of Planning and Building
 Planning Services Division
 2850 Fairlane Court
 Placerville, CA 95667
 (530) 621-5903
tom.purciel@edcgov.us
<https://www.edcgov.us/government/Planning>

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**County of El Dorado
Air Quality Management District**

330 Fair Lane, Placerville Ca 95667
Tel. 530.621.7501 Fax 530.295.2774
www.edcgov.us/AirQualityManagement

Dave Johnston
Air Pollution Control Officer

July 9, 2020

Tom Purciel, Project Planner
Development Services Department
2850 Fairlane Court,
Placerville, CA 95667

**SUBJECT: Montano De El Dorado Phase I and II Master Plan Project (Z15-0002, PD15-0004, P15-0006, S17-0015) Draft Environmental Impact Report
-AQMD COMMENTS**

Dear Mr. Purciel:

The El Dorado County Air Quality Management District (AQMD) has reviewed the subject DEIR for the proposed Montano De El Dorado Phase I and II Master Plan (project) that would expand the existing Montano de El Dorado retail center (Phase I) to include additional retail space, an office building, hotel, and a small amphitheater. The project would also provide for outdoor special events within existing Phase I and within the proposed amphitheater and parking lots within Phase II.

A3-2

AQMD reviewed and approved the Air Quality Analysis by Sycamore Environmental Consultants, June 29, 2017 and proposed measures to mitigate the operational greenhouse gas emissions. The DEIR includes these proposed measures, and all other previously proposed measures to address the requests made in AQMD's previous comment letters. AQMD has no further comments at this time.

A3-3

AQMD thanks you for the opportunity to comment on this project. If you have any question regarding our comments, please do not hesitate to contact the District at (530) 621-7501.

Respectfully,

Lisa Petersen
Air Quality Engineer
El Dorado County AQMD

\\AQData\AQ-Shared\CEQA or AQMD COMMENTS\AQMD Comments\2020\Montano De El Dorado AQMD DEIR Comments.docx

Letter A3 El Dorado County Air Quality Management District

Lisa Petersen, Air Quality Engineer

June 9, 2020

- A3-1 The comment notes that all mitigation measures recommended by the El Dorado County Air Quality Management District (AQMD) have been incorporated into the EIR. Thank you for providing comments on the Draft EIR. Comment noted.
- A3-2 The comment states that AQMD has reviewed the Draft EIR and summarizes AQMD's understanding of the project. Comment noted. Draft EIR Chapter 2, "Project Description," provides a complete description of all project details.
- A3-3 The comment states that AQMD reviewed and approved the air quality analysis by Sycamore Environmental Consultants and proposed measures to mitigate the operational greenhouse gas emissions. The comment also states that the Draft EIR includes these proposed measures and all other measures requested in AQMD's previous comment letters. The comment concludes that AQMD has no further comments. Comment noted.

Letter A4

From: **Oswalt, Caitlyn@Wildlife** <Caitlyn.Oswalt@wildlife.ca.gov>
Date: Fri, Jul 10, 2020 at 4:29 PM
Subject: DEIR Comment Letter for Montano De El Dorado Phase I and II Master Plan Project
SCH#2017072027
To: tom.purciel@edcgov.us <tom.purciel@edcgov.us>
Cc: state.clearinghouse@opr.ca.gov <state.clearinghouse@opr.ca.gov>, Wildlife R2 CEQA
<R2CEQA@wildlife.ca.gov>

Tom Purciel
El Dorado County Associate Planner
El Dorado County

2850 Fairlane Court
Placerville, CA 95667
tom.purciel@edcgov.us

Dear Mr. Purciel:

Montano De El Dorado Phase I and II Master Plan (Project)
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
SCH# 2017072027

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a DEIR from El Dorado County for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we

A4-1

appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California’s **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

A4-1
cont.

PROJECT DESCRIPTION SUMMARY

Proponent: El Dorado County

Objective: The objective of the Project is to expand the existing Montano de El Dorado retail center in Phase I to include additional retail space, an office building, hotel, and a small amphitheater. Phase II will consist of a total of 10 buildings for a total floor area of approximately 75,400 square feet and 143,900 square feet of commercial and office uses.

Location: The City of El Dorado Hills, in El Dorado County, at the cross streets of Latrobe Road and White Rock Road, 38°38'39.9"N 121°3'59.2"W.

A4-2

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist El Dorado County in adequately identifying and/or mitigating the Project’s significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

A4-3

Deferred Mitigation

CEQA Guidelines §15126.4 (a)(1)(B) states that formulation of mitigation measures should not be deferred until some future time. The environmental document lists a number of mitigation measures for biological resources that rely on future approvals or agreements as a means to bring identified significant environmental effects to below a level of significance. Because there is no guarantee that these approvals or cooperation with all of the involved entities will ultimately occur, the mitigation measures are unenforceable and do not reduce the impacts to biological resources to a less-than-significant level.

A4-4

Mitigation Measure 3.3-1 relies on future consultation with CDFW for designation of no-disturbance buffers and development of appropriate mitigation measures for direct and indirect impacts to prevent loss of big-scale balsamroot plants. It is the recommendation of CDFW that a botanist meeting all qualifications under, *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW 2018), provide measures to avoid, minimize, and mitigate impacts to big-scale balsamroot within the Mitigation, Monitoring, and Reporting Program. These measures should be enforceable and not reliant on CDFW approval for implementation.

A4-5

Mitigation Measure 3.3-2 relies on future consultation with CDFW for determining protection buffers for occupied burrows. CDFW recommends avoiding deferred mitigation by developing appropriately sized buffers as deemed by a qualified biologist mitigation in conjunction with the, *CDFW Staff Report on Burrowing Owl Mitigation* (CDFW 2012). For example, the Staff Report contains the following table for reference.

Location	Time of Year	Level of Disturbance		
		Low	Medium	High
Nesting Sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting Sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting Sites	Oct 16-Mar 31	50 m	100 m	500 m

A4-6

*meters (m)

Mitigation Measure 3.3-3 relies on future consultation with CDFW for determining the size of no-disturbance buffers for nesting birds. The proposed Project should disclose all potential activities that may incur a direct or indirect take to non-game nesting birds within the Project footprint and its close vicinity. Appropriate avoidance, minimization, and/or mitigation measures to avoid take must be included in the environmental document. Measures to avoid the impacts should include species specific work windows, biological monitoring, installation of noise attenuation barriers, etc.

A4-7

All measures to protect nesting birds should be performance-based. While some birds may tolerate disturbance within 250 feet of construction activities, other birds may have a different disturbance threshold and “take” could occur if the temporary disturbance buffers are not designed to reduce stress to that individual pair. CDFW recommends including performance-based protection measures for avoiding all nests protected under the Migratory Bird Treaty Act and Fish & G. Code. The buffer may need to be increased based on the birds’ tolerance level to the disturbance. Below is an example of a performance-based protection measure:

A4-8

Should construction activities cause the nesting migratory bird or raptor to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then a qualified biologist shall increase the exclusionary buffer such that activities are far enough from the nest to stop this agitated behavior by the migratory bird or raptor. The exclusionary buffer should remain in place until the chicks have fledged or as otherwise determined by a qualified biologist.

Mitigation measures should establish performance standards to evaluate the success of the proposed mitigation, provide a range of options to achieve the performance standards, and must commit the lead agency to successful completion of the mitigation. Mitigation measures should also describe when the mitigation measure will be implemented and explain why the measure is feasible. Therefore, the CDFW recommends that the environmental document include measures that are enforceable and do not defer the details of the mitigation to the future.

A4-9

Based on the Project's avoidance of significant impacts on biological resources with implementation of mitigation measures, CDFW concludes that an Environmental Impact Report is appropriate for the Project.

A4-10

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf. The completed

A4-11

form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp.

A4-11
cont.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

A4-12

CONCLUSION

CDFW appreciates the opportunity to comment on the DEIR to assist El Dorado County in identifying and mitigating Project impacts on biological resources. Questions regarding this letter or further coordination should be directed to Caitlyn Oswalt, Environmental Scientist at 916-358-4315 or Caitlyn.Oswalt@wildlife.ca.gov.

A4-13

Sincerely,

Caitlyn Oswalt

Environmental Scientist | 916.358.4315
North Central Region – Region 2
California Department of Fish and Wildlife

--

Tom Purciel
Project Planner

County of El Dorado
Department of Planning and Building
Planning Services Division
2850 Fairlane Court
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Letter A4 California Department of Fish and Wildlife

Caitlyn Oswald, Environmental Scientist

June 10, 2020

- A4-1 The comment is introductory in nature and discusses the California Department of Fish and Wildlife's (CDFW) regulatory authority and role as a trustee agency for fish and wildlife resources. Thank you for providing comments on the Draft EIR. Comment noted.
- A4-2 The comment provides a summary of the project. Comment noted. Draft EIR Chapter 2, "Project Description," provides a complete description of all project details.
- A4-3 The comment states that CDFW offers the following comments and recommendations to assist the County with identifying and/or mitigating impacts on fish and wildlife resources. Comments and recommendations are responded to in the responses to comments A4-4 through A4-13.
- A4-4 The comment cites State CEQA Guidelines Section 15126.4(a)(1)(B), which states that formulation of mitigation measures should not be deferred until some future time. The comment states that the Draft EIR lists a number of mitigation measures for biological resources that rely on future approvals or agreements as a means to bring identified significant environmental effects to below a level of significance. The comment states that because there is no guarantee that these approvals or this cooperation with all the involved entities would ultimately occur, the mitigation measures are unenforceable and would not reduce the impacts on biological resources to a less-than-significant level.
- As further addressed in the responses to comments on the Draft EIR biological resource mitigation measures, State CEQA Guidelines Section 15126.4(a)(1)(B) allows for lead agencies to establish performance standard mitigation measures:
- The specific details of a mitigation measure, however, may be developed after project approval when it is impractical or infeasible to include those details during the project's environmental review provided that the agency (1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will be considered, analyzed, and potentially incorporated in the mitigation measure.
- Mitigation measures provided in the Draft EIR are consistent with this requirement under CEQA.
- A4-5 The comment states that Draft EIR Mitigation Measure 3.3-1 relies on future consultation with CDFW for designation of no-disturbance buffers and development of appropriate mitigation measures but that CDFW recommends that a botanist provide measures to avoid, minimize, and mitigate impacts on big-scale balsamroot and that these measures should be enforceable and not reliant on CDFW approval for implementation.
- Mitigation Measure 3.3-1 requires that a qualified botanist conduct protocol-level surveys for special-status plants, including big-scale balsamroot, during the blooming period of identified listed species having potential to occur on the project site (approximately March to June). The measure also provides steps to be taken if any special-status plants are found and the requirement to achieve no net loss through preservation, enhancement, creation, or restoration. Because the mitigation measure provides performance standards that must be achieved, the measure is legally enforceable by the County and is consistent with State CEQA Guidelines Section 15126.4(a)(1)(B). This mitigation measure also addresses circumstances in which the special-status plant species are not identified on the project site.
- A4-6 The comment states that Mitigation Measure 3.3-2 relies on future consultation with CDFW for determining protection buffers for occupied burrows and that CDFW recommends avoiding deferred mitigation by developing appropriately sized buffers.

- Draft EIR Mitigation Measure 3.3-2 requires that a qualified botanist conduct burrowing owl surveys within the project site and the 1,500-foot buffer as no burrowing owls are currently known to occur the site but may in the future prior to project construction. The measure also provides steps to be taken if any active burrows are found and includes the requirement to mitigate the loss of occupied habitat in accordance with guidance provided in the CDFW 2012 Staff Report on Burrowing Owl Mitigation. Because the mitigation measure provides performance standards that must be achieved, the measure is legally enforceable by the County and is consistent with State CEQA Guidelines Section 15126.4(a)(1)(B).
- A4-7 The comment states that Mitigation Measure 3.3-3 relies on future consultation with CDFW for determining the size of no-disturbance buffers for nesting birds. The comment also states that the project should disclose all potential activities that may incur a direct or indirect take of nongame nesting birds and that the EIR include appropriate avoidance, minimization, and/or mitigation measures to avoid take.
- Draft EIR Impact 3.3-3 states that the project would result in vegetation removal and conversion of grassland habitat, which could disturb these nesting birds if they are present when project construction occurs, potentially resulting in nest abandonment, nest failure, or mortality of chicks or eggs (see Draft EIR page 3.3-16). Draft EIR Mitigation Measure 3.3-3 limits vegetation removal to the nonbreeding season (September 1 to January 31), requires that a qualified botanist conduct preconstruction surveys for nesting birds, and establish protective buffers for nesting birds identified onsite. The measure also provides steps to be taken if any active nests are found and includes the requirement to establish a no-disturbance buffer, to be determined by the qualified biologist in consultation with CDFW, that would reflect birds' tolerance to construction activities (as suggested in the comment). Because the mitigation measure provides performance standards that must be achieved, the measure is legally enforceable by the County and is consistent with State CEQA Guidelines Section 15126.4(a)(1)(B).
- A4-8 The comment states that all measures to protect nesting birds should be performance based and provides an example of such a measure. The reader is referred to the response to comment A4-7.
- A4-9 The comment states that CDFW recommends that the environmental document include measures that are enforceable and that do not defer the details of the mitigation to the future. Mitigation Measures 3.3-1, 3.3-2, and 3.3-3 all specify that preconstruction surveys and protection measures are to be implemented before construction activities and/or other ground disturbance. The reader is referred to the responses to comments A4-4 through A4-7.
- A4-10 The comment states that CDFW concludes that an EIR is appropriate for the project. Comment noted.
- A4-11 The comment requests that any special-status species and natural communities detected during project surveys be reported to the California Natural Diversity Database. Comment noted. If any special-status species or natural communities are detected during project surveys, they will be reported to the California Natural Diversity Database.
- A4-12 The comment states that the project would have an impact on fish and/or wildlife and that assessment of filing fees is necessary. If the EIR be certified and the project approved, the appropriate fees would be paid concurrent with filing of a notice of determination.
- A4-13 The comment concludes CDFW's comments and provides additional contact information. Comment noted.

<p>Letter A5</p>

From: **Dosanjh, David@DOT** <David.Dosanjh@dot.ca.gov>
 Date: Tue, Jul 28, 2020 at 3:54 PM
 Subject: Comment Letter - Montano De El Dorado - DEIR
 To: montano@edcgov.us <montano@edcgov.us>
 Cc: YOUNT, KEVIN J@DOT <KEVIN.YOUNT@dot.ca.gov>

Dear Tom Purciel,

Thank you for including the California Department of Transportation (Caltrans) in the review process for the project referenced above. The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development-Intergovernmental Review (LD-IGR) Program reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

The attached comments are based on the DEIR and associated documents received.

Please provide our office with copies of any further actions regarding this project or future development of the property. We would appreciate the opportunity to review and comment on any changes related to this development.

If you have any questions regarding these comments or require additional information, please contact me.

David Dosanjh
 Transportation Planner
 California Department of Transportation, District 3
 703 B Street Marysville, CA 95901
 Office: (530) 634-7606
 Email: david.dosanjh@dot.ca.gov
www.dot.ca.gov/d3/

--

Tom Purciel
 Project Planner

County of El Dorado
 Department of Planning and Building
 Planning Services Division
 2850 Fairlane Court
 Placerville, CA 95667
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A5-1

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

Gavin Newsom, Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 3
703 B STREET
MARYSVILLE, CA 95901
PHONE (530) 741-4286
TTY 711
www.dot.ca.gov/dist3



*Making Conservation
a California Way of Life.*

July 28, 2020

GTS# 03-ED-2017-00179
SCH # 2017072027

Tom Purciel
Associate Planner
County of El Dorado
Planning and Building Department, Planning Division
2850 Fairlane Court, Building C
Placerville, CA 95667

Montano De El Dorado Phase I and II Master Plan

Dear Mr. Purciel:

Thank you for including the California Department of Transportation (Caltrans) in the Initial Consultation review process for the project referenced above. The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development-Intergovernmental Review (LD-IGR) Program reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

A5-2

The following comments are based on the recirculated Draft Environmental Impact Report for the Montano De El Dorado Phase I and Phase II Master Plan.

Traffic Operations – Freeway Operations

In the previous NOP phase, the office of Traffic Operations – Freeway Operations requested Vehicle Miles Traveled (VMT) Analysis consistent with SB 743 and the Governor's Office of Planning and Research (OPR) direction. Please revise the TIS to include the requested VMT analysis.

A5-3

The EB US-50 On-Ramp from Latrobe Road has the potential for queuing to exceed the available storage length and must be rebuilt as a 2 Mixed Flow lane plus 1 HOV lane to handle the forecast traffic volume. This project should contribute fair share to this improvement.

A5-4

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

Tom Purciel, County of El Dorado
July 28, 2020
Page 2

Modeling and Forecasting

The included VMT analysis on page 3.12-7 of the DEIR shows an estimated 12,295 VMT even after accounting for mitigation measures. It is still a significant impact.

A5-5

Traffic Operations – Highway Safety

Analysis was performed based on the guidance provided in the LD-IGR Interim Safety Guidance. Please note the following:

- 1. An increase in traffic volumes near the project location after the project is constructed has the potential to impact bicyclists and pedestrians within area. A traffic investigation will need to be completed after project completion to evaluate the impacts of the project on bicyclists and pedestrians.
- 2. An increase in traffic volumes within this location has a potential of creating queuing at on and off ramps at Latrobe Rd.

A5-6

A5-7

Please provide our office with copies of any further actions regarding this project or future development of the property. We would appreciate the opportunity to review and comment on any changes related to this development.

A5-8

If you have any questions regarding these comments or require additional information, please contact David Dosanjh, by phone (530) 634-7606 or via email to david.dosanjh@dot.ca.gov.

Sincerely,

KEVIN YOUNT, Branch Chief
Office of Transportation Planning
Regional Planning Branch—East

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

Letter A5 California Department of Transportation

Kevin Yount, Branch Chief

July 28, 2020

- A5-1 The comment introduces the email attachment that is the complete comment letter from the California Department of Transportation (Caltrans) and requests that copies of any further actions on the project be provided to the agency. Thank you for providing comments on the Draft EIR. Caltrans will receive the Final EIR, which responds to the comments provided, and all future project notices. The reader is referred to the responses to comments A5-2 through A5-8.
- A5-2 The comment discusses the role of Caltrans's Local Development-Intergovernmental Review Program and notes that the comments are based on the recirculated Draft EIR for the Montano De El Dorado Phase I and Phase II Master Plan. Comment noted. The Draft EIR is not a recirculated document.
- A5-3 The comment states that the office of Traffic Operations – Freeway Operations requested a vehicle miles traveled (VMT) analysis consistent with Senate Bill 743 and the Governor's Office of Planning and Research direction during the scoping period. The comment requests that the Transportation Impact Study be revised to include the requested VMT analysis.
- As discussed on Draft EIR page 3.12-5, the County was establishing guidance on VMT analysis methodology, including identifying preferred modeling tools for estimating VMT consistent with Senate Bill 743 and CEQA requirements, during preparation of the Draft EIR. However, the County's current travel demand model was last updated in 2014, before the adoption of the updated State CEQA Guidelines, which implements Senate Bill 743. Therefore, consistent with the air quality and greenhouse gas modeling conducted for the project, the California Emissions Estimator Model was used as the primary tool to model and forecast the net changes in VMT associated with the implementation of the project. Thus, although the VMT analysis was not included in the Transportation Impact Study, it is included in Draft EIR Section 3.12, "Transportation/Traffic."
- A5-4 The comment states that the eastbound U.S. 50 on-ramp from Latrobe Road has the potential for queuing to exceed the available storage length and must be rebuilt to handle the forecast traffic volume. The comment also states that the project should contribute its fair share to this improvement.
- The project will pay County traffic impact mitigation fees. The eastbound U.S. 50 on-ramp improvements are included in the County's 10-Year Capital Improvement Program (CIP) and is Identified as Project Number 71323/36104001.
- A5-5 The comment notes that the VMT analysis on Draft EIR page 3.12-7 shows an estimated 12,295 VMT even after accounting for mitigation measures. The comment expresses the opinion that this is still a significant impact.
- As discussed on page 3.12-7, the analysis in the Draft EIR concluded that the project would result in a net increase in VMT, which would be a significant and unavoidable impact.
- A5-6 The comment states that a traffic investigation will need to be completed after project completion to evaluate the impacts of the project on bicyclists and pedestrians.
- The project would not adversely affect existing or planned facilities and would not result in unsafe conditions for bicyclists and pedestrians (see Draft EIR page 3.12-8). The County will monitor the project area for any potential future safety issues related to bicyclists and pedestrians.
- A5-7 The comment states that an increase in traffic volumes has the potential to create queuing at on- and off-ramps at Latrobe Road.

- The reader is referred to the response to comment A5-4. The intersection of Latrobe Road and the on- and off-ramps for U.S. 50 will be monitored, and the proposed improvements will need to satisfy General Plan policy requirements.
- A5-8 The comment requests that Caltrans be provided copies of any future actions regarding development of the project site. Caltrans will receive the Final EIR, which responds to the comments provided, and all future project notices.

2.4 ORGANIZATIONS

From: [Tom Purciel](#)
To: [Debra Ercolini](#)
Cc: [Rommel Pabalinas](#); [Julie Saylor](#); [Patricia Soto](#)
Subject: Re: PUBLIC NOTICE-Montano De El Dorado Phase I and II Master Plan Project (Z15-0002,PD15-0004,P15-0006,S17-0015) – Notice of Availability of a Draft Environmental Impact Report (DEIR) and Notice of Public Workshop

Letter 01

Thank you. I will forward this to the project record.

On Tue, Jun 2, 2020 at 10:26 AM Debra Ercolini <debra.ercolini@edcgov.us> wrote:

----- Forwarded message -----

From: **El Dorado County Historical Society** <edhistoricalsociety@gmail.com>
Date: Tue, Jun 2, 2020 at 10:23 AM
Subject: Fwd: PUBLIC NOTICE-Montano De El Dorado Phase I and II Master Plan Project (Z15-0002,PD15-0004,P15-0006,S17-0015) – Notice of Availability of a Draft Environmental Impact Report (DEIR) and Notice of Public Workshop
To: Debra Ercolini <debra.ercolini@edcgov.us>
Cc: Mary Cory <mary.cory@edcgov.us>

The El Dorado County Historical Society has already commented on this project, stating that none of our members were aware of any cultural resources on this site that would be threatened by its completion. Nothing has changed.

01-1

----- Forwarded message -----

From: **Planning Department** <planning@edcgov.us>
Date: Fri, May 29, 2020 at 12:16 PM
Subject: PUBLIC NOTICE-Montano De El Dorado Phase I and II Master Plan Project (Z15-0002,PD15-0004,P15-0006,S17-0015) – Notice of Availability of a Draft Environmental Impact Report (DEIR) and Notice of Public Workshop
To:

Please see attached document:

Montano De El Dorado Phase I and II Master Plan Project (Z15-0002,PD15-0004,P15-0006,S17-0015) – Notice of Availability of a Draft Environmental Impact Report (DEIR) and Notice of Public Workshop.

Thank you.

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Debra Ercolini
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 (530) 621-7674 / FAX (530) 642
debra.ercolini@edcgov.us

Tom Purciel
 Project Planner
County of El Dorado
 Department of Planning and Building Planning Services Division
 2850 Fairlane Court
 Placerville, CA 95667
 (530) 621
tom.purciel@edcgov.us
<https://www.edcgov.us/government/Planning>

Letter O1 El Dorado County Historical Society
June 2, 2020

- O1-1 The comment states that no members of the organization are aware of any cultural resources on this site that would be threatened by project development. Thank you for providing comments on the Draft EIR. The reader is referred to Draft EIR Section 3.4, "Cultural and Tribal Cultural Resources," regarding the Draft EIR's analysis of potential impacts on cultural and tribal cultural resources.

<p>Letter O2</p>

From: [Julie Saylor](mailto:jrazzpub@sbcglobal.net)
To: jrazzpub@sbcglobal.net
Cc: [Tiffany Schmid](mailto:Tiffany.Schmid@edcgov.us); [Jeanette Salmon](mailto:Jeanette.Salmon@edcgov.us); [Robert Peters](mailto:Robert.Peters@edcgov.us); [Rommel Pabalinas](mailto:Rommel.Pabalinas@edcgov.us); [Purciel, Tom](mailto:Purciel.Tom@edcgov.us); [Breann Moebius](mailto:Breann.Moebius@edcgov.us)
Subject: Re: Time Extensior for DEIR
Date: Tuesday, June 23, 2020 8:42:06 AM
Attachments: [APAC DEIR Mont extensio.docx](#)

Your public comment sent on Jun 22, 2020 at 7:38 PM has been received for the Montano De El Dorado Master Plan project Draft Environmental Impact Report Public Workshop (Rezone Z15-0002/Planned Development PD15-0004/Tentative Parcel Map P15-0006/Conditional Use Permit S17-0015) that is scheduled on the agenda for the Planning Commission's June 25, 2020 Meeting. Thank you.

Julie Saylor
 Clerk of the Planning Commission

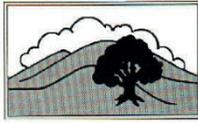
County of El Dorado
 Planning and Building Department
 2850 Fairlane Court
 Placerville, CA 95667
 (530) 621-5351
julie.saylor@edcgov.us

----- Forwarded message -----
 From: **John Raslear** <jrazzpub@sbcglobal.net>
 Date: Mon, Jun 22, 2020 at 7:38 PM
 Subject: Time Extensior for DEIR
 To: <julie.saylor@edcgov.us>

The El Dorado Hills Area Planning Advisory request for a time extension for the attached project

02-1

John Raslear
 Vice Chair APAC
jrazzpub@sbcglobal.net



El Dorado Hills Area Planning Advisory Committee

1021 Harvard Way
El Dorado Hills, CA 95762

2020 Board Chair

John Davey

Vice Chair

Tim White

Vice Chair

John Raslear

6/23/2020

El Dorado County Community Development Agency
Development Services Department, Planning Division

Attn: Planning Commission

2850 Fairlane Court
Placerville, CA. 95667

Subject: Extension DIR Montano De El Dorado Phase I and II Master Plan
Project (Z15-0002,PD15-0004,P15-0006,S17-0015) DEIR

Planning Commission and County Staff,

As per conversations with residents and developer Vinal Perkins , The El Dorado Hills Area
Planning and Advisory Committee asks for an extension to the submitting of comment to the
DEIR to 60 days .

O2-2

APAC appreciates having the opportunity to provide comments. Please send any questions
or suggestions to: EDHAPAC@gmail.com or contact Tim White , 2017 APAC Chair at
tjwhitejd@gmail.com , John Raslear, Vice Chair at jjrazzpub@sbcglobal.net , Secretary
Kathy Prevost at hpkp@aol.com

Sincerely,

John Raslear APCA Vice Chair

CC:
EDCo BOS
Planning Commissioner District 1
APAC read file

El Dorado Hills APAC - Non-partisan Volunteers Planning Our Future

Letter O2 El Dorado Hills Area Planning Advisory Committee

John Raslear, Vice Chair

June 23, 2020

- O2-1 The comment requests a time extension for the public review period for the Draft EIR. The County subsequently extended the public review period for the Draft EIR to July 28, 2020.
- O2-2 The comment requests a time extension for the public review period for the Draft EIR, as discussed between the project applicant and area residents. The County subsequently extended the public review period for the Draft EIR to July 28, 2020.

Letter
03

From: [Tom Purciel](#)
To: [Cori Resha](#)
Cc: [Pat Angell](#)
Subject: Fwd: PUBLIC NOTICE-Montano De El Dorado Phase I and II Master Plan Project (Z15-0002,PD15-0004,P15-0006,S17-0015) – Notice of Availability Extended Public Review Period of the Draft Environmental Impact Report (DEIR)
Date: Wednesday, July 8, 2020 7:55:59 AM
Attachments: [Initial Response Letter 7-8-2020.pdf](#)

----- Forwarded message -----

From: **PGE Plan Review** <PGEPlanReview@pge.com>
Date: Wed, Jul 8, 2020 at 6:19 AM
Subject: RE: PUBLIC NOTICE-Montano De El Dorado Phase I and II Master Plan Project (Z15-0002,PD15-0004,P15-0006,S17-0015) – Notice of Availability Extended Public Review Period of the Draft Environmental Impact Report (DEIR)
To: Planning Department <planning@edcgov.us>
Cc: montano@edcgov.us <montano@edcgov.us>

Dear Tom Purciel,

Thank you for submitting the Montano De El Dorado Phase I & II plans. The PG&E Plan Review Team is currently reviewing the information provided. Should we find the possibility this project may interfere with our facilities, we will respond to you with project specific comments on or prior to the provided deadline. Attached is general information regarding PG&E facilities for your reference. **If you do not hear from us, within 45 days, you can assume we have no comments at this time.**

This email and attachment does not constitute PG&E’s consent to use any portion of its easement for any purpose not previously conveyed. If there are subsequent modifications made to your design, we ask that you resubmit the plans to the email address listed below.

If you have any questions regarding our response, please contact the PG&E Plan Review Team at (877) 259-8314 or pgeplanreview@pge.com.

Thank you,

Plan Review Team

6111 Bollinger Canyon Rd., 3rd Floor

O3-1

Mail Code BR1Y3A San
Ramon, CA 94583
pgeplanreview@pge.com

****This is a notification email only. Please do not reply to this message.**

From: patricia.soto@edcgov.us <patricia.soto@edcgov.us> **On Behalf Of** Planning
Department

Sent: Thursday, July 02, 2020 1:38 PM

Subject: PUBLIC NOTICE-Montano De El Dorado Phase I and II Master Plan Project
(Z15-0002,PD15-0004,P15-0006,S17-0015) – Notice of Availability Extended Public Review
Period of the Draft Environmental Impact Report (DEIR)

*******CAUTION: This email was sent from an EXTERNAL source. Think before clicking links
or opening attachments.*******

Please see attached document:

Montano De El Dorado Phase I and II Master Plan Project
(Z15-0002,PD15-0004,P15-0006,S17-0015) – Notice of Availability Extended Public Review
Period of the Draft Environmental Impact Report (DEIR)

Thank you.

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Planning Services Division
2850 Fairlane Court
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(530) 621
tom.purciel@edcgov.us
<https://www.edcgov.us/government/Planning>

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Plan Review Team
Land Management

PGEPlanReview@pge.com
6111 Bollinger Canyon Road 3370A
San Ramon, CA 94583

July 8, 2020

Tom Purciel
County of El Dorado
2850 Fairlane Ct, Bldg C
Placerville, CA 95667

Ref: Gas and Electric Transmission and Distribution

Dear Tom Purciel,

Thank you for submitting the Montano De El Dorado Phase I & II plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page.
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management



Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: <https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf>

1. **Standby Inspection:** A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.
2. **Access:** At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.
3. **Wheel Loads:** To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. **Grading:** PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.
5. **Excavating:** Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch



wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [$24/2 + 24 + 36/2 = 54$] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 12 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible ($90^\circ \pm 15^\circ$). All utility lines crossing the gas pipeline must have a minimum of 12 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.



11. Cathodic Protection: PG&E pipelines are protected from corrosion with an “Impressed Current” cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E’s facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.



Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. **Buildings and Other Structures:** No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as "**RESTRICTED USE AREA – NO BUILDING.**"
2. **Grading:** Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
3. **Fences:** Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
4. **Landscaping:** Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 15 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
5. **Reservoirs, Sumps, Drainage Basins, and Ponds:** Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
6. **Automobile Parking:** Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
7. **Storage of Flammable, Explosive or Corrosive Materials:** There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.



8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

Letter O3 Pacific Gas and Electric CompanyJuly 8, 2020

- O3-1 The comment states that Pacific Gas and Electric Company (PG&E) will review the project and will respond to the County with project-specific comments if PG&E finds the possibility that the project may interfere with PG&E's facilities.
- Thank you for providing comments on the Draft EIR. The project proposes to connect with existing PG&E infrastructure located adjacent to site and in Phase I and does not propose any activity that would substantially interfere with existing PG&E infrastructure. The Draft EIR states that water, wastewater, drainage, electrical, and telecommunication facilities adjacent to the project site would not require substantial ground disturbance to be extended to the Phase II area of the project site; therefore, extending those facilities would not trigger adverse effects on natural habitats or trees beyond the project site (see Draft EIR page 3.13-7).
- O3-2 The comment introduces the project-specific review. Comment noted.
- O3-3 The comment provides information regarding the application process for PG&E service, project scope, and engineering deposits that may be required. Comment noted. The comment does not address environmental issues evaluated in the Draft EIR, and no further response is necessary.
- O3-4 The comment states that any proposed uses within the PG&E fee strip and/or easement may require a California Public Utilities Commission Section 851 filing and that PG&E will advise if such a filing is necessary. Comment noted. The comment does not address environmental issues evaluated in the Draft EIR, and no further response is necessary.

Letter O4

From: [Tom Purciel](#)
To: [Cori Resha](#)
Cc: [Pat Angell](#)
Subject: Fwd: Montano de El Dorado Phase 2 - Z15-0002 P15-0006 PD15-0004 S17-0015 - DEIR Public Comment
Date: Thursday, July 23, 2020 9:09:22 AM
Attachments: [EDH APAC Montano De El Dorado Phase 2 Subcommittee DEIR Findings.pdf](#)

----- Forwarded message -----

From: **El Dorado Hills Area Planning Advisory Committee** <info@edhapac.org>
Date: Thu, Jul 23, 2020 at 9:00 AM
Subject: Montano de El Dorado Phase 2 - Z15-0002 P15-0006 PD15-0004 S17-0015 - DEIR Public Comment
To: planning@edcgov.us <planning@edcgov.us>, tom.purciel@edcgov.us <tom.purciel@edcgov.us>
Cc: jjrazz@sbcglobal.net <jjrazz@sbcglobal.net>, tjwhitejd@gmail.com <tjwhitejd@gmail.com>, washburn_bew@yahoo.com <washburn_bew@yahoo.com>, Joel Wiley <joelwiley@sbcglobal.net>, Nancy Kniffin-Jennings <nancykj8@gmail.com>, mschrisfish@gmail.com <mschrisfish@gmail.com>, jdavey@daveygroup.com <jdavey@daveygroup.com>, hpkp@aol.com <hpkp@aol.com>, Ellison Rumsey <aerumsey1@gmail.com>, John Richards <jr.gotwake@gmail.com>, Kim Shultz <camom2345@hotmail.com>, Vinal@perkinsgroup.biz <Vinal@perkinsgroup.biz>

Hello Tom,

The El Dorado Hills Area Planning Advisory Committee (EDH APAC) has had two presentations from Montano de El Dorado Phase 2 applicant Vinal Perkins at two consecutive EDH APAC Meetings ([June 10, 2020](#), and [July 8, 2020](#)). EDH APAC formed a subcommittee of voting EDH APAC members and community residents to review the project DEIR, and provide recommendations.

On July 22, 2020 Voting members of EDH APAC received and reviewed the Montano de El Dorado Subcommittee report/recommendations via Zoom meeting. The Voting members in attendance voted to accept the subcommittee recommendations as EDH APAC's response and comments on the project DEIR. The vote was unanimous to support the subcommittee findings.

Ayes: 7- Chair Davey, Vice Chair Raslear, Vice Chair White, Secretary Washburn, Member Wiley, Member Kniffin-Jennings, Member Gaewsky

EDH APAC wishes to extend our appreciation for the significant amount of public outreach provided by project Applicant Vinal Perkins - it is rare that a project applicant participates in such a collaborative fashion, and we believe that this will result in a better project for the El Dorado Hills Community, El Dorado County, and the applicant.

O4-1

EDH APAC would like to offer these comments, questions, and concerns from our subcommittee in response to the DEIR, in advance of the Public Comment period end date of July 28, 2020.

We look forward to reviewing the Final Environmental Impact Report, and its responses, when published.

As always, EDH APAC appreciates the opportunity to provide resident feedback and thoughtful review of proposed development projects in El Dorado Hills.

The Subcommittee report is attached.

Warm regards,

John Davey
2020 Chair
El Dorado Hills Area Planning Advisory Committee
1021 Harvard Way
El Dorado Hills CA 95762
<https://edhapac.org>
info@edhapac.org

--

Tom Purciel
Project Planner

County of El Dorado
Department of Planning and Building
Planning Services Division
2850 Fairlane Court
Placerville, CA 95667
(530) 621-5903
tom.purciel@edcgov.us
<https://www.edcgov.us/government/Planning>

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O4-1
cont.

El Dorado Hills Area Planning Advisory Committee



APAC 2020 Board

John Davey, Chair jdavey@daveygroup.net
 John Raslear, Vice Chair jrazzpub@sbcglobal.net
 Timothy White, Vice Chair tjwhitejd@gmail.com
 Brooke Washburn, Secretary washburn_bew@yahoo.com

1021 Harvard Way, El Dorado Hills, CA 95762
<https://cdhapac.org>

The County of El Dorado Planning and Building Services Department

2850 Fairlane Court
 Building C
 Placerville, CA 95667
 ATTN: TOM PURCIEL

July 9, 2020

Montano Phase II

Montano Sub Committee Final Report / Concerns & Suggestions

Amphitheater

- The Amphitheater will have a significant impact on the residential communities in the area. Amplified sound from amphitheater, which can operate from 7AM to 10 PM will have a significant impact on the quality of life in this area. Amplified music from Relish Burger on the corner of Latrobe and White Rock has prompted complaints from residents in Blackstone, Four Seasons and residents along Monte Verde Drive. O4-2
- Alternatives such a garden setting with benches/gazebo that could be used by patrons and families using the planned restaurants and offices. O4-3
- Hours of operation should be from 8AM to 9PM O4-4
- Additional security by the County Sheriff to patrol the amphitheater that most likely will become a magnet for youth in our community. Additional time will be required by the County Sheriff to answer complaints from residents about this amphitheater. O4-5

Hotel & Building 4

- Line of sight: this project is located on a high elevation that towers over the adjacent residential community. A line of sight study is needed to determine what the height of these building will have on the entire community. Building 4 has a 70ft architectural detail. This exceeds zoning regulations. No building code height exceptions should be permitted. O4-6

Traffic

- Drive-thru and location of large box store in close proximity and within a short distance from the stop light on White Rock will cause a serious traffic build up and may cause drivers to use Monte Verde Drive, a residential community street as an alternate. O4-7
- Residents request signage posted at both entrances of Monte Verde Drive indicating: Residential Street No Through Traffic O4-8

- Place calming striping on the entrance of Monte Verde and calming striping the length of this street. | O4-9
 - A deceleration lane on Latrobe would be needed for vehicles entering the site on Latrobe Road at the southern property entrance. | O4-10
- Exits**
- It has been observed that the existing Right In, Right Out Exit on White Rock Road as part of Phase 1 has not been observed by motorists. The same may become the case for the exit on Latrobe. | O4-11
 - A solution would be to have a median constructed to prevent left out on Latrobe Road and on White Rock Road. |
- Noise/blasting**
- The soil in this area has asbestos and the use of blasting for construction is unacceptable. Hours of construction operation from 7:00 AM to & 7:00 PM weekday and until 5PM on weekends will have a serious impact on neighboring residents Construction on Sundays is not defined and project applicant Vinal Perkins pledged no Sunday Construction. We need this in writing. | O4-12
 - Alternative: no blasting. Construction time 7:30AM to 5:00 PM. No Sunday Construction. |
- Building 8**
- This area could be the site of large box store and a drive-thru. This combination will add to traffic congestion and parking issues. Congestion on Latrobe Road will make the adjacent residential Monte Verde Drive an attractive alternative. | O4-13
 - Alternative: Remove the drive-thru. Place calming striping on the entrance of Monte Verde Drive and calming striping the length of this street. Residents request signage posted at both entrances of Monte Verde Drive indicating: Residential Street No Through Traffic. |
- Trash Collection/Loading Dock**
- Location of loading dock is unsafe for pedestrians and cars coming in and out of shopping center. There is no noise protection for residents when trucks are backing up and unloading. | O4-14
 - The location of trash collection for Building 8, restaurants and hotel must be situated away from residential property. | O4-15
 - | O4-16

Prepared by the Montano Sub Committee APAC:

- John Raslear Vice Chair EDH Area Planning Advisory Committee**
- Christine Gaewsky Creekside Green Resident**
- Julie Leonhardt Creekside Green Resident**
- Lorin Leverenz Creekside Green Resident**

Letter O4 El Dorado Hills Area Planning Advisory CommitteeJuly 23, 2020

- O4-1 The comment provides information related to El Dorado Hills Area Planning Advisory Committee meetings and review of the project. Thank you for providing comments on the Draft EIR. The reader is referred to the responses to comments O4-2 through O4-16.
- O4-2 The comment states that amplified sound from the amphitheater will have a significant impact on residents because existing uses in the Phase I area have prompted noise complaints from residents in multiple areas.
- As discussed on Draft EIR page 3.10-26, the applicable county noise standard for proposed amphitheater events would be 50 decibels (dB) equivalent continuous sound level (L_{eq}) and 65 dB maximum sound level (L_{max}) during daytime hours (7 a.m. – 7 p.m.) and 45 dB L_{eq} and 55 dB L_{max} during evening hours (7 p.m. – 10 p.m.). In addition, Section 130.37.070 of the El Dorado County Code requires outdoor concerts and events using amplified sound systems to obtain a discretionary permit and perform self-monitoring to ensure that sound system levels comply with noise levels specified in the permit's conditions of approval. The analysis noted that noise generated by events at the amphitheater could also exceed the County's evening daytime noise exposure standard at some of the nearest residences, but implementation of Mitigation Measure 3.10-4a (sound barrier) and Mitigation Measure 3.10-6b (operation restrictions) would reduce impacts to a less-than-significant level.
- O4-3 The comment suggests alternative uses of the amphitheater site.
- The Draft EIR evaluated the project as proposed in the planning application, which included the amphitheater. It is noted that the project applicant is considering potential changes to the use of the amphitheater site (e.g., community gathering area). However, no changes to the project design related to the amphitheater have been identified as of preparation of this Final EIR. This comment will be evaluated by County staff, the Planning Commission, and the Board of Supervisors for project consideration.
- O4-4 The comment states that the hours of operation for the amphitheater should be from 8 a.m. to 9 p.m.
- As discussed on Draft EIR page 2-4, except for summertime movie events that may conclude at 10 p.m., all other events at the amphitheater would conclude by 9 p.m. Draft EIR Mitigation Measure 3.10-6b would restrict the use of amplified music or sound to the daytime hours of 7 a.m. – 7 p.m. until it can be demonstrated with sound level measurements conducted during the first two daytime events that the noise generated by amplified events would not expose off-site residences to noise levels that exceed the County's evening noise level performance standards of 45 dB L_{eq} and 55 dB L_{max} . If sound level measurements conducted during the first two daytime events indicate that off-site residences would not be exposed to noise levels that exceed these standards, then events with amplified music or sound can be held on the project site during the evening hours of 7 p.m. – 10 p.m.) (see Draft EIR page 3.10-27). Modification of the hours of the amphitheater operation would be acceptable with implementation of Draft EIR Mitigation Measure 3.10-4a (sound barrier) and Mitigation Measure 3.10-6b (operation restrictions) to address amphitheater noise.
- O4-5 The comment states that additional time will be required of law enforcement to answer complaints about the amphitheater.
- The Draft EIR page 3.11-5 states that the project would not necessitate the expansion of existing or construction of new law enforcement facilities that could create environmental impacts. If any of the special events require private security, the event sponsor would be responsible for securing such services (see Draft EIR page 3.11-5).

- O4-6 The comment states that a line-of-sight study is needed and that an exception to the County's maximum building height should not be permitted.
- Building renderings are provided in Draft EIR Appendix B. The applicant has not provided three-dimensional building renderings as part of the application. The Draft EIR states that site development would alter the visual character of private views for single-family residences along the eastern boundary of the site. Features of Phase II buildings would be within the private rear yard line of sight and would obstruct (but not completely block) some private views to the west based on review of project grading plans and proposed building locations and elevations (see Draft EIR Figures 2-13a and 2-13b and Appendix B). The following prominent buildings would be within these private views because of height and the ground floor elevation:
- ▶ Building 1: 40-foot building height and a ground elevation approximately 35–40 feet higher than residences east of the building,
 - ▶ Building 10: 50-foot building height and a ground elevation approximately 30 feet higher than residences east of the building, and
 - ▶ Building 4: 40-foot building height with a 70-foot spire and a ground elevation approximately 0–10 feet higher than residences east of the building.
- Published CEQA case law has determined that the obstruction of a few private views in a project's immediate vicinity is not generally regarded as a significant environmental impact (see *Bowman v. City of Berkeley* [2004] 122 Cal.App.4th 772 and *Ocean View Estates Homeowners Assn., Inc. v. Montecito Water Dist.* [2004] 116 Cal.App.4th 396).
- Proposed buildings in the Phase II area would be similar in scale and massing to buildings in the Phase I area and in the El Dorado Hills Town Center and would blend into the suburban visual character of the project area from public views along Latrobe Road, as well as distant public views along White Rock Road, Windfield Way, and Golden Foothill Parkway (see Draft EIR page 3.1-11). Thus, no significant visual character impacts are expected. Comments regarding not allowing building height exceptions will be evaluated by County staff, the Planning Commission, and the Board of Supervisors for project consideration.
- O4-7 The comment states that the project will increase traffic and cause drivers to use Monte Verde Drive as an alternative route.
- The traffic analysis did not indicate that there would be a traffic back-up at the noted location. The California Department of Transportation required the applicant to interconnect the signals on Latrobe Road to facilitate flow through the area. A time distance calculation (distance times speed limit) from Monte Verde Drive at Latrobe Road to Monte Verde Drive at White Rock Road indicates that staying on Latrobe Road is the quicker path by about 30 seconds per car. Additionally, a cut through the Montano project site would provide a traffic signal on each end, whereas the Monte Verde Drive at White Rock Road intersection is not signalized.
- O4-8 The comment requests that signage be placed on Monte Verde Drive indicating that no through traffic is permitted through the residential area. Although this comment does not raise questions regarding the analysis or adequacy of the Draft EIR, it should be noted that Monte Verde Drive is a County-maintained roadway and that the County does not post signs restricting traffic on public roadways.
- O4-9 The comment requests that calming strips be placed on Monte Verde Drive. Although this comment does not raise questions regarding the analysis or adequacy of the Draft EIR, it should be noted that the County does not have a traffic-calming program for public roadways.
- O4-10 The comment requests a deceleration lane on Latrobe Road for vehicles entering the site at the southern property entrance.

As shown in Draft EIR Figure 2-3, Latrobe Road would be widened along the project frontage to have three northbound lanes, an 8-foot paved shoulder, and sidewalk from Monte Verde Drive to White Rock Road (matching existing improvements on Latrobe Road constructed with Montano Phase I).

- O4-11 The comment states that motorists do not comply with the restricted turning movements at White Rock Road and requests that a median be constructed to prevent left turns by vehicles exiting the project site at White Rock Road and Latrobe Road. Although the comment does not address environmental issues evaluated in the Draft EIR, the County will monitor this driveway for potential future safety issues.
- O4-12 The comment notes that soils in the area contain asbestos and that blasting activities would affect nearby residents. The comment requests no blasting and further restrictions on construction hours and prohibition of construction on Sundays.
- Impacts related to the disturbance of naturally occurring asbestos (NOA) are not expected to occur because the project site is not located in an area identified as likely having NOA or being within a quarter-mile of areas likely to have NOA (see Draft EIR page 3.2-4). If NOA was discovered, El Dorado County Air Quality Management District's Rule 223 would address NOA emissions during construction activities (see Draft EIR page 3.2-11).
- The geotechnical engineering report prepared for the project stated that blasting may be needed to achieve the cuts identified in the project grading plans (Youngdahl 2017b:4). As required under Draft EIR Mitigation Measure 3.10-1, all noise-generating construction activity shall occur between the hours of 7 a.m. and 7 p.m., Monday through Friday, and between 8 a.m. and 5 p.m. on weekends and on federally recognized holidays. The proposed additional construction timing restrictions could further minimize construction noise but would not avoid the significant impact. The following text changes are made to Mitigation Measure 3.10-1:
- Draft EIR page 3.10-17, the first bullet of Mitigation Measure 3.10-1 is revised as follows:
- ▶ All noise-generating construction activity shall occur between the hours of 7:30 a.m. and 5 p.m., Monday through Friday, and 8 a.m. and 5 p.m. on Saturdays ~~weekends~~, and on federally recognized holidays. No construction shall occur on Sundays.
- O4-13 The comment states that building 8 could be the site of a large box store and drive-thru facility. The comment further states that congestion on Latrobe Road from these uses may cause motorists to use Monte Verde Drive as an alternative route. The comment recommends elimination of the drive-thru facility, placement of calming strips on Monte Verde Drive, and placement of street signage prohibiting through traffic on Monte Verde Drive.
- The proposed drive-thru facility is proposed for building 7 (proposed drive-thru restaurant) and not building 8. The reader is referred to the responses to comments O4-7, O4-8, and O4-9.
- O4-14 The comment states that the location of the loading dock is unsafe for pedestrians.
- Consistent with Phase I, development in the Phase II area would include pavement striping or other methods of clearly delineating pedestrian paths of travel so that drivers would be alert to the possibility of pedestrians in the area (see Draft EIR Figure 2-11b).
- O4-15 The comment states that there is no noise protection from trucks backing and unloading.
- As shown in Draft EIR Figures 2-9a and 2-9b, there would be a wall beyond the southern end of building 8 that would isolate the loading dock area. Implementation of Draft EIR Mitigation Measures 3.10-4a and 3.10-4b would require the construction of a noise barrier that would reduce the level of noise exposure at the residences along Monte Verde Drive by 5 dB and would limit on-site truck deliveries to the hours of 7 a.m. through 7 p.m. (see Draft EIR page 3.10-24).

Implementation of these mitigation measures would reduce truck delivery noise to less than significant.

O4-16

The comment states that the trash collection locations must be moved away from residential property. Comment noted. The reader is referred to the response to comment O4-15, regarding truck noise associated with trash collection.

Letter O5

From: [Tom Purciel](#)
To: [Cori Resha](#)
Cc: [Pat Angell](#)
Subject: Fwd: Montano DEIR Comments
Date: Tuesday, July 28, 2020 3:45:20 PM
Attachments: [Comment Letter re Montano DEIR-Final 7.28.20.pdf](#)

----- Forwarded message -----
From: **Rusty Everett** <edhrustyeverett@gmail.com>
Date: Tue, Jul 28, 2020 at 3:38 PM
Subject: Montano DEIR Comments
To: <montano@edcgov.us>

I am submitting the following comments in regards to the Expansion plans for Montano.

I 05-1

Regards

--

Tom Purciel
Project Planner

County of El Dorado
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July 28,
2020

**Via Email
Only**

El Dorado County Planning and Building
Dept. Planning Division Attention: Tom
Purciel 2850 Fairlane Court Placerville, CA
95667 **Email: montano@edcgov.us**

Re: Comments on Draft Environmental Impact Report Montano
De El Dorado Phase I and II Master Plan [Planning File Nos.
Z15-0002/PD15-0004/P15-0006/S17-0015] And Request for
Special Notice (Gov. Code §65902)

Dear Mr.
Purciel:

I am writing this letter on behalf of myself and Preserve EDH, an association of
residents concerned with preserving the quality of life in El Dorado Hills.

This letter provides comments on the Draft Environmental Impact Report (the “DEIR”) for the Montano De El Dorado Phase I and II Master Plan project (the “Project”). For the reasons stated in detail below, El Dorado County (“EDC”) should decline to further process the proposed Montano Master Plan project, unless substantially contracted. The most important and fatal defect is that the increased adverse traffic and air quality impacts cannot be balanced by benefits to the community. The same services are already offered across the street. These impacts are Significant and Unavoidable, and therefore the Project as proposed should be required to be physically constricted to reduce those aspects which add the most significant air quality and traffic and noise impacts before resubmission to the public for review.

O5-2

Significant and Unavoidable Impacts – Statement of Overriding Considerations

The DEIR concluded that the Project would cause significant and unavoidable impacts for Noise and Vibration and Traffic. [DEIR, 4-19.] There are no specific economic, legal,

O5-3

social, technological, or other benefits from the Project set forth in the DEIR or upon which the County can rely to support Findings (CEQA Guidelines §15091) and a Statement of Overriding Considerations (CEQA Guidelines §15093) for these significant and unavoidable impacts, given the availability of a reduced-project alternative (#3), impacts to adjacent residences (sensitive receptors), and the historic traffic problems in this area.

O5-3
cont.

Because EDC is relying on overall fee contributions for Traffic impacts, instead of Measure E's (formerly Measure Y's) requirements, it is all the more important that each new project have its actual local traffic impact "footprint" reduced to the maximum feasible. The alternatives analysis (discussed below) does not accomplish that goal.

O5-4

Preserve EDH Comments on Draft Environmental Impact Report Montano De El Dorado Phase I and II Master Plan Page 2

Alternatives Analysis

The DEIR failed to adequately analyze Project alternatives. Three alternatives were offered: No project (Alt #1); no amplified music/sound (Alt #2); and removal of only one building out of ten (Alt #3). [DEIR, 5-4.] There was no reasonable consideration of a "mid-size," reduced project alternative, perhaps removal of more than just the retail building (Alt#3) and amphitheater (Alt#2), which combined would address a portion of the extraordinary increases in traffic, GHG, and sound impacts anticipated by the Project. The DEIR must provide a range of reasonable alternatives capable of avoiding or substantially lessening any significant effects of the Project, even if these alternatives would impede to some degree the attainment of the Project objectives or would be more costly. [CEQA Guidelines §15126.6(a).] Since there is no over-arching project need, absolute mitigation of impacts should be El Dorado County's goal. The whole point of requiring evaluation of alternatives in the DEIR is to allow thoughtful consideration and public participation regarding other options that may be less harmful to the environment.

O5-5

O5-6

The DEIR should analyze an alternative modifying the Project in a way that substantively reduces impacts because CEQA requires that impacts be mitigated to the greatest extent feasible. Because the DEIR states, at p. 5-7, that Alt #3 (removal of one building) would cause less impacts to GHG, On-site Noise and VMT (all significant impacts), as well as to utilities and energy consumption, this alternative should be

O5-7

avored over the proposed Project, with more reductions to the Project's size and scope, eliminating even further those uses that have high VMT counts. The DEIR acknowledges, at p. 5-8, that Alt #3 is the environmentally superior alternative. Uses that bring the most traffic will be grocery stores, then music venues, then restaurants, then offices. There is a natural synergy between the offices and restaurants that can be served without imposing as substantial a traffic impact as described in the DEIR and reduces hazardous air quality – that is the balance that needs to be struck to reduce impacts on immediately adjacent neighborhoods and traffic on the street.

O5-7
cont.
O5-8

**Noise and
Vibration**

The Project includes an amphitheater to allow for on-site movie showings and music concerts, creating amplified speech, music, and crowd noise. The DEIR states that significant Long-Term Operational Noise Impacts from On-Site Events would be reduced to a less than significant level because mitigation measures would require compliance with the County Noise Standards and self-monitoring would be imposed. [DEIR, 3.10-26 to 28.] These measures are unenforceable because the Project's mitigation does not expressly place the burden of monitoring and enforcement on the County. Mitigation measures adopted as part of the DEIR must be enforceable through permit conditions, agreements, or other legally binding instruments. [CEQA Guidelines §15126.4(a)(2).] Also, the DEIR states that the speakers would be directed to the south. I personally live approximately 1/3 mile away and submitted a Comment Letter on the NOP for the Project, stating I have already had to make sound complaint calls to the County about the DJ music being played at an existing restaurant in Montano Phase I. [DEIR Appendix A.] Impacts to the adjacent residences must be worse. This mitigation measure (compliance with County Noise Standards and self-monitoring) has not proven effective. At the least, explicit mitigation in the form of sound barriers should be included for the protection of the surrounding

O5-9
O5-10

Preserve EDH Comments on Draft Environmental Impact Report Montano De El Dorado Phase I and II Master Plan Page 3

neighborhoods. Among the benefits of suburban living, a residential owner or tenant's expectation of reasonable quiet in their neighborhood should be protected and preserved by the County. The proposed mitigation measures do nothing to preserve those expected benefits.

The DEIR states that Construction-Generated Noise Levels will exceed standards,

T O5-11

resulting in a significant and unavoidable impact. [DEIR, 3.10-17, 18.] The proposed mitigation places responsibility on the applicant to require its construction contractors to comply with the mitigation measures and is therefore unenforceable for the same reasons specified above.

O5-11
cont.

The DEIR states that Short-Term Vibration Levels will exceed standards, resulting in a significant impact. [DEIR 3.10-18, 19.] The proposed mitigation requires future Geotech evaluations of the geotechnical conditions at the Project site for proposed blast areas which are “not known at this time.” [DEIR, 3.10-20 to 22.] This measure is an improper deferral of analysis. The rock outcroppings are identifiable on the Project site at this time. The DEIR further states that the evaluation shall identify site-specific measures to lessen the potential for structural damage and to reduce the potential for human response from ground vibration associated with construction of the site, and it will be provided to the applicant for review and approval of suggested mitigation. The measures also state that the Project applicant shall require construction contractor(s) to implement the measures identified in the evaluation. Additional mitigation requires the designation of a “disturbance coordinator” employed by the applicant who shall receive all public complaints and be responsible for determining the cause of the complaint and implementing any feasible measures to alleviate the problem. This abdicates the County’s enforcement responsibilities to the applicant, and therefore these measures are unenforceable for the same reasons specified above.

O5-12

Traffic/Transportation

1. Vehicle Miles Traveled (“VMT”) Impacts

The Project will cause a *net increase in VMT* of 15,280 compared to existing conditions, resulting in a significant and unavoidable impact. [DEIR, 3.12-5 to 7.] The DEIR states that due to the location of the Project, the nature of the circulation network surrounding the Project site, and the lack of transit options in the area, it would not be feasible to further reduce VMT. But the Project could be reduced in size to decrease VMT impacts. As discussed under Alternatives, the DEIR states, at p. 5-7, that Alt #3 (removal of one building) would cause less impacts to VMT; therefore, this alternative should be favored over the proposed Project, with even more reductions to the Project’s size and scope (reducing other high traffic uses, such as restaurants and the amphitheater). The DEIR acknowledges, at p. 5-8, that Alt #3 is the environmentally superior alternative. CEQA requires that impacts be mitigated to the greatest extent feasible.

O5-13

2. Road Hazard Impacts

Under Issues Not Discussed Further, the DEIR states that roads would be constructed to County standards, and therefore there are no road design safety hazards from the Project (one of the four transportation impact criteria required to be analyzed under CEQA). [DEIR, 3.12-5 to 7.] The Preserve EDH Comments on Draft Environmental Impact Report Montano De El Dorado Phase I and II Master Plan Page 4

O5-14

DEIR should analyze the Road Safety issues discussed above under **Hazards** at the Project driveway/ intersection at Post Street and White Rock Road.

3. Measure E

Traffic congestion in the Project area resulted in citizen initiatives to force impact mitigation by developers. Measure E (formerly Measure Y) General Plan Policies require a developer to mitigate all project impacts and construct all road improvements necessary to maintain or attain County LOS standards or ensure that construction of the necessary road improvements is included in the County's 20-year CIP. It is our understanding from Measure E proponents that the County has not been upholding the requirements of Measure E which are still in litigation and/or on appeal. The County should not approve a project with such an anticipated increase in VMT while Measure E mitigation and enforcement is still being litigated.

O5-15

4. Baseline Deficiencies

a. Existing Conditions Baseline. The DEIR states that intersection turning

movement counts were conducted in November 2015, December 2016, and March 2017, and roadway segment volumes for the freeway mainline volumes were obtained from Caltrans PeMS data from March 2015 and October 2015. [DEIR, 3.12-8.] However, there have been projects in the area developed since then and the Traffic Study should count trips associated with them, such as Superior Self Storage, Oakmont Senior Living Facility, John Adams Academy, etc.

O5-16

b. Near-Term (2025) Conditions Baseline. The Near-Term (2025) Conditions were determined based on model data provided by the County, and traffic volumes from anticipated growth from Existing Conditions that included the operation of the approved John Adams Academy Project on Latrobe Road and the El Dorado Hills Apartments at Town Center East. [DEIR, 3.12-20.] The traffic study should be updated to move counts from John Adams Academy, which is up and running, from Near-Term to the Existing Conditions section.

O5-17

Planned intersection improvements to the White Rock Road/Stonebriar Drive/Four Seasons Drive, White Rock Road/Valley View Parkway, and Silva Valley Parkway/Tong Road intersections are included in Near-Term (2025) Condition no project operational analysis. What guarantee is there that these improvements will be completed by 2025, such that the improvements in traffic flows can be assumed when considering this project?

O5-18

c. Cumulative Conditions (2035) Baseline. The DEIR states that the Cumulative (2035) Conditions (Baseline) were determined based on model data provided by the County, traffic volumes from approved but not yet constructed and pending projects in the Project vicinity, and capital improvement projects anticipated to occur prior to year 2035. [DEIR, 3.12- 27.] According to the DEIR, the following capital improvement projects were included in Cumulative (2035) Conditions, described in detail to include funding and timing in the County’s Adopted 2018 Capital Improvement Program (El Dorado County 2018). [DEIR, 3.12-27.]

Preserve EDH Comments on Draft Environmental Impact Report Montano De El Dorado Phase I and II Master Plan Page 5

O5-19

- Saratoga Way Extension – Phase 2
- El Dorado Hills Boulevard at Saratoga Way Intersection Improvements
- US 50 and Silva Valley Parkway Intersection (Phase 2)
- US 50 and Empire Ranch Road Interchange
- Wilson Extension

First, a new CIP was adopted on June 9, 2020, and should be referenced in the DEIR instead of the 2018 CIP. Second, there is no guarantee when these improvements will be built. El Dorado County has a long history of pushing projects down the road and changing estimated completion dates in the CIP, a fact which was recently discussed by Committee/Board Members at the July 8, 2020 EDH APAC meeting on the Montano Project. For example, the 2015 CIP shows the US 50/Silva Valley interchange project (Phase 2) construction timeframe as Years 2025-2035 (p. 199). The 2020 CIP now shows the same improvement's construction timeframe as Years 2030- 2040 (p. 192). The 2020 CIP also shows the Saratoga Way Extension – Phase 2 project with a construction timeframe of 2030-2040, outside the cumulative scenario time period. Lastly, it does not appear that US 50/Empire Ranch Road Interchange is included in the CIP, and so timing cannot be confirmed.

O5-19
cont.
O5-20

d. The Project's Overall Cumulative Impacts Analysis (Chapter 4) purports to include probable future projects in the Project vicinity that have the possibility of interacting with the Project to generate a cumulative impact in the Project vicinity, including applications accepted as complete by local agencies and are currently undergoing environmental review, and projects that have been discussed publicly by an applicant or that otherwise become known to a local agency and have provided sufficient information about the project to allow at least a general analysis of environmental impacts. [DEIR, 4-1.] However, the list of projects does not include any projects over in Town Center West, such as Superior Self Storage, Oakmont Senior Living, and the proposed Villages at Town Center West. [DEIR, 4-2 to 4-3.]

O5-21

5. Project Impacts

Under Existing Plus Project conditions, the intersection of Latrobe Road and Golden Foothill Parkway (South) operates at an unacceptable LOS F during the p.m. peak hour. Under Existing Plus Project Conditions, the Project would cause an impact by adding greater than 10 trips to this intersection during the p.m. peak hour. [DEIR, 3.12-41 to 43.]

O5-22

Under Near-Term (2025) baseline conditions, the intersections of Latrobe Road/Town Center Boulevard and Latrobe Road/White Rock Road operate at an unacceptable LOS F during the p.m. peak hour. Under Near-Term (2025) Plus Project conditions, the Project would cause an impact by adding greater than 10 trips to both intersections during the p.m. peak hour. The traffic analysis also identifies

that queuing in the northbound Latrobe Road left-turn pocket would exceed its current capacity by 50 feet under a.m. peak hour conditions in Near-Term (2025) Plus Project Conditions (Appendix F: Table 27). [DEIR, 3.12-41 to 43.]
 Preserve EDH Comments on Draft Environmental Impact
 Report Montano De El Dorado Phase I and II Master Plan
 Page 6

Under Cumulative (2035) Plus Project Conditions, the intersection of Latrobe Road and Town Center Boulevard operates at an unacceptable LOS F during the p.m. peak hour. The intersection of Latrobe Road and White Rock Road operates at an unacceptable LOS F during both the a.m. and p.m. peak hours under Cumulative (2035) Conditions. Under Cumulative (2035) Plus Project Conditions, the Project would add greater than 10 trips to the Latrobe Road and Town Center Boulevard intersection during the p.m. peak hour, and to the Latrobe Road and White Rock Road intersection during both peak hours. In addition, the Project would result in exceedances of queuing criteria at the northbound left-turn pocket at the Latrobe Road and White Rock Road intersection by 57 feet under a.m. peak hour conditions, as well as at the westbound left-turn pocket at White Rock Road and Post Street intersection by 40 feet under p.m. peak hour conditions, that warrant improvement (see Appendix F: Table 27). [DEIR, 3.12-43.]

O5-22
 cont.

6. Mitigation Deficiencies

As mitigation for Existing Plus Project, Near-Term (2025) Plus Project, and Cumulative (2035) Plus Project impacts, the DEIR recommends the following improvements:

- Improvement 1: Latrobe Road and Golden Foothill Parkway (South)
- Improvements 2 and 4: Latrobe Road and Town Center Boulevard
- Improvements 3 and 5: Latrobe Road and White Rock Road
- Improvement 6: White Rock Road and Post Street

O5-23

Mitigation for impacts to Latrobe Road and Town Center Boulevard (Improvements 2 and 4) are identified as the optimization of the Latrobe Road coordinated signal system, as well as the following intersection improvements:

- Reconfigure the westbound approach to include one shared left-through lane and two right-turn lanes.
- Change the intersection signal timing to allow for a permitted overlap phase for the westbound right-turn lanes.

This mitigation is deficient for the following reasons. Caltrans, in its 2017 comment letter on the NOP, questioned the feasibility of mitigation through signal coordination along the El Dorado Hills Blvd./Latrobe Road corridor. The signal coordination project was included in the 2018 CIP (p. 139), but it appears that it has since been removed from the 2019 and 2020 CIPs. Also, we were unable to locate the referenced line item for unprogrammed traffic signal improvements for this area. The last two improvements are also not in the CIP and are located on Town Center Blvd. on either side of Latrobe, portions of which are privately owned. These improvements are mitigation required to be built by the developer for the Town Center East Apartments Project. Therefore, this mitigation is unenforceable and uncertain as to timing.

05-24
05-25

Mitigation for impacts to Latrobe Road and White Rock Road (Improvements 3 and 5) are also identified as the optimization of the Latrobe Road coordinated signal system, as well as various traffic signal improvements that are covered in the CIP under an unprogrammed line item. This mitigation is deficient for the same reasons as above regarding Caltrans' comment and removal
Preserve EDH Comments on Draft Environmental Impact Report Montano De El Dorado Phase I and II Master Plan Page 7

05-26

of the signal coordination project from the 2019 and 2020 CIPs. Also, we were unable to locate the referenced line item for unprogrammed traffic signal improvements for this area. Mitigation for impacts to White Rock Road and Post Street (Improvement 6) allows for post- development monitoring by the applicant and signal re-timing if required. This mitigation is unenforceable because it does not expressly place the burden of enforcement on the County. Mitigation measures adopted as part of the DEIR must be enforceable through permit conditions, agreements, or other legally binding instruments. [CEQA Guidelines §15126.4(a)(2).] Improvements should be required at the time of development, especially considering the safety issues discussed under **Hazards**, below.

05-26 cont.
05-27

Air Quality

The DEIR acknowledges the following nearby sensitive receptors: the adjacent residences (Cresleigh and Creekside Greens Park). [DEIR, 3.2-5.] But there are others that should be considered: El Dorado Estates senior living community (~1,300 feet), Oakmont EDH senior living (~1,500 ft), Heritage EDH senior living (~1,400 ft) and the proposed Villages at Town Center West (senior living) (~1,500 ft).

05-28

1. Asbestos

Project construction would involve extensive ground-disturbing activities to include grading of steep slopes ranging from 3:1 to 5:1, trenching, blasting, and facility construction over approximately 16.8 acres. [DEIR 3.6-2, 3.9-10.] The DEIR states that the northeast corner of the Project site shares a boundary with a location identified as a Quarter Mile Buffer for Found Area of Naturally Occurring Asbestos (“NOA”) (El Dorado County 2018), and that because the Project site itself is on the other side of the boundary line, impacts related to the disturbance of NOA are not discussed further. [DEIR, 3.2-4, 16.] With the close proximity to so many sensitive receptors (noted above) and the extent of the ground-disturbing activities, an asbestos study should be completed and any bore test data, including the data for the bore tests mentioned by the Applicant at the July 8, 2020 EDH APAC meeting, should be made available for public review. If asbestos is found, the Project should be required to halt work, employ containment measures, and comply with El Dorado County Air Quality Management District Rule 223-2, which regulates grading in asbestos areas. [DEIR, 3.8-5.]

05-29

2. Construction Emissions

El Dorado County is non-attainment for both Federal and State Ozone, State PM 10, and Federal PM 2.5. As stated above, the Project site is in close proximity to sensitive receptors. The DEIR has identified a significant impact to sensitive receptors by exposing them to Toxic Air Contaminants from construction-generated emissions. [DEIR, 3.2-19 to 21.] The DEIR insufficiently concludes that implementation of Mitigation Measure 3.2-4 (applicant shall require use of Tier 4 engine equipment or require contractors to demonstrate equipment emits no more than 200 lbs. of diesel per year) would reduce the level of cancer risk exposure at off-site locations to less than the threshold of 10 in one million and therefore impacts would be less than significant, without any discussion of the extent of the impacts. First, this measure is

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05-30

unenforceable because the Project’s mitigation places the burden of enforcement on the applicant, not on the County. Mitigation measures adopted as part of the DEIR must be enforceable through permit conditions, agreements, or other legally binding instruments.

05-30 cont.

[CEQA Guidelines §15126.4(a)(2).] Second, the DEIR must provide facts or analysis to support the inference that mitigation will have an impact on reducing adverse effects, not just a conclusory statement that it will. *Sierra Club v. County of Fresno* (2018) 6 Cal. 5th 502. The DEIR must also make “a reasonable effort to substantively connect a project’s air quality impacts to likely health consequences.” *Sierra Club* makes clear that EIRs must contain a clear and detailed discussion of impact significance determinations, and in particular must explain the nature and magnitude of significant impacts. Table 3.2-1 of the DEIR lists general health effects of various pollutants but does not specify the concentration at which the health effect would occur. In the *Sierra* case, the court concluded that the EIR’s discussion was inadequate, in part, because: (1) the EIR only provided a “general description of symptoms that are associated with exposure to ozone and the discussion of health impacts regarding each type of pollutant is at most a few sentences of general information”; and (2) the “disclosures of health effects fail to indicate the concentrations of which such pollutants would trigger the identified symptoms.” The *Sierra Club* court held that the EIR must provide an adequate analysis to inform the public how its bare numbers translate to create potential adverse impacts.

O5-31

Greenhouse Gas Emissions

The DEIR identifies the Project’s increase in Greenhouse Gas (“GHG”) Emissions as a significant impact. [DEIR, 3.7-9.] The DEIR states that the combined effect of implementation of Mitigation Measures 3.7-1a through 3.7-1c would substantially reduce the project’s GHG emissions and reduce this impact to a less than significant level. [DEIR, 3.7-14.] However, the DEIR states that MMS 3.7-1a and 3.7-1b are to be implemented “to the extent feasible” and “if available” to reduce construction and operational Greenhouse Gas Emissions. [DEIR, 2-42, 3.7- 10, 11.] MM 3.7-1a (applicant shall require use of Tier 4 engine equipment or require contractors to demonstrate equipment emits no more than 200 lbs. of diesel per year) is unenforceable because the Project’s mitigation does not expressly place the burden of enforcement on the County. Mitigation measures adopted as part of the DEIR must be enforceable through permit conditions, agreements, or other legally binding instruments. [CEQA Guidelines §15126.4(a)(2).] Additionally, the terms used in the measures listed in MM 3.7-1b such as “where feasible,” “if available,” “to the extent feasible” and “speculative” violate CEQA, in that mitigation is required to be certain in addition to enforceable.

O5-32

This language amounts to be a big “out” for the developer, because such terms are highly subjective and provide no way for the public or the County to judge whether GHG emissions have been improved as a result of these measures. Ultimately, MM 3.7-1c allows for the purchase of carbon offsets should other mitigation be infeasible, but as discussed under Alternatives, the DEIR states, at p. 5-7, that Alt #3 (removal of one building) would cause less impacts to GHG. Therefore, although as stated above, a further Alternative should be developed which further reduces the traffic impacts of the project, at least Alt. #3 should be favored over the proposed Project, with even more reductions to the Project’s size and scope. The DEIR
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O5-32
cont.

acknowledges, at p. 5-8, that Alt #3 is the environmentally superior alternative. CEQA requires that impacts be mitigated to the greatest extent feasible.

Hazards

The DEIR states that evaluation of potential hazard impacts was based in part on conditions of the Project site as identified in the Phase I Environmental Site Assessment (Youngdahl 2017). This ESA was not included in the Appendices. All documents referenced in an environmental review document must be made available to the public for the entire comment period. [Pub. Resources Code §21092(b)(1).]

O5-33

1. Wildland Fires

The Project site is located in a moderate fire hazard severity zone. [DEIR, 3.8-1, CAL FIRE 2007.] The DEIR states that the developed Project would be better than its existing undeveloped state because it would eliminate existing grasslands that are a potential fuel source for wildland fires and concludes the risk for wildland fires from the Project are less-than-significant. [DEIR, ES-21, 3.8-8.] Given EDH Firefighters’ recent deployment to fight the June 2020 Grant Line Fire that burned over 5,000 acres, the DEIR should include a substantive analysis of this potential impact. The Project site contains multiple rock outcroppings. [DEIR, 3.6-1.] The Project’s blasting of rock outcroppings, assuming the use of explosives, and construction activities have an inherent fire risk, exposing people or structures to a significant risk of loss, injury, or

O5-34

O5-35

death, which the DEIR acknowledges would be a significant impact. [DEIR, 3.8-5.] A Blasting Plan should be required as part of the mitigation to provide information concerning blasting procedures, including the safe use and storage of explosives, and the measures and best management practices (BMPs) that will be implemented to prevent potential adverse impacts to human health, safety, and the environment from the use of explosives during blasting activities. A Fire Prevention and Suppression Plan may also be required.

05-35
cont.

2. Asbestos

See discussion under **Air Quality**, above.

05-36

3. Road Safety

In the DEIR, under a section titled "Issues Not Discussed Further," it states that all roadway improvements associated with development of the Project would be constructed in accordance with applicable County design and safety guidelines, and so the Project would not increase hazards because of a design feature or incompatible uses. [DEIR, 3.12-5 to 7.] However, at the July 8, 2020 El Dorado Hills Area Planning Advisory Committee, the Project was discussed, and concerns were raised over the safety at the existing Montano Phase I driveway (corner of White Rock Road and Post Street). Specifically, White Rock Road reduces to one lane at the Project driveway/intersection, and the right-turn out of the Project heading toward the Silva Valley interchange becomes the merge lane. After turning right out of the Project and heading East, vehicles not only merge with traffic on White Rock Road heading to Target, the Theater, and the

05-37

Preserve EDH Comments on Draft Environmental Impact Report Montano De El Dorado Phase I and II Master Plan Page 10

Silva Valley interchange, but are met with additional traffic exiting from the Cresleigh residential development off Monte Verde Drive just yards away. Especially during peak hour traffic, it presents a safety hazard, and a safety study should be conducted and included in the DEIR to analyze this issue and propose mitigation. Making the situation worse, planned improvements to White Rock Road from this driveway/intersection to the Silva Valley interchange are not scheduled to be constructed until Years 2025-2030, according to the recently adopted 2020 CIP.

Biological Resources

The DEIR, based on an older 2013 Sycamore Consultants Report, identified several special- status plant and animal species that have the potential to occur on the Project site and are protected by CDFW as Species of Special Concern: Balsamroot, the Western Burrowing Owl, and Native Grassland/Shrub Nesting Birds. [DEIR, 3.3-14 to 17.] Although the DEIR states this is a potentially significant impact, it allows the developer to conduct future surveys and future identification of mitigation, which will result in a less than significant impact. MM 3.3-1, etc. First, an updated field Survey should be conducted. Second, there is no evidence set forth in the DEIR as to why these surveys cannot be conducted prior to Project approval. Third, deferral of analysis and identification of mitigation is not allowed under CEQA.

O5-38

Cultural Resources

Archaeological Resources have been identified in the DEIR as a potentially significant impact, but the impact analysis was based on an old report titled *Cultural Resource Assessment of the Proposed Montano De El Dorado Project Area* (Peak & Associates 2013). [DEIR, 3.4-6.] This study is stale and should be updated. Although the DEIR references a 2019 “records” search and site walk, the “records” have not been provided to the public for review. [DEIR, 3.4-3.] The DEIR allows the developer to rely on future identification of mitigation and concludes that the impact has been reduced to a less-than-significant level. The analysis of impacts to human remains was based on “documentary research” but again this information was not provided for public review. CEQA requires that all documents referenced in an environmental review document be made available to the public for the entire comment period. [Pub. Resources Code §21092(b)(1).]

O5-39

Pursuant to Government Code §65902, we hereby request written notice of all meetings and hearings, and any and all public agendas, closed sessions, and/or informational items listed on all future agendas for the Agency regarding the Project. Thank you.

O5-40

Sincerely,
PRESERVE EDH

Rusty Everett 1321 Manchester Drive, El
Dorado Hills, CA 95762

Letter O5 Preserve EDH

Rusty Everett

July 28, 2020

- O5-1 The comment introduces the email attachment. Thank you for providing comments on the Draft EIR. The reader is referred to the responses to comments O5-2 through O5-40.
- O5-2 The comment introduces the letter and provides an overview of concerns regarding the project. The comment also states that the project's significant and unavoidable traffic, noise, and air quality impacts should require the project to be physically constricted to reduce these impacts.
- The Draft EIR states that air quality impacts would be mitigated to less than significant (see Draft EIR pages 3.2-16 through 3.2-21), whereas construction noise, vibration, and VMT impacts would be significant and unavoidable (see Draft EIR pages 3.10-15 through 3.10-21 and 3.12-6 and 3.12-7). The Draft EIR does consider an alternative (Alternative 3) that would reduce the size of Phase II to 113,900 square feet of commercial and office uses.
- O5-3 The comment states that there are no specific economic, legal, social, technological, or other benefits from the project set forth in the Draft EIR and should consider Alternative 3.
- State CEQA Guidelines Section 15091 sets for the required findings that a lead agency must make when approving a project with significant environmental effects. Possible findings include "[s]pecific 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." If the County approves the project, the findings required by State CEQA Guidelines Section 15091 would be required at the time of project approval. The comments regarding Alternative 3 are noted.
- O5-4 The comment states that the County is relying on traffic impact fees instead of the requirements of Measure E.
- A writ of mandate was issued for portions of Measure E. The judgment has been appealed; however, at the time of this response, no court date has been set to hear the appeal. The project's payment of traffic impact fees is consistent with the court-modified Measure E requirements.
- O5-5 The comment states that the Draft EIR did not consider a "mid-size" alternative. The comment further states that because this alternative is missing, the Draft EIR failed to adequately evaluate project alternatives.
- Alternatives were selected consistent with CEQA's direction that an EIR evaluate a range of reasonable alternatives that would feasibly attain most of the project's basic objectives and that can avoid or substantially lessen one or more of the project's significant impacts pursuant to State CEQA Guidelines Section 15126.6(a). The suggested "mid-size" alternative was not clearly defined by the commenter. However, even a 50-percent reduction in Phase II office and commercial square footage would not avoid the project's significant and unavoidable construction noise and vibration impacts because of the extent of grading required for overall site development related to existing topographic conditions. This suggested alternative also would not avoid a net increase in VMT generated or increases in greenhouse gas emissions.
- O5-6 The comment states that the Draft EIR must provide a reasonable range of alternatives. The reader is referred to the response to comment O5-5.
- O5-7 The comment suggests that Alternative 3 be favored over the proposed project.
- As noted on Draft EIR page 5-8, Alternative 3 would be the environmentally superior alternative because of the reduced development of the site. When considering the proposed project, the

- Planning Commission and Board of Supervisors will also consider the project alternatives analyzed in the Draft EIR.
- O5-8 The comment states that Alternative 3 is the environmentally superior alternative. Please see the response to comment O5-7.
- O5-9 The comment states that noise mitigation measures are unenforceable because the mitigation does not expressly place the burden of monitoring and enforcement on the County. The comment also asserts that mitigation measures adopted as part of the Draft EIR must be enforceable through permit conditions, agreements, or other legally binding instruments (State CEQA Guidelines Section 15126.4[a][2]).
- Mitigation measures included in Draft EIR Section 3.10, "Noise and Vibration," would reduce significant noise impacts from project construction, activities, operations, and events by requiring compliance with County noise standards, placement of equipment to reduce noise impacts, site design measures, use of quieter equipment and construction methods, construction of a solid noise barrier, limited truck delivery hours, and prohibitions on certain equipment (i.e., subwoofers). Except for construction noise, all other noise impacts could be reduced to a less-than-significant level with implementation of mitigation measures. The mitigation measures provide clear performance standards by which success of the measures can be confirmed. Any complaints about noise on the project site would be subject to verification and enforcement by the County as required in the mitigation monitoring and reporting program that would be adopted with project approval consistent with State CEQA Guidelines Section 15097. Upon adoption, the mitigation measures become legally binding to the project. Thus, the mitigation measures are enforceable.
- O5-10 The comment identifies concerns regarding noise based on special events at the Phase I site and states that sound barriers should be included for protection of surrounding neighborhoods.
- A noise barrier constructed along the eastern side of the project site, as required by Mitigation Measure 3.10-4a, would reduce the level of noise exposure from noise-generating events on the project site by 5 decibels (dB) at nearby residences. Implementation of Mitigation Measure 3.10-6b would require noise level testing to ensure that applicable noise exposure standards would not be exceeded at off-site residences. Mitigation Measure 3.10-6b would require that no events with amplified sound take place during the nighttime hours of 10 p.m. – 7 a.m. Mitigation Measure 3.10-6b would also require that no events with amplified sound take place during the evening hours of 7 p.m. – 10 p.m. unless testing during at least two daytime events confirms that off-site residences would not be exposed to noise levels that exceed the County's evening noise level performance standards of 45 dB L_{eq} and 55 dB L_{max} . In addition, Mitigation Measure 3.10-6b prohibits the use of subwoofers at outdoor events on the project site because the low-frequency sound generated by subwoofers dissipates less rapidly with distance and is frequently reported as common source of annoyance at residential uses located relatively close to outdoor venues where amplified music occurs (Bollard Acoustical Consultants 2019:21). Mitigation Measure 3.10-6b is aligned with Section 130.37.070 of the El Dorado County Code, which requires outdoor concerts and events using amplified sound systems to obtain a discretionary permit and perform self-monitoring to ensure that sound system levels comply with noise levels specified in the permit's conditions of approval. If the amphitheater violates these special event noise standards, the County would take enforcement actions that could include revocation of the conditional use permit for special events.
- O5-11 The comment states that proposed mitigation to reduce construction noise impacts is unenforceable. The reader is referred to the response to comment O5-9.
- O5-12 The comment alleges that the Draft EIR improperly defers analysis of vibration impacts because proposed blast areas are not yet known. The comment also states that by requiring the applicant to designate a disturbance coordinator, the County is abdicating responsibility for monitoring.

As discussed on Draft EIR page 3.10-18, “blasting *may* be performed” (emphasis added). It is not yet known whether and where blasting may be required because some rock outcroppings may be removed without the use of blasting. Because the location and number of blasting activities that would be needed cannot be known until project construction begins, the Draft EIR’s analysis assumes blasting activities in its analysis and includes Mitigation Measures 3.10-2a and 3.10-2b to reduce potential impacts. Upon adoption, these mitigation measures become legally binding to the project. Thus, the mitigation measures are enforceable by the County. The reader is referred to the response to comment O5-9.

- O5-13 The comment states that the project would cause a net increase in VMT and that Alternative 3 is the environmentally superior alternative. The comment restates information found in the Draft EIR and does not question the analysis or conclusions of the Draft EIR, so no further response is needed.
- O5-14 The comment states that road safety issues should be discussed for the project driveway/intersection at Post Street and White Rock Road.
- The Transportation Impact Study prepared for the project and included as Appendix F of the Draft EIR includes a discussion of current traffic issues in the local area (see the “On-Site Transportation Review” section beginning on page 49 of that document). No significant safety issues were identified.
- O5-15 The comment states that the County should not approve a project with an anticipated increase in VMT while Measure E mitigation and enforcement is still being litigated
- Measure E does not address VMT impacts, so approval of projects that increase VMT is not precluded.
- O5-16 The comment states that new projects have been built in the area since the intersection turning movement counts were performed.
- The Transportation Impact Study was conducted in compliance with the County Transportation Impact Study Guidelines. The study was originally created to reflect the conditions when the application was deemed complete. The traffic volumes have been updated as needed and the analysis updated accordingly. The John Adams Academy was assumed to be developed under near-term conditions.
- As identified in Draft EIR Section 3.12, “Transportation/Traffic,” traffic operations and delay impacts no longer constitute a significant impact under CEQA.
- O5-17 The comment states that the traffic study should be updated to move counts from John Adams Academy.
- The reader is referred to the response to comment O5-16. John Adams Academy was not operational in its current location when the traffic analysis was conducted and therefore was not considered under the existing conditions scenario.
- As identified in Draft EIR Section 3.12, “Transportation/Traffic,” traffic operations and delay impacts no longer constitute a significant impact under CEQA.
- O5-18 The comment questions whether there is a guarantee that planned intersection improvements will be completed by 2025
- The improvements at the listed intersections correspond to either the Capital Southeast Connector project or the Silva Valley Parkway Interchange. The improvements at the Silva Valley Parkway/Tong Road intersection are already in place. The assumptions of the improvements for the Southeast Connector (White Rock Road) are based on the 2018 CIP and information provided by Capital Southeast Connector Joint Powers Authority staff. The County’s CIP is the County’s best estimate of when projects will be completed.

- As identified in Draft EIR Section 3.12, "Transportation/Traffic," traffic operations and delay impacts no longer constitute a significant impact under CEQA.
- O5-19 The comment states that the Draft EIR should use the new CIP, which was adopted on June 9, 2020, instead of the 2018 CIP.
- The County's CIP document is the County's best estimate of when projects will be completed. The Draft EIR was released for public review before the 2020 CIP was approved. As identified in Draft EIR Section 3.12, "Transportation/Traffic," traffic operations and delay impacts no longer constitute a significant impact under CEQA.
- O5-20 The comment states that there is no guarantee that improvements would be built and that improvement timing cannot be confirmed.
- The Traffic Impact Fee Program and the CIP have major updates every 5 years. The major updates look at the projections and determine whether the previous assumptions are still appropriate. Adjustments are made to represent the latest growth projections. As an example, the last major update greatly reduced the growth assumptions for the County. This in turn changes the timeframe for the need for construction of improvements. The U.S. 50/Empire Ranch Road Interchange is in the City of Folsom and therefore would not be included in El Dorado County's CIP. According to the City of Folsom's website, the City intends to complete final design of the interchange and hopes to initiate construction by 2023.
- As identified in Draft EIR Section 3.12, "Transportation/Traffic," traffic operations and delay impacts no longer constitute a significant impact under CEQA.
- O5-21 The comment states that the Draft EIR's list of cumulative projects does not include projects in Town Center West related to traffic impacts.
- The Transportation Impact Study traffic operations analysis was prepared prior to the submittal of these specific project applications (see Draft EIR Appendix F:29). The estimation of VMT was based on the California Emissions Estimator Model (CalEEMod) model to forecast the net changes in VMT associated with the implementation of the project (see Draft EIR page 3.12-5). CalEEMod estimates of project VMT generation do not factor other projects or land uses in the surrounding area. Therefore, consideration of these projects would not alter the VMT impact conclusions of the Draft EIR.
- O5-22 The comment provides a summary of project level of service and queueing impacts. Comment noted. As identified in Draft EIR Section 3.12, "Transportation/Traffic," traffic operations and delay impacts no longer constitute a significant impact under CEQA.
- O5-23 The comment provides a recap of project mitigation. As identified on Draft EIR pages 3.12-8 through 3.12-49, these are not mitigation measures under CEQA but an operational analysis that identifies recommended improvements.
- Comment noted. As identified in Draft EIR Section 3.12, "Transportation/Traffic," traffic operations and delay impacts no longer constitute a significant impact under CEQA.
- O5-24 The comment states that project mitigation is deficient and that the referenced line item for unprogrammed traffic signal improvements could not be found.
- The project referenced in the 2018 CIP is the Traffic Signal and Intersection Operational Improvements. These improvements are included in the latest 2020 CIP on page 208. This is the referenced line item for unprogrammed traffic signals for the entire County, not just El Dorado Hills.
- As identified in Draft EIR Section 3.12, "Transportation/Traffic," traffic operations and delay impacts no longer constitute a significant impact under CEQA.
- O5-25 The comment states that the last two improvements are also not in the CIP and therefore that the mitigation is unenforceable and uncertain as to timing.

- Improvement #5, Latrobe Road and White Rock Road, is the responsibility of the project and would be constructed concurrently with site development. The County would ensure that this improvement is constructed by the applicant. Improvement #6, White Rock and Post Street, is also the responsibility of the project, with post project monitoring to be conducted by the County. Monitoring by the County would ensure that General Plan transportation policies are satisfied.
- As identified in Draft EIR Section 3.12, "Transportation/Traffic," traffic operations and delay impacts no longer constitute a significant impact under CEQA.
- O5-26 The comment states that mitigation requiring improvements #3 and #5 is deficient.
- The Transportation Impact Study identified that improvements #3 and #5, combined with the other recommended improvements, would be sufficient to mitigate the project's Impacts. Refer to Table 26, "Intersection Levels of Service - Cumulative (2035) plus Proposed Project Mitigated Conditions," from the Traffic Impact Study prepared by Kimley-Horn dated February 1, 2019 (included as Appendix F of the Draft EIR).
- As identified in Draft EIR Section 3.12, "Transportation/Traffic," traffic operations and delay impacts no longer constitute a significant impact under CEQA.
- O5-27 The comment states that the mitigation requiring improvement #6 is unenforceable.
- The County would monitor the intersection and require the applicant to perform retiming of the signal if conditions warrant. As identified in Draft EIR Section 3.12, "Transportation/Traffic," traffic operations and delay impacts no longer constitute a significant impact under CEQA.
- O5-28 The comment states that other nearby sensitive receptors should be considered in addition to the adjacent residents.
- The air quality analysis in Draft EIR Section 3.2 uses the distance to the nearest sensitive receptors as the basis for evaluating impacts on all sensitive receptors. Although there may be other sensitive receptors in the vicinity, including those mentioned in the comment, they are located farther from the project site. Thus, the use of the nearest sensitive receptors is the benchmark for the analysis because impacts are less as distance increases.
- O5-29 The comment notes the prevalence of NOA in the area and states that if asbestos is encountered, the project should be required to stop work, employ containment measures, and comply with El Dorado County AQMD rules regarding asbestos.
- As discussed on Draft EIR page 3.2-11, the presence of NOA on the site triggers specific County requirements and additional recommendations as listed in AQMD Rule 223-2. Although the project site has not been identified as an area that may contain asbestos (see Draft EIR page 3.2-4), compliance with AQMD rules and County General Plan policies would be required if NOA is encountered.
- O5-30 The comment states that Mitigation Measure 3.2-4 is unenforceable.
- Although the project applicant is responsible for implementing the mitigation measure, the County has the responsibility to confirm and enforce mitigation measures. The reader is referred to the response to comment O5-9.
- O5-31 The comment states that the Draft EIR must include facts and/or analysis to support the statement that mitigation would reduce adverse health effects as required by *Sierra Club v. County of Fresno* (2018) 6 Cal. 5th 502.
- The Draft EIR addresses the potential health risk from exposure to construction- and operation-related emissions on Draft EIR pages 3.2-17 and 3.2-18, consistent with *Sierra Club v. County of Fresno* (2018) 6 Cal. 5th 502. Public health exposure to toxic air contaminants is addressed on Draft EIR pages 3.2-20 and 3.2-21.

- O5-32 The comment states that Draft EIR Mitigation Measures 3.7-1a through 3.7-1c are unenforceable because enforcement is not given to the County. The comment also states that Alternative 3 should be favored over the proposed project.
- The reader is referred to the response to comment O5-9 regarding the County's authority for enforcement. DEIR Mitigation Measure 3.7-1c requires offset of remaining project emissions that cannot be mitigated by Mitigation Measure 3.7-1a and 3.7-1b (see Draft EIR pages 3.7-13 and 3.7-14). The comment favoring Alternative 3 is noted but does not specifically comment on the analysis or conclusions of the Draft EIR. Therefore, no further response is needed.
- O5-33 The comment states that the Phase I environmental site assessment was not included in the appendices.
- All materials referenced in the Draft EIR are available for public review through the El Dorado County Planning and Building Department, Planning Division.
- O5-34 The comment states that the Draft EIR should include a substantial analysis of potential wildfire impacts.
- Impact 3.8-3 of the Draft EIR evaluated the project's potential related to wildfire and concluded that the project would have a less-than-significant impact because commercial development is located within a developed suburban area and would include buildings, paved conditions, maintained landscaping, and the extension of water and fire hydrant infrastructure that would substantially reduce the potential for wildland fire hazards (see Draft EIR page 3.8-8).
- O5-35 The comment states that the Draft EIR should evaluate fire risk from construction activities and may be required to prepare a fire prevention and suppression plan.
- The project would be required to adhere to all applicable codes and regulations from the El Dorado Hills Fire Department regarding building practices and fire safety during all construction activities.
- O5-36 The comment references comment O5-29. The reader is referred to the response to comment O5-29.
- O5-37 The comment states that a safety study should be done for roadway improvements.
- The reader is referred to the response to comment O5-14. No significant safety issues have been identified. The County would continue to monitor the area for potential future safety issues.
- O5-38 The comment states that biological resource surveys should be conducted before project approval to avoid deferral of analysis and mitigation.
- As discussed on Draft EIR page 3.3-1, preparation of the biological resources analysis included records searches, review of photographs, and reports that included site evaluation. The surveys required by the mitigation measures are typical for an Draft EIR and include requirements regarding survey timing, avoidance, and compensation. The surveys performed during preparation of the Draft EIR are usually general in nature, designed to determine what species may be present or capable of being present on a site. The surveys required by the mitigation measures are more detailed and must generally be performed within a certain window of time before ground disturbance to determine if special-status species would be present when construction starts. Because the measures include provisions for avoidance and compensation, the measures do not improperly defer analysis or mitigation. The reader is referred to the responses to comments in Letter A4.
- O5-39 The comment states that references related to cultural resources were not provided to the public for review.
- All materials referenced in the Draft EIR are available for public review through the El Dorado County Planning and Building Department, Planning Division. It should be noted, however, that information regarding the location, character, or ownership of a cultural resource is exempt from the California Public Records Act under Government Code Section 6254.10 and is not made available to the public.

O5-40 The comment requests written notice of all meetings and hearings and any and all public agendas, notice of closed sessions, and/or informational items listed on all future agendas for the County regarding the project. The comment is noted. The County will provide the commenter all future notices for the project.

2.5 INDIVIDUALS

Letter
I1

Original Message-----

From: Tom Purciel <tom.purciel@edcgov.us>
To: nancywws@aol.com
Sent: Tue, Jun 2, 2020 8:24 am
Subject: Re: {edcquestions} DEIR availability

Nancy,

Thank you for your comment on this project. The DEIR and appendices are available online at the Planning Services webpage: <https://www.edcgov.us/planning>.

Regards,

On Tue, Jun 2, 2020 at 8:20 AM Planning Department <planning@edcgov.us> wrote:

Please see forwarded message requesting DEIR access prior to workshop for Montano De El Dorado Phase I and II.

----- Forwarded message -----

From: **Kathy Krizl** <kathy.krizl@edcgov.us>
Date: Tue, Jun 2, 2020 at 8:02 AM
Subject: Re: {edcquestions} DEIR availability
To: <nancywws@aol.com>, Planning Department <planning@edcgov.us>
Cc: edcquestions@edcgov.us <edcquestions@edcgov.us>

Forwarding your request to the Planning Department for response...

Kathy Krizl
Web Development
El Dorado County IT
(530) 621-5416
kathy.krizl@edcgov.us

On Sun, May 31, 2020 at 1:53 AM nancywws via IT-Edcquestions-m <edcquestions@edcgov.us> wrote:

Hello,
I read the land use notice:

- [**Montano De El Dorado Phase I and II Master Plan Project-Notice of Availability of a Draft Environmental Impact Report \(DEIR\) and Notice of Public Workshop \(Z15-0002_PD15-0004_P15-0006_S17-0015\)**](#)

which appears to have no place for public viewing during the pandemic. Will the DEIR be available on line? Before the public workshop?

Thanks,

Nancy DeRodeff

--

Tom Purciel
Project Planner

County of El Dorado
Department of Planning and Building
Planning Services Division
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<https://www.edcgov.us/government/Planning>

I1-1

Letter I1 **Nancy DeRodeff**
May 31, 2020

I1-1 The comment requests information regarding document availability. Thank you for providing comments on the Draft EIR. The Draft EIR is available on the County's website at <http://www.edcgov.us/government/planning>.

**Letter
I2**

To whom it may concern,

I am a resident of Creekside Greens in El Dorado Hills, CA (6010 Ventura Way). My wife and I are concerned with the proposed Montano DEIR construction, in particular the amphitheater that is in the current proposal and the noise it would bring with it.

We have heard reassurance that the concerts will be "small, infrequent, and mostly during the day" but I am unaware how the builder plans to enforce these promises. While I do not have young children, loud concerts, even if during the day, would be a real nuisance for those with small children who need to nap during the day.

The Thursday night concerts in the Town Center are audible as it is (and I live more on the other side of the neighborhood), so having an amphitheater directly adjacent to our neighborhood would be a noise nuisance.

As a homeowner in this neighborhood, I would like to know why this amphitheater cannot be put in any of these other areas where it's not abutting many homes (see below).

Thank you for your consideration.

Regards,
Josh

I2-1

Letter I2

Josh Carroll

June 11, 2020

I2-1

The comment expresses concerns about noise from the project and questions whether the amphitheater could be moved to another location on the project site.

Thank you for providing comments on the Draft EIR. The reader is referred to the responses to comments O4-2, O4-3, O4-4.

Letter
13

From: **Draper, Kerry K** <kerry.k.draper@intel.com>
Date: Tue, Jun 23, 2020 at 12:06 PM
Subject: Attn: Tom Purciel - Montano Project - Attn Planning Commission
To: montano@edcgov.us <montano@edcgov.us>
Cc: Dan Draper <klymber01@outlook.com>, Kerry Draper <mrsberri@outlook.com>

Hi Tom:

I am a resident that purchased a home directly behind the proposed Phase II development of the Montano Project in 2005. I do not like to think of moving, however when I think of what has been proposed to be built so close to my neighborhood, the thought of selling my home sadly crosses my mind.

I3-1

While I think there has been value added as a result of development in our area with respect to Montano Phase I and the overall Town Center, **I oppose the development of Montano Phase II directly behind the community where I live.** I believe our home values will decrease if this proposed development is approved. I also believe that there will be substantial impact to the thoroughfare of our small community (on Monte Verde Drive) in the way of additional speed/traffic and parking.

My primary concerns for this development are:

Direct Noise Impact to our community:

- I oppose the building of an amphitheater directly behind our homes. I do not believe that any guidelines to respecting the noise level will be adhered. I believe that building an amphitheater will not enhance the community as the proposed site is not the right location for an amphitheater. The proposed site is not a venue where people gather, nor did the Builder imply this was his main focus. There are homes directly in the vicinity of this proposed area that will be impacted by noise as well as home value. Please do not build this here; it makes no sense and does not add community value.
- Hotel Structure: While retail shops have common open/close times and are not primarily venues that create noise disturbances, I believe that building a hotel directly behind our Creekside Greens neighborhood would cause a noise and possible crime impact. I also believe that our home values would decline as a result of having a hotel directly behind our neighborhood. I personally would not have moved into Creekside Greens if I saw any hotel behind our property. Additionally, I have concerns about a ‘moderately priced’ hotel raising crime, noise and parking statistics in this area. I respectfully ask that you review the noise impact as well as the resale values of homes around this proposal and decline this part of the project.
- Impact to neighbors/Monte Verde Drive: While the builder has attempted to plan for traffic on Latrobe and White Rock Road, nobody has addressed the fact that there is a small community of homes directly behind the Development with a street that offers the public a means of traveling to/from the proposed development. Monte Verde Drive is the homeowners main thoroughfare to access in/out of our community. When other Town Center Events are going on (such as the Third of July celebration), Monte Verde Drive has seen substantial traffic, speeders, and parking obstructions. I believe that building a hotel and amphitheater directly behind our community will impact Monte Verde Drive with parking and speeding cars. As part of the proposal and to ‘salvage’ Monte Verde Drive from impact, I would ask that the Builder consider purchasing the neighboring community a ‘gated’ entrance at both ends of Monte Verde to suspend this problem. If the community had gates at both ends, this would control the Montano Phase II Development traffic/parking/crime from spilling over into our neighborhood.

I3-2
I3-3
I3-4

In summary, I oppose Montano Phase II from being developed so close to my home. We love our neighborhood. We tolerate the crime and noise that Montano Phase I has brought us (see 36 Handles noise from concerts; see crime logs as a result of a shooting in Montano Phase I and multiple bank robberies). Montano Phase I has brought us some good things but mostly more crime and noise. Luckily Phase I is on the edge of our neighborhood. Now you will be putting Phase II directly behind our homes. If you approve this, you will impact home values, crime and noise. We moved here to get away from that. Please ask the Builder to modify his proposal and a) remove the amphitheater, 2) remove the hotel, and 3) implement Creekside Greens with a gated community feature. I am sure the Builder has land that he can build on that is not 200 feet away from the back of a homes where families are being raised.

I3-5

Finally, it is our understanding that the builder is unable to meet with residents until Mid-July. For this reason, I sincerely request that you extend time for residents impacted to have this meeting and respond to the Planning Commission with our input.

I3-6

Kerry Draper

916-337-0896

--

Tom Purciel
Project Planner

County of El Dorado
Department of Planning and Building
Planning Services Division
2850 Fairlane Court
Placerville, CA 95667
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<https://www.edcgov.us/government/Planning>

Letter I3**Kerry Draper**

June 23, 2020

- I3-1 The comment expresses opposition to the project and states that the project would result in traffic, parking, and property value impacts.
- Thank you for providing comments on the Draft EIR. As identified in Impact 3.12-1, the project would increase vehicle miles traveled, which would be a significant impact. State CEQA Guidelines Section 15064.3, "Determining the Significance of Transportation Impacts," which was certified on December 28, 2018, states that "a project's effect on automobile delay shall not constitute a significant impact." Therefore, increased traffic and delay is no longer considered the basis for an environmental impact under CEQA. However, the delay-based traffic operations analysis in the Montano De El Dorado Transportation Impact Study, consistent with County General Plan transportation policy requirements, is presented in Section 3.12.4, "Non-CEQA Traffic Operations Analysis," and provides information regarding traffic and delay.
- CEQA is an environmental protection statute that is concerned with identifying and mitigating foreseeable project-related physical changes in the environment. Significant effects on the environment are substantial, or potentially substantial, adverse changes in any of the physical conditions in the area affected by implementation of the project, including conditions related to land, air, water, biological resources, noise, and objects of historic or aesthetic significance. Although economic or social changes may have an indirect effect, economic or social changes alone are not considered significant effects on the environment. State CEQA Guidelines Section 15064(e) provides that economic and social changes resulting from a project shall not be treated as significant effects on the environment (see also State CEQA Guidelines Sections 15358[b], 15064[e], and 15382). Examples of socioeconomic effects that are typically not evaluated under CEQA include effects on property values, health care, job opportunities, and property taxes and impacts on specific businesses. However, the economic impacts of the project will be considered by staff, the Planning Commission, and the Board of Supervisors in their deliberations on whether to approve the project.
- I3-2 The comment expresses opposition to the amphitheater, citing concerns about noise and effects on property value.
- The reader is referred to the responses to comments O4-2, O4-3, O4-4, and O5-10.
- I3-3 The comment expresses opposition to the hotel, citing effects related to noise, crime, and property value.
- Noise associated with the hotel would include that from guest vehicles; mechanical equipment; and delivery vehicles, such as trucks. Draft EIR Impact 3.10-3 evaluated traffic noise and concluded that the project's impact would be less than significant. Draft EIR Impact 3.10-4 evaluated noise from on-site activities, such as truck deliveries. With implementation of Draft EIR Mitigation Measures 3.10-4a and 3.10-4b, the impact would be reduced to a less-than-significant level. Draft EIR Impact 3.10-5 evaluated noise impacts from stationary or area sources, including emergency generators, HVAC equipment, food storage cooling units, and truck loading and delivery activities. With implementation of Draft EIR Mitigation Measures 3.10-5a, 3.10-5b, and 3.10-5c, noise impacts from these sources would be reduced to a less-than-significant level.
- The reader is referred to the response to comment I3-1, regarding property value.
- I3-4 The comment requests that the builder install gates at each end of Monte Verde Drive.
- Monte Verde Drive is a public roadway that is maintained by the County. Public roadways are open to all, and no gates are permitted.

- 13-5 The comment expresses opposition to the project and requests that the applicant remove the amphitheater, remove the hotel, and install gates for Creekside Greens.
- The hotel and amphitheater remain part of the proposed project. This comment will be included in the project record before the Planning Commission and Board of Supervisors. The reader is referred to the responses to comments 13-2, 13-3, and 13-4.
- 13-6 The comment requests an extension of the public review period to allow residents to meet with the project applicant. The County subsequently extended the public review period for the Draft EIR to July 28, 2020.

Letter
I4

From: **Chrissy Gaewsky** <mschrisfish@gmail.com>
Date: Wed, Jun 24, 2020 at 12:47 PM
Subject: Montano Pase II DEIR concerns
To: <montano@edcgov.us>

El Dorado County Planning and Building Department
Planning Division
Attention: Tom Purciel
2850 Fairlane Court, Placerville, CA 95667

To Whom It May Concern:

I am writing in regards to the Montano Phase II plans. As a resident of Creekside Greens I have some concerns, questions and requests for modifications in order to maintain a good neighbor status.

I4-1

The biggest concerns are noise, safety within our neighborhood and traffic increase. Below I have listed my concerns, questions and any modification I feel are appropriate:

1. With an increase in traffic and an additional light for Latrobe entrance into the development, how will traffic be diverted from our neighborhood so it is not used as a cut thru? Can the developer include a sign "private residence" on both side of Monte Verde and can speed humps/reverse speed bumps be considered to further deter fast speeds and shortcuts?

I4-2

2. Can the South exit (closest to Monte Verde) be made into an exit only. The light out of our neighborhood is not sensitive to turning right. The hill to the left makes visibility low for oncoming traffic. This traffic is moving at high speeds making residents have to significantly increase start speed immediately. Removing the South entrance would minimize traffic near our entrance and ease our ability to exit our neighborhood.

I4-3

3. Can the retaining wall along the residence located on Monte Verde be increased from 8 feet to 10 feet and will the easement between residential properties and retaining wall be maintained from Phase I?

I4-4

4. Can construction hours or days be modified? With building so close to residents the worry of noise and dust cannot be easily solved, but the amount of time residents will have to deal with the noise daily can be modified. I4-5

5. Our neighborhood has seen its fair share of crime associated with Phase I- January 2015: shooting at 36 Handles. July 2016: Robbery at US Bank and suspect ran through our neighborhood. This is somewhat expected living close to a shopping center, but with more shops proposed the concerns are increased. Will there be onsite security like the Town Center? I4-6

a. To mitigate the concerns of security I support Alternative 3 listed in the DEIR to remove Building 8, the grocery store. This type of business will increase transient traffic, increase noise due to loading dock and garbage services, but also pose as an increase security risk that “boutique” shops would not cause. I4-7

6. The amphitheater is a concern in terms of noise and traffic that may overflow into our neighborhood. What is the capacity of the amphitheater? What will be done to discourage overflow parking into our neighborhood? Is the builder open to replacing it with something also family friendly: fountain; soft, small climbing area for kids; small splash pad? I4-8

a. If the amphitheater is approved the residents would request stringent noise restrictions such as sound level meter to monitor sound levels and keep events small to contain the need for overflow parking. I4-9

My final request is the builder supply residents with line of sight visual for residents along Monte Verde. Due to the grading of the lot it is difficult to visualize what Building 4, with its large architectural detail, Building 2 and the hotel will look like in the backyards of residents. I4-10

Thank you for your time and consideration,
Christine Gaewsky
Concordia Drive

--
Tom Purciel
Project Planner

County of El Dorado
Department of Planning and Building
Planning Services Division
2850 Fairlane Court
Placerville, CA 95667
(530) 621-5903
tom.purciel@edcgov.us
<https://www.edcgov.us/government/Planning>

Letter I4 Christine Gaewsky

June 24, 2020

- I4-1 The comment introduces concerns regarding noise, safety, and traffic. Thank you for providing comments on the Draft EIR. The Draft EIR addresses noise impacts in Section 3.10, "Noise and Vibration"; law enforcement in Section 3.11, "Public Services"; and transportation in Section 3.12, "Transportation/Traffic."
- I4-2 The comment requests that signs and speed bumps be installed along Monte Verde Drive to deter drivers from using it for shortcuts and speeding.
- Monte Verde Drive is a County-maintained roadway, and the County does not post signs restricting traffic on public roadways. The El Dorado Hills Fire Department does not allow traffic-calming devices that would slow its response time. Vertical traffic-calming devices, such as speed bumps, are prohibited. The reader is referred to the responses to comments O4-7 and O4-8.
- I4-3 The comment requests that the southern driveway be designed for exit-only movement to minimize traffic on Monte Verde Drive.
- As shown in Draft EIR Figure 2-3, Latrobe Road would be widened along the project frontage to have three northbound lanes, an 8-foot paved shoulder, and sidewalk from Monte Verde Drive to White Rock Road (matching existing improvements on Latrobe Road constructed with Montano Phase I). Therefore, the project would provide for additional lanes of travel, which would reduce the potential for traffic on Monte Verde Drive from vehicles turning right onto northbound Latrobe Road.
- A time distance calculation (distance times speed limit) from Monte Verde Drive at Latrobe Road to Monte Verde Drive at White Rock Road indicates that staying on Latrobe Road is the quicker path by about 30 seconds per car.
- I4-4 The comment asks whether the retaining wall along the residences could be increased from 8 feet to 10 feet. The comment also asks whether the easement between residential properties and the retaining wall from Phase I will be maintained.
- Mitigation Measure 3.10-4a requires the construction of a noise barrier measuring at least 8 feet in height relative to the truck pass-by route elevation along the eastern boundary of the site. This height was determined based on the results of the technical analysis provided in the Environmental Noise Assessment conducted by Bollard Acoustical Consultants in December 2018 and revised in October 2019 (see Draft EIR Appendix E). The 8 feet in height can be achieved by a sound wall, a retaining wall, or a combination of the sound wall and retaining wall, provided the barrier blocks line of sight to the residential backyards. The barrier would also need to be long enough to ensure that sound would not pass around the ends of the barrier into the neighboring backyards and would need to be constructed at the same base elevation as the final grading of the truck route. Increasing the noise barrier height to 10 feet would not be necessary to address the noise impacts of the project.
- There is currently no easement between the existing cribwall and the residences in the Phase I area. There is a drainage channel in this area. Phase II would establish a 20-foot-wide sewer easement to El Dorado Irrigation District along the eastern boundary of the site.
- I4-5 The comment questions whether construction days and hours can be modified.
- The reader is referred to the response to comment O4-12, regarding proposed changes to allowed construction periods.
- I4-6 The comment asks whether there would be on-site security.
- If any of the special events require private security, the event sponsor would be responsible for securing such services (see Draft EIR page 3.11-5).

- I4-7 The comment expresses support for Alternative 3. Comment noted.
- I4-8 The comment questions the capacity of the amphitheater and asks if the builder would consider replacing the amphitheater with something family friendly.
Draft EIR Table 2-1 identifies that events at the amphitheater could have an attendance of 150 persons (see Draft EIR page 2-43 and 2-44). The reader is referred to the response to comment O4-3.
- I4-9 The comment requests noise restrictions for the amphitheater and parking.
Please see the responses to comments O4-2 and O5-10, regarding amphitheater noise impacts. If any of the special events require private security, the event sponsor would be responsible for securing such services. These services likely would also include parking management.
- I4-10 The comment requests a line-of-sight analysis. Please see the response to comment O4-6.

Home value: When we moved to this neighborhood, about a year ago, we had no idea this project was in the works. We would never have chosen to live here, had we known what was coming. I am confident that building an amphitheater and large hotel so close to our homes would not only decrease our property values, but also make them very difficult to sell.

I
15-5
I

While I realize building in the area is inevitable, I feel, that with such close proximity to a residential neighborhood, the residents should have the most influence over what is built there. This project is literally in the backyard of several homeowners, and very close to my home on Monte Verde. Please consider what you would want if this was your own neighborhood and home being affected.

I
15-6
I

Sincerely,

Jessica Anderson
916-834-0463

--

Tom Purciel
Project Planner

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2850 Fairlane Court
Placerville, CA 95667
(530) 621-5903
tom.purciel@edcgov.us
<https://www.edcgov.us/government/Planning>

Letter I5**Jessica Anderson**

June 24, 2020

- I5-1 The comment expresses general concerns about the project. Thank you for providing comments on the Draft EIR. These concerns are noted.
- I5-2 The comment expresses concern regarding noise from the amphitheater. The reader is referred to the responses to comments O4-2, O4-3, O4-4, and O5-10.
- I5-3 The comment states that the hotel would be an eyesore to nearby residents. The reader is referred to the response to comment O4-6.
- I5-4 The comment expresses concern about the increased traffic from building a project specifically made to hold events. Draft EIR Table 2-1 identifies the range of potential special events and anticipated attendance at the project site (see Draft EIR page 2-43 and 2-44). The reader is referred to the response to comment I3-1.
- I5-5 The comment expresses concern regarding home values. The reader is referred to the response to comment I3-1.
- I5-6 The comment expresses general concern about the project and its proximity to residences. Comment noted. The environmental impacts of the project related to its proximity to existing residents is addressed in Draft EIR Sections 3.1 through 3.13. The reader is referred to the response to comment I3-1.

Letter
16

From: 'Shalini Pandey' via PL-Montano-Comments-m <montano@edcgov.us>
Date: Fri, Jun 26, 2020 at 11:41 AM
Subject: CONCERNS- Montano De El Dorado Phase II Master Plan
To: montano@edcgov.us <montano@edcgov.us>

To whom it may concern

We are writing as local residents to **OBJECT** to the Montano De El Dorado Phase II Master Plan in El Dorado Hills. We are greatly concerned that the proposal, if it goes ahead, will have significant detrimental effects on the environment and the local community. As local residents this is a matter of concern which affects everyone. We have examined the plan and we know the site well. We wish to object strongly to the expansion of the existing retail center.

I6-1

We live in the community right behind the site expansion. The community has already witnessed a number of crimes just by the construction of Montano De El Dorado Phase I project. It is needless to say that Building a market place right behind a residential community makes it more dangerous for the residents living in that community. It was not far back, when on January 8, 2015, shooting at 36 handles (Irish Pub) right behind the residential community took place. In another incident, on July 25, 2016 the El Dorado County Sheriff's Office received a report of a bank robbery at the US Bank, located at 1020 White Rock Road suite E in El Dorado Hills, CA. The suspect was apparently hiding in one of the creeks at Concordia drive and Solari court in our residential community. Now and then our community has been exposed to all these criminals and robberies due to the Montano de El Dorado shopping center at the corner of Latrobe Road and White Rock Road. We would like to ask the El Dorado County and the planning committee who will be passing this proposal- Does EL Dorado county has enough Sherrif's to deal with the increasing crime that would result from all this new market places being built? How safe are we living in an area surrounded with all these treats and to what extent can the Sherriff department be able to curve/control crime based on the man power and resources available?

I6-2

Also, there are enough traffic issues already and it is hard for the residents to come out of the community on the White rock road. This shopping complex is further going to increase the traffic jams that are encountered every day and the traffic is backed up all the way up to Target. Coming out of the suicide lane makes the residents more prone to accidents which will become even worse. Often, our residential community is used as a pass through to go to other roads and vehicles are being driven at fast speed without taking into consideration that they are being cut- through a community area further exposing our kids to danger. Also, our community is often being used as parking place for cars coming to the town center event. With the expansion of Montano De El Dorado market place all these issues are going to worsen and we guess the county is supporting this instead of trying to solve the issues of the residents.

I6-3

Also, building too much around El Dorado Hills have resulted reduced view quality which would further cause economic losses for communities. When the economy goes down as we witnessed a few years back, the shops/ restaurants are left vacant and declared bankrupt by the owners and they become a housing place for homeless and results in exposure to vandalism.

I6-4

The building of an amphitheater and a five-story hotel attached to a neighborhood in El Dorado Hills is an outrageous proposal. The noise disturbance and environmental impact alone should keep this from moving forward in the proposed location. Not to mention the safety and crime concerns related to a hotel and amped space. No way should this move forward.

I6-5

If this plan is approved and any of the residents are hurt due to it, it will be the liability of the county, planning committee and the investors of this plan. We will hold the county, planning committee and the investors responsible for risking the lives of all the residents and would sue them for all the damage caused.

I
16-6

From,

The worried residents

--

Tom Purciel
Project Planner

County of El Dorado
Department of Planning and Building
Planning Services Division
2850 Fairlane Court
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Letter I6**Shalini Pandey**

June 26, 2020

- 16-1 The comment expresses strong objections to the proposed expansion of the existing retail center. Thank you for providing comments on the Draft EIR. These concerns are noted.
- 16-2 The comment expresses concern about crime and whether there is sufficient law enforcement to deal with an increase in crime from development of a new marketplace. The reader is referred to the response to comment O4-5.
- 16-3 The comment expresses concern about increased traffic. The project would not result in unsafe conditions for bicyclists and pedestrians (see Draft EIR page 3.12-8). The reader is referred to the response to comment I3-1.
- 16-4 The comment expresses concern about the quality of views in the community. The reader is referred to the response to comment O4-6 and I3-1.
- 16-5 The comment expresses objections to the hotel and amphitheater because of concerns regarding noise and crime. The reader is referred to the responses to comments O4-2, O4-3, O4-4, O4-5, O4-6, and O5-10.
- 16-6 The comment states that the County, Planning Commission, and project applicant will be liable for any harm to residents. Comment noted.

From: 'Susan Rhoades' via PL-Montano-Comments-m <montano@edcgov.us>
Date: Fri, Jun 26, 2020 at 8:59 PM
Subject: Montano
To: <montano@edcgov.us>

Letter
17

As a Creekside Greens home owner, I am opposed to the full future development of the proposed businesses part of Montano. Due to the nature of the businesses (especially a hotel and amphitheater) people from outside El Dorado County could be drawn here and further spread COVID, etc. These types of businesses used for entertainment, large group gatherings, etc, could pose a health risk to the older population residing in Creekside Greens. I am also opposed due to the increased noise and traffic it would create. Thank you for your time and careful consideration of my concerns in opposition to the development.
Susan Rhoades

I7-1

Sent from my iPhone

--

Tom Purciel
Project Planner

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Placerville, CA 95667
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tom.purciel@edcgov.us
<https://www.edcgov.us/government/Planning>

Letter I7 **Susan Rhoades**
June 26, 2020

17-1 The comment expresses opposition to the project, citing concerns regarding health, noise, and traffic. Thank you for providing comments on the Draft EIR. The reader is referred to the responses to comments O4-2, O4-3, O4-4, O4-5, O4-6, O5-10, and I3-1.

From: **brenda boissevain** <bboissevain@yahoo.com>
Date: Fri, Jun 26, 2020 at 1:48 PM
Subject: Planned Amphitheater Montano phase 2
To: Tom.purciel@edcgov.us <Tom.purciel@edcgov.us>

Letter
18

Hello Tom, 6/26/2020

My name Is Brenda Boissevain and i'm a resident of Cameron Park. When I moved here 22 years ago Cameron park had just downsized historic Sams Town a beloved family friendly entertainment center. Cameron park and surrounding communities haven't had much outdoor entertainment opportunities for families close by since then. With the exception of concerts in the Park in the summer time.

I8-1

Its my understanding that their is a plan to build an Amphitheater in the Montano phase 2 development in Eldorado Hills. I'd like to express my full support for such a venue to be built right here in Eldorado hills and I am not alone. I think the county and town would benefit greatly if this project was to be built.

I8-2

I've heard some opposition to the Amphitheater by the residents that live close to the site. I've been told that your considering music not be amplified. I don't think the venue will do well if music is'nt allowed to be amplified. I'm hoping you will work with the developer to come up with the right sound walls and any other idea's to keep residents near by happy so all the residents of Eldorado county could benefit from a beautiful new ampitheater to here live amplified music.

I2-3

I really hope you understand that amplified music is what makes an outdoor Amphitheater a great place for people to enjoy live music and dancing with friends and family. I personally know that I would'nt attend a concert at any Amphitheater that had no amplified music. Can you Imagine how boring. I doubt it would be worth building at all if the music wasn't amplified.

Thank you for hearing me out and It's my sincere hope you will give every opportunity to the developer to come up with solution to the noise.

This Amphitheater would be a gem in Eldorado hills crown.

Sincerely Brenda Boissevain

I8-4

Ps: It would be so awesome not to have to drive to Sacramento, South Lake Tahoe or Wheatland to enjoy live outdoor concerts under the stars.

Sent from Yahoo Mail on Android

--
Tom Purciel
Project Planner
County of El Dorado
Department of Planning and Building
Planning Services Division
2850 Fairlane Court
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(530) 621
tom.purciel@edcgov.us
<https://www.edcgov.us/government/Planning>

Letter 18 **Brenda Boissevain**

June 26, 2020

- 18-1 The comment provides background for and an introduction to the comments. Thank you for providing comments on the Draft EIR. These comments are noted.
- 18-2 The comment expresses support for the amphitheater. Comment noted.
- 18-3 The comment expresses support for amplified music at the project site. Comment noted.
- 18-4 The comment expresses support for the project because the commenter would not have to drive as far as she usually does to enjoy outdoor concerts. Comment noted.

From: **Jerry Barton** <jbarton@edctc.org>
 Date: Mon, Jun 29, 2020 at 2:05 PM
 Subject: FW: EDCTC Comments on Montano Phase II Project
 To: montano@edcgov.us <montano@edcgov.us>
 Cc: rommel.pabalinas@edcgov.us <rommel.pabalinas@edcgov.us>, Dave Spiegelberg <dave.spiegelberg@edcgov.us>, Woody Deloria <wdeloria@edctc.org>

Letter 19

Attn: Tom Purciel

Hello Tom –

In 2017 I submitted the attached comment letter and map regarding the Montano Phase II project. The DEIR indicates that the project will have a sidewalk along the Latrobe Road frontage but it does not indicate how wide the sidewalk will be. In my letter I indicated that the Active Transportation Plan (now complete and accepted by EDCTC in February of 2020), was anticipating the inclusion of a proposed Class I Bike Path along the east side of Latrobe Road between Monte Verde and the EID water treatment facility to the south. That segment was included in the El Dorado County Active Transportation Plan, as a result my comments remain relevant. Please consider the significance of including the appropriate space and/or construction of a Class I bike path segment between Monte Verde and the southernmost Montano Phase II driveway. It would be unfortunate if the proposed lift station located in that vicinity precluded the future construction of a Class I Bike Path which will provide an important connection between Montano Phase II and both the Business Park and Blackstone neighborhoods to the south.

I9-1

Please feel free to reach out to me if you have any questions.

Thank you,
 Jerry Barton

From: Jerry Barton
Sent: Friday, October 5, 2018 3:46 PM
To: Robert Peters <robert.peters@edcgov.us>
Subject: FW: EDCTC Comments on Montano Phase II Project

From: Jerry Barton
Sent: Friday, September 22, 2017 11:47 AM
To: rommel.pabalinas@edcgov.us
Cc: Dave Spiegelberg <dave.spiegelberg@edcgov.us>; Donna Keeler <donna.keeler@edcgov.us>
Subject: EDCTC Comments on Montano Phase II Project

Hello Mel:
 Attached, please find EDCTC Comments on the Montano De El Dorado Phase II Project. Feel free to contact me if you have any questions.
 Thank you,
 Jerry

Jerry Barton
 Senior Transportation Planner
 El Dorado County Transportation Commission
 530-642-5267
www.edctc.org
 --

Tom Purciel
 Project Planner

County of El Dorado
 Department of Planning and Building Planning Services Division
 2850 Fairlane Court
 Placerville, CA 95667
 (530) 621
tom.purciel@edcgov.us
<https://www.edcgov.us/government/Planning>



Attachment 1 to
Letter I9

2828 Easy Street Suite 1, Placerville, CA 95667 | 530.642.5260 | www.edctc.org

September 21, 2017

Mel Pabalinas, Project Planner
El Dorado County Planning Services
2850 Fairlane Court, Building C
Placerville, CA 95667

RE: MONTANO DE EL DORADO PHASE II MASTER PLAN

Dear Mr. Pabalinas,

The El Dorado County Transportation Commission appreciates the opportunity to submit the enclosed comments on the proposed Montano de El Dorado Phase II Master Plan. Our comments are related to Active Transportation along the project frontage of Latrobe and White Rock Roads in the vicinity of the proposed project.

EDCTC is in the process of working to secure funds to update the El Dorado County Bicycle Transportation Plan, as there have been significant changes since its adoption in 2010. One such change is the construction of a segment of Class I Multi-Use Path between Clubview Drive, extending north along Latrobe Road to the El Dorado Irrigation District (EID) Water Treatment Facility near Suncastr Lane. We feel it is prudent to connect the existing path at the Water Treatment facility with the proposed development at Montano de El Dorado to provide for off-street, active transportation access between the residential developments, the El Dorado Hills Business Park and further north to Town Center. In recent communication with individuals involved with the El Dorado Hills Business Park and EDCTC staff, there is a strong community and stakeholder desire to provide improved active transportation connectivity with the commercial areas of Montano and Town Center.

EDCTC understands that the County may be unable to condition the Montano Phase 2 project to complete the entire section of Class I Multi-Use Path between the Water Treatment Plant and the proposed development (see attached map 1). However, if there is some opportunity to ensure this segment is built through a condition placed in an agreement with another developer in the area, or by other means, EDCTC strongly supports that. There are a limited number of fund sources for projects of this type and the demands for the limited funds are high. However, we do encourage the County to condition the Montano Phase 2 project to provide a section of Class I Multi-Use path between Monte Verde Drive and the Latrobe Road entrance to the project area (see attached map 2). If it is not possible to extend the path to the proposed (potentially signalized) main entrance along Latrobe Road, a Class I Multi-Use path to the southerly entrance closest to Monte Verde, while less than ideal, would be consistent with the goals and objectives of the 2015 El Dorado County Regional Transportation Plan. It is important to construct this two way Class I Multi-Use path in the area for the following three reasons:

- 1) It will provide an important connection to the future Class I Multi-Use path that will be constructed between Monte Verde Drive and the existing path at the EID Water Treatment Facility.
- 2) Since it is a two-way facility, it will improve safety by preventing southbound bicyclists from riding the wrong way down the sidewalk along Latrobe Road in route to residences and the business park.
- 3) It will provide important much desired active transportation access to both the Montano Phase II development (and Town Center) for residents and visitors.

EDCTC also suggests that sidewalks be constructed on the frontage of Montano Phase II in the areas where a Class I Multi-Use path is not proposed. The Class I is a multi-use facility that should support the projected pedestrian and bicycle use in this area sufficiently.

Please see the enclosed maps for a visual representation of our suggestions and feel welcome to contact Jerry Barton, Senior Transportation Planner at 530-642-5267 should you have any questions.

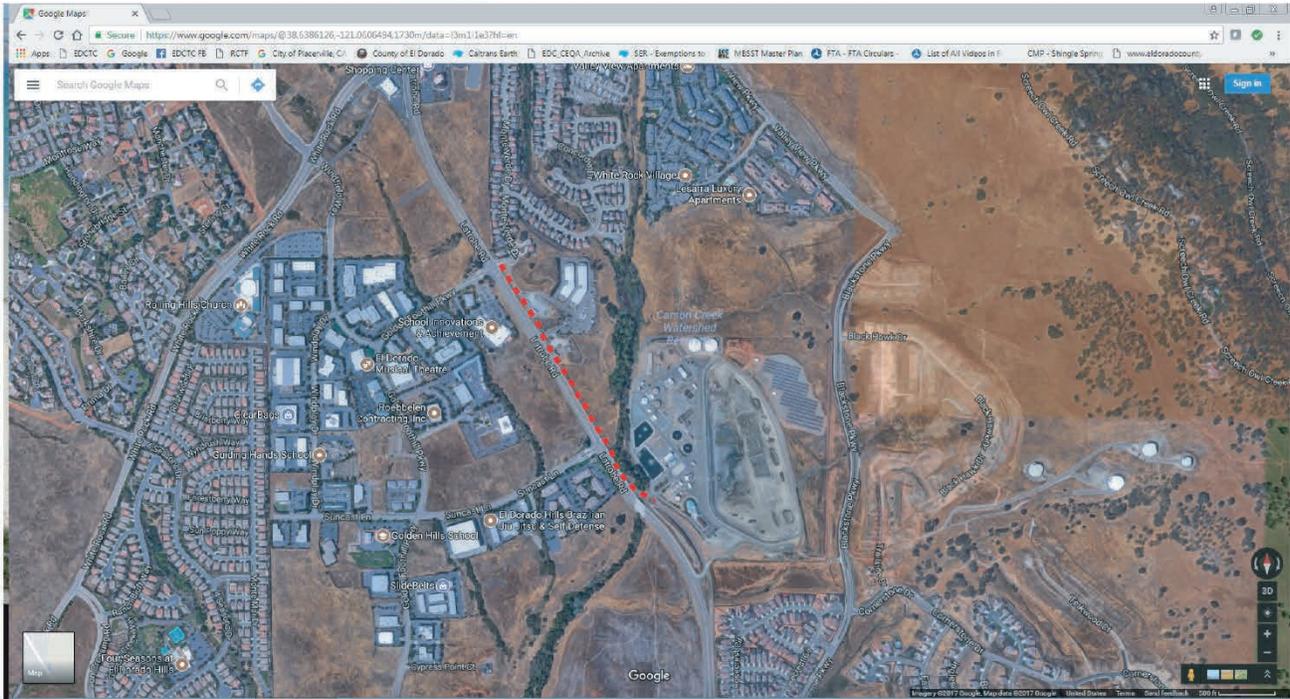
Sincerely,



Jerry Barton

Senior Transportation Planner

EDCTC Comments on Montano Phase 2 El Dorado Hills **Map 1**



----- Proposed future Class I Bike Path segment - will connect to existing recently-constructed path along Latrobe Road.

EDCTC encourages El Dorado County to condition a developer in the area to construct this important connection to provide safe, off street, non-motorized access between the business park and residential communities in the southern area of El Dorado Hills with the Montano and Town Center commercial areas.

EDCTC Comments Re: Active Transportation Facilities to Montano Phase 2 along Latrobe Road in El Dorado Hills **MAP 2**

- 1) Construct Class I Bike Path along Latrobe Road between Monte Verde Drive and main Latrobe Road entrance to Montano Phase 2. (Shown in Purple and Red) This will provide a connection with a future Class I Bike proposed to extend south to water treatment facility and Blackstone Community.
- 2) If a Class I bike path to the main entrance is not feasible, at a minimum construct a Class I Bike Path between Monte Verde Drive and the southern-most entrance to Montano Phase 2 to provide access and connectivity to the future Class I bike path proposed to extend south on Latrobe Road. (see map 2)
- 3) Construct sidewalks in all frontages of Latrobe Road and White Rock Road where they do not currently exist. In areas of proposed bike path, sidewalk is not required as the Class I Path is a multi-use facility.

Letter I9**Jerry Barton**

June 29, 2020

I9-1

The comment suggests inclusion of a Class I bike path segment between Monte Verde Drive and the project's southernmost driveway.

Thank you for providing comments on the Draft EIR. There is already a Class II bike lane on Latrobe Road at this location. Additionally, the applicant has agreed to construct a 10-foot-wide sidewalk from Monte Verde Drive to the southern driveway of the project, which would allow for the use of bicycles. Extension of the Class I bike path north of Monte Verde Drive was considered infeasible because the development of Montano Phase I and widening of Latrobe Road left no room for a Class I bike path. The Class I path was added to the County's Active Transportation Plan after Phase I of the project was approved.

From: **Gregg Mason** <GMason@jacksonprop.com>
 Date: Wed, Jul 1, 2020 at 6:25 PM
 Subject: Montano Letter to Planning on DEIR 6-30-2020.pdf
 To: montano@edcgov.us <montano@edcgov.us>
 Cc: dcrosariol@ctaes.net <dcrosariol@ctaes.net>

Letter I10

Mr. Purciel,

Please see attached for our comment letter regarding the DEIR for Montano de El Dorado Phase I and II Master Plan.

I also put a hard copy in the mail. If you have any questions please give me a call at (916) 381-8113.

I10-1

Regards,

Gregg



Gregg Mason | Senior Vice-President
 Jackson Properties, Inc.
 155 Cadillac Drive, Suite 100 | Sacramento, CA 95825
 Office (916) 381-8113 | Direct (916) 596-1809 | Mobile (916) 813-4094
www.jacksonprop.com | gmason@jacksonprop.com

--
Tom Purciel
 Project Planner

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<https://www.edcgov.us/government/Planning>



REAL PROPERTY DEVELOPMENT · ASSET MANAGEMENT · GENERAL CONSTRUCTION · COMMERCIAL BUILDING MAINTENANCE

June 30, 2020

via email: montano@edcgov.us

El Dorado County
 Planning and Building Department, Planning Division
 Attention: Tom Purciel
 2850 Fairlane Court
 Placerville, CA 95667

Re: Draft EIR
 Montano de El Dorado
 Phase I and Phase II Master Plan

Dear Mr. Purciel,

We are the owners of 3 parcels totaling approximately 29 acres across Latrobe Road from the proposed Montano de El Dorado Phase II project in El Dorado Hills (see attached map). We appreciate the opportunity to review and provide comments to the DEIR regarding the Montano Project.

We support the proposed project and want to assure that our site's future development is taken into consideration as development on Latrobe Road south of White Rock Road progresses.

I10-2

Our site is zoned Research & Development which allows many potential uses, including commercial, office, medical and technology. Although we have not yet formally submitted an application for our development, we do expect to do so at some future date.

The varied allowed uses in the current zoning code suggest to us that a fourth leg connection to the proposed signalized intersection onto our site should be considered. We understand and acknowledge that a formal planning application would be required, coupled with a request to encroach onto Latrobe Road at that location.

Our future development application will include the necessary traffic study to support adding a fourth leg to the proposed signalized intersection. We understand a Map Amendment or Certificate of Correction to the recorded Parcel Map would also be required to be able to lift the non-vehicular access easement on Latrobe Road at the location of the proposed signalized intersection.

I10-3

155 CADILLAC DRIVE, SUITE 100 SACRAMENTO, CALIFORNIA 95825 TEL (916) 381-8113

El Dorado County, Planning
Mr. Tom Purciel
June 30, 2020
Page 2

As plans progress on our site, we look forward to working with the El Dorado County Planning staff in pursuit of a well-designed development that benefits the El Dorado Hills community. I10-4

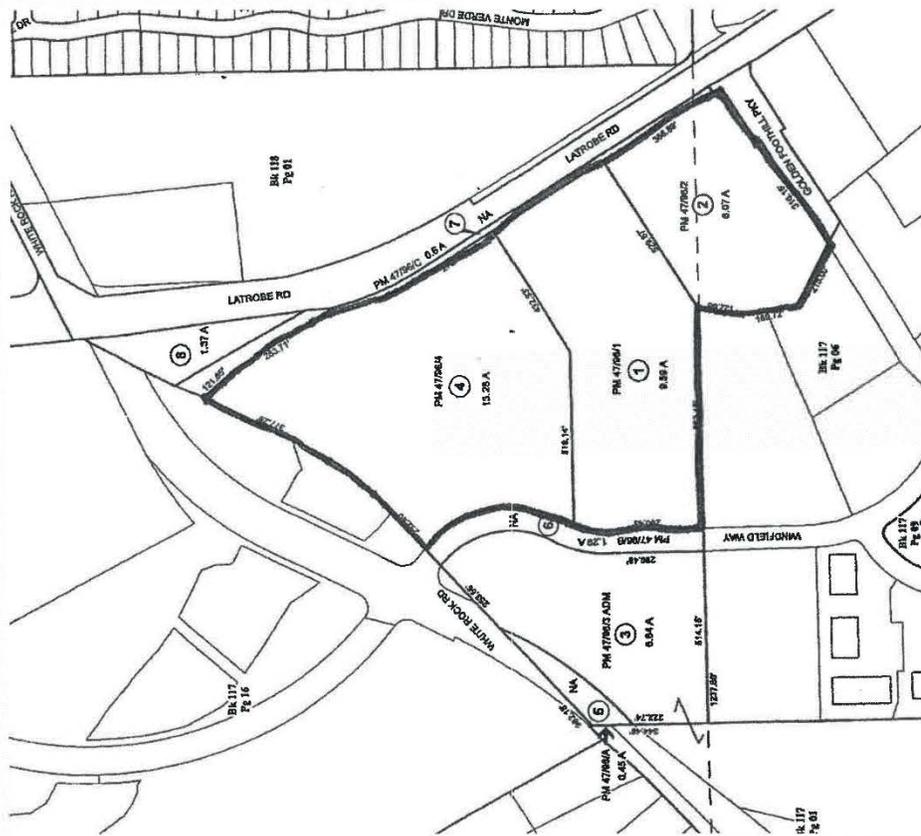
Best Regards,


John M. Jackson, Jr., CEO

Cc; David Crosariol, PE, CTA Engineering

El Dorado County, Planning
Mr. Tom Purciel
June 30, 2020
Page 3

Site Plan



Assessor's Map, Parcel, Block, Section, Range, Township, County, State, and Assessor's Parcel Number, shown in Circle

Measurements Are Estimates

Assessor Parcel Numbers

- 117-180-01-100
- 117-180-02-100
- 117-180-04-100

Letter I10 Jackson Properties

John Jackson, CEO

June 30, 2020

- I10-1 The comment introduces the attached comment letter. Thank you for providing comments on the Draft EIR.
- I10-2 The comment states that the commenter owns three parcels across Latrobe Road opposite the site and wants to make sure the site's future development is taken into consideration. Comment noted. Because there is no application on file for this property, the Draft EIR considered as it is currently zoned.
- I10-3 The comment notes that although a planning application has not been submitted, the commenter would like to suggest that the proposed intersection include a fourth leg to the commenter's property.
This request will be considered when the commenter submits a formal application to the El Dorado County Planning and Building Department, Planning Division, for its project.
- I10-4 The comment concludes the letter. Comment noted.

From: **Erik Mikkelsen** <mikkjr@gmail.com>
Date: Sun, Jul 5, 2020 at 7:15 AM
Subject: Attn Tom purciel
To: <montano@edcgov.us>

Letter
I11

Hello-

I'd like to comment on the planned montano phase 2.

I welcome the development of the proposed lot. It brings great economic opportunities, a unique amphitheater, and growth to el dorado hills. It has a great location, has been long planned and well thought out. The area is absolutely perfect for commercial development being just south of the town center. With the new JPA connector highway coming, the area will have increased traffic and should be a strong economic part of the area. There aren't a lot of amphitheater's in the area. I personally welcome the whole concept and welcome progress to el dorado hills. Please build it as planned or make it bigger. Cheers-
Erik Mikkelsen.

I11-1

Sent from my iPhone

--

Tom Purciel
Project Planner

County of El Dorado
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2850 Fairlane Court
Placerville, CA 95667
(530) 621-5903
tom.purciel@edcgov.us
<https://www.edcgov.us/government/Planning>

Letter I11 Erik Mikkelsen
July 5, 2020

I11-1 The comment expresses support for the project. Thank you for providing comments on the Draft EIR. These comments are noted.

Letter
I12

Great job! I look forward to the phase II development in el dorado hills. Please build the amphitheater!

I I12-1

Letter I12 Unknown (.txt file)
July 5, 2020

I12-1 The comment expresses support for the project. Thank you for providing comments on the Draft EIR. These comments are noted.

2.6 JUNE 25, 2020, EL DORADO COUNTY PLANNING COMMISSION MEETING

This section presents summaries of oral comments received at the June 25, 2020, Planning Commission meeting regarding the Draft EIR, along with responses to those comments.

PH1 James Williams, Planning Commissioner

Comment PH1-1

Commissioner Williams asked about the Draft EIR alternative that evaluated elimination of special events or modification of those special events that are allowed.

Response PH1-1

Draft EIR Alternative 2 would retain the project as proposed but would prohibit special events from using amplified music or sound systems. Draft EIR page 5-5 states that this alternative would avoid significant but mitigatable noise impacts from nighttime events at the amphitheater (Draft EIR Impact 3.10-6).

Comment PH1-2

Commissioner Williams asked whether under Draft EIR Alternative 3 the project would develop as currently entitled with no Planned Development (PD) zoning overlay.

Response PH1-2

Alternative 3 would modify the site design by eliminating building 8 (see Draft EIR Figure 2-3 for building 8 location) and its associated loading dock from the Phase II site plan. This would reduce the total size of Phase II to approximately 113,900 square feet of commercial and office uses, as well as reduce the extent of heavy-duty truck deliveries to the site. All other aspects of the proposed project would be retained under this alternative (see Draft EIR page 5-5).

PH2 Jon Vegna, Planning Commission Chair

Comment PH2-1

Chair Vegna asked where the details of Alternative 3 are provided in the Draft EIR.

Response PH2-1

A description and evaluation of Alternative 3 are provided on Draft EIR pages 5-5 through 5-7.

PH3 James Williams, Planning Commissioner

Comment PH3-1

Commissioner Williams asked if the PD overlay was necessary to address the special events and office uses only.

Response PH3-1

The PD overlay addresses travel and connections between the Phase I and II areas, as well as requested site design modifications.

Comment PH3-2

Commissioner Williams asked whether the proposed new signalized intersection on Latrobe Road was anticipated by the County or new.

Response PH3-2

The new signalized intersection was proposed by the applicant. County staff required the Transportation Impact Study (provided in Draft EIR Appendix F) to evaluate whether the new signalized intersection would affect the traffic operation of Latrobe Road. The County would not allow a new signalized intersection if significant traffic operational impacts would occur.

As identified in Draft EIR Section 3.12, "Transportation/Traffic," traffic operations and delay impacts no longer constitute a significant impact under CEQA.

Comment PH3-3

Commissioner Williams requested clarification on whether the proposed wall along the eastern boundary of the project site would be a retaining wall or an engineered sound wall.

Response PH3-3

The project proposes construction of a retaining wall along the eastern boundary of the site as part of site grading and improvements (see Draft EIR Figures 2-13a and 2-13b). Implementation of Draft EIR Mitigation Measure 3.10-4a would require the project applicant to construct a solid noise barrier (e.g., wall) measuring at least 8 feet in height relative to the truck pass-by route elevation along the eastern boundary of the site.

Comment PH3-4

Commissioner Williams asked whether the 70-foot building would still affect neighbor views from the east given that the project site would be topographically lower than the residences.

Response PH3-4

The reader is referred to the response to comment O4-6.

PH4 Jeff Hansen, Planning Commissioner

Comment PH4-1

Commissioner Hansen asked if the analysis of the operational noise impacts of the proposed amphitheater considered public gathering prohibitions currently under COVID-19 or assumed full use.

Response PH4-1

The Draft EIR noise analysis conducted for Impact 3.10-6, which addresses special events and operation of the proposed amphitheater, assumed no restrictions for public gatherings. This analysis is provided on Draft EIR pages 3.10-26 through 3.10-28.

Comment PH4-2

Commissioner Hansen requested further details on the Draft EIR mitigation measure requiring a sound barrier and what noise impacts it addresses.

Response PH4-2

Draft EIR Section 3.10, "Noise and Vibration," evaluates all potential noise sources that would be generated by the project, such as construction, traffic, stationary noise sources, and special events. Mitigation Measure 3.10-4a requires the construction of the noise barrier along the eastern project boundary and would address noise impacts from on-site truck operations (Impact 3.10-4), stationary noise sources (Impact 3.10-5), and special events (Impact 3.10-6).

PH5 Jon Vegna, Planning Commission Chair

Comment PH5-1

Chair Vegna asked whether the rezone was required to accommodate proposed office uses in the Phase II area and stated that there are existing office uses in the Phase I area.

Response PH5-1

Phase I of the project was approved under a previous zoning of the site, and the zoning of Phase I was subsequently changed. The proposed PD overlay would apply to Phases I and II. A conditional use permit is required for the proposed office use in the Phase II area.

Comment PH5-2

Chair Vegna requested a summary of the analysis of the new signalized intersection on Latrobe Road.

Response PH5-2

The project traffic impact study in the Draft EIR Appendix F addresses the traffic operational impacts of this new signalized intersection on Latrobe Road. The analysis determined that the new signalized intersection would not affect Latrobe Road with the implementation of conditions of approval and the County's 20-year Capital Improvement Program for improvements to the Latrobe Road and Golden Foothill Parkway (south), Latrobe Road and Town Center Drive, and Latrobe Road and White Rock Road intersections and installation of fiber optic cable between the project site and the U.S. 50 eastbound ramps to interconnect the Latrobe Road traffic signals as part of the County's Intelligent Transportation System.

As identified in Draft EIR Section 3.12, "Transportation/Traffic," traffic operations and delay impacts no longer constitute a significant impact under CEQA.

Comment PH5-3

Chair Vegna asked if the traffic analysis evaluated an alternative to modify the proposed new signalized intersection to a right-turn-in and right-turn-out-only intersection.

Response PH5-3

The project traffic impact study in the Draft EIR Appendix F evaluated the proposed intersection with right-turn-in/right-turn-out/left-turn-in movements. Signalization would allow for left-turn-out movement. No movement limitation alternatives were evaluated in the traffic study.

Comment PH5-4

Chair Vegna asked if there had been any consideration of relocating the proposed amphitheater to orient the facility toward Latrobe Road.

Response PH5-4

The applicant (Vinal Perkins) stated that site conditions limit the placement of the amphitheater. The reader is referred to Draft EIR Impact 3.10-6 for a detailed analysis of amphitheater noise.

PH6 James Williams, Planning Commissioner**Comment PH6-1**

Commissioner Williams asked for confirmation that the fiber optic cable would connect the traffic signals.

Response PH6-1

Please see the response to comment PH5-2.

PH7 Jon Vegna, Planning Commission Chair**Comment PH7-1**

Chair Vegna asked how far the fiber optic cable would extend.

Response PH7-1

Please see the response to comment PH5-2.

PH8 Julie, Creekside Resident

Comment PH8-1

The commenter expressed concerns regarding the impact of rear yard views from proposed buildings 1, 10, and 4 and requested that a three-dimensional rendering be provided.

Response PH8-1

Please see the response to comment O4-6.

Comment PH8-2

The commenter asked whether an economic study of the impact on the El Dorado Hills Town Center has been completed.

Response PH8-2

Please see the response to comment I3-1.

Comment PH8-3

The commenter asked about the timing of safety and security studies associated with the operation of the hotel and amphitheater.

Response PH8-3

CEQA focuses EIR analysis of law enforcement on impacts resulting from physical improvements of needed facilities, essentially construction impacts. Consistent with this mandated focus, impacts on law enforcement associated with the project are addressed on Draft EIR page 3.11-5. The Draft EIR concludes that the project would not necessitate the expansion of existing facilities or the construction of new law enforcement facilities that could create environmental impacts.

In general, the focus of CEQA is on disclosure of significant adverse physical effects. Economic and social concerns are not CEQA topics (see the response to comment I3-1). However, they are relevant project considerations that will be considered by staff, the Planning Commission, and the Board of Supervisors in their deliberations on whether to approve the project.

Comment PH8-4

The commenter requested that no amplified sound be allowed at the proposed amphitheater.

Response PH8-4

Draft EIR Impact 3.10-6 addresses the noise impacts associated with the operation of the proposed amphitheater (see Draft EIR pages 3.10-26 through 3.10-28). Draft EIR Mitigation Measure 3.10-6b would restrict the use of amplified sound or music during nighttime hours and would require noise monitoring of events. Implementation of this mitigation measure and Mitigation Measure 3.10-4a (construction of a sound barrier along the eastern project boundary) would mitigate this impact to less than significant. The Draft EIR does consider an alternative (Alternative 2) that would prohibit special events from using amplified music or sound systems.

PH9 Christy G., Creekside Resident

Comment PH9-1

The commenter recommended that the amphitheater be modified to some other public gathering feature.

Response PH9-1

This comment is noted and will be considered by staff, the Planning Commission, and the Board of Supervisors in their deliberations on whether to approve and/or modify the project. Please see the response to comment O4-3.

Comment PH9-2

The commenter expressed support for Alternative 3 and stated that it would better address parking and security concerns.

Response PH9-2

This comment is noted and will be considered by staff, the Planning Commission, and the Board of Supervisors in their deliberations on whether to approve and/or modify the project. The reader is also referred to the response to comment PH8-3 regarding security concerns.

Comment PH9-3

The commenter recommended increasing the height of the proposed sound barrier from 8 feet to 10 feet.

Response PH9-3

Please see the response to comment I4-4.

Comment PH9-4

The commenter asked whether the existing easement on the eastern boundary of the Phase I area between the sound wall and residences would be extended into the Phase II area.

Response PH9-4

Please see the response to comment I4-4.

Comment PH9-5

The commenter expressed concerns regarding the operation of the southern project access onto Latrobe Road and recommended that it be used only as an exit.

Response PH9-5

The reader is referred response to comment PH5-2.

Comment PH9-6

The commenter requested a line-of-sight analysis associated with the viewshed impacts of the project buildings on views from private residences.

Response PH9-6

The reader is referred to the response to comment O4-6.

Comment PH9-7

The commenter identified concerns that operation of the project and the new signalized intersection on Latrobe Road would encourage drivers on Latrobe Road to use Monte Verde Road as a bypass to White Rock Road to avoid traffic congestion.

Response PH9-7

The project traffic impact study in the Draft EIR Appendix F addresses the traffic operational impacts of the new signalized intersection on Latrobe Road. The analysis determined that the new signalized intersection would not affect Latrobe Road with the implementation of conditions of approval and the County's 20-year Capital Improvement Program for improvements to the Latrobe Road and Golden Foothill Parkway (South), Latrobe Road and Town Center Drive, and Latrobe Road and White Rock Road intersections and installation of fiber optic cable between the project site and the U.S. 50 eastbound ramps to interconnect the Latrobe Road traffic signals as part of the County's Intelligent Transportation System. A time distance calculation (distance times speed limit) from Monte Verde Drive at Latrobe Road to Monte Verde Drive at White Rock Road indicates that staying on Latrobe Road is the quicker path by about 30 seconds per vehicle.

As identified in Draft EIR Section 3.12, "Transportation/Traffic," traffic operations and delay impacts no longer constitute a significant impact under CEQA.

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3 REVISIONS TO THE DRAFT EIR

This chapter presents specific text changes made to the Draft EIR since its publication and public review as a result of comments received on the Draft EIR or County staff initiated edits. The changes are presented in the order in which they appear in the original Draft EIR and are identified by the Draft EIR page number. Text deletions are shown in ~~strikethrough~~, and text additions are shown in underline.

The information contained within this chapter clarifies and expands on information in the Draft EIR and does not constitute "significant new information" requiring recirculation. (See Public Resources Code Section 21092.1; CEQA Guidelines Section 15088.5.)

Chapter 2, Project Description

The following correction is made to Draft EIR page 2-25:

- 2) Construct recommended roadway Improvement #1 (as discussed in Section 3.12.4, "Non-CEQA Operations Analysis"), Latrobe Road / Golden Foothill Parkway (~~south north~~) intersection improvements prior to issuance of any building permit. Building permits may be issued if the applicant has obtained construction plan approval for the signal modifications, and entered into a road improvement agreement with the County for this work (including surety and insurance requirements of the County). Building permits may also be issued where the County has entered into a road improvement agreement with others for this construction of these improvements.

Section 3.1, Aesthetics

The following correction is made to Draft EIR Impact 3.1-1 on page 3.1-11:

Impact 3.1-~~12~~: Effects to Visual Character of Public Views and Consistency with County Standards

The project would change the site from a partially-developed commercial to a fully-developed site with coordinating buildings with internal roadways and landscaping throughout the site. The project site is surrounded by suburban land uses that are of similar scale of the project, including commercial, office, industrial, and residential uses. The change in character of the project site, once fully developed, would be consistent with the visual character of the surrounding area and the site's commercial zoning. Therefore, the project would not substantially degrade the existing visual character of public views or quality of the site and its surroundings and this impact would be **less than significant**.

Section 3.2, Air Quality

The following correction is made to Draft EIR Mitigation Measure 3.2-4 on page 3.2-20:

Mitigation Measure 3.2-4. Reduce Emissions of Diesel PM from Construction Equipment

The applicant shall reduce diesel PM from construction equipment to reduce the level of health risk resulting from construction-generated emissions, such that construction-related cancer risks to nearby residences will ~~would~~ not exceed an incremental increase of 10 in one million. Health risks associated with TAC emissions are proportional to the TAC emissions rates. Thus, the project will ~~would~~ need to demonstrate a reduction in diesel PM by at least 45 percent from unmitigated estimates to reduce the maximum incremental cancer risk at nearby receptors to less than 10 in one million. This is equivalent to demonstrating annual average diesel PM emissions of no more than 200 lb/year for on-site construction equipment, assuming hauling and pipeline construction activities remain unmitigated. This shall ~~can~~ be achieved by implementing one of the following two measures:

- ▶ Require the use of Tier 4 engines for all on-site equipment rated 50-horsepower (hp) or greater, or
- ▶ Require the contractor to use SMAQMD's Construction Mitigation Tool to demonstrate that the combined usage of on-site construction equipment ~~will~~ would not exceed 200 lb of diesel PM per year and submit the tool to El Dorado County for review and approval (SMAQMD 2018).

Section 3.7, Greenhouse Gas Emissions and Climate Change

The following correction is made to Draft EIR Mitigation Measure 3.7-1a on page 3.7-10:

Mitigation Measure 3.7-1a: Reduce Project-Related Construction Greenhouse Gas Emissions

The applicant shall incorporate the following measures to reduce construction emissions of GHGs to the extent feasible.

Off-Road Equipment Emission Standards

Implement Mitigation Measure 3.2-4. Details of these mitigation measures are provided in Section 3.2, "Air Quality." Mitigation Measure 3.2-4 requires diesel engine exhaust controls for heavy-duty construction equipment. Mitigation Measure 3.2-4 is consistent with a local action measure recommended in Appendix B, Local Action, of the 2017 Scoping Plan, which reads, "Require construction vehicles to operate with the highest tier engines commercially available" (CARB 2017:B-8).

Alternative Fuels for Diesel-Powered Construction Equipment

Require that only renewable diesel (RD) fuel be used in diesel-powered construction equipment. RD fuel must meet the following criteria:

- ▶ meet California's Low Carbon Fuel Standards and be certified by CARB Executive Officer;
- ▶ be hydrogenation-derived (reaction with hydrogen at high temperatures) from 100 percent biomass material (i.e., non-petroleum sources), such as animal fats and vegetables;
- ▶ contain no fatty acids or functionalized fatty acid esters; and
- ▶ have a chemical structure that is identical to petroleum-based diesel and complies with American Society for Testing and Materials D975 requirements for diesel fuels to ensure compatibility with all existing diesel engines.

Electrification of Power Tools and Temporary Office Buildings

Use grid-sourced electricity from the local utility, instead of using fossil fuel-based generators, for temporary jobsite power to power tools (e.g., drills, saws, nail guns, welders) and temporary office buildings. This measure is required during all construction phases except site grubbing; site grading; and the installation of electric, water, and wastewater infrastructure. This measure shall be implemented during ~~building demolition~~, the framing and erection of new buildings, all interior work, and the application of architectural coatings. Electrical outlets shall be designed to PG&E's Greenbook standards and shall be placed in accessible locations throughout the project area. Contractors shall coordinate with the utility to activate a temporary service account prior to proceeding with construction. Implementation of this measure shall be required in the contract the project applicant establishes with its construction contractors.

The following edits are made to Draft EIR Mitigation Measure 3.7-1b on page 3.7-11:

Mitigation Measure 3.7-1b: Reduce Project-Related Operational Greenhouse Gas Emissions

The applicant shall incorporate the following measures to reduce operational emissions of GHGs to the extent feasible.

Building Energy

Reduce GHG emissions associated with building energy through the following measures:

- ▶ Design new buildings to achieve a 10 percent or greater reduction in energy use versus a standard Title 24 code-compliant building through energy efficiency measures consistent with Tier 1 of the ~~2019~~ 2016 California Green Building Standards Code, Section A5.203.1.2.1. Alternatively, this measure can be met by installing onsite renewable energy systems that achieve equivalent reductions in building energy use.
- ▶ Install an array of solar panels on the project site to meet the project's full electricity demand on a year-round basis. A solar panel system with a minimum rating of 1,480-kilowatts (kW) would be needed to generate enough emissions-free solar electricity to offset 100 percent of annual electricity demand from the project (estimated at 2,332 megawatt hours per year as shown in Table 3.5-2). A 1,480-kW solar panel system in the El Dorado County area, would require a footprint of 93,562 sq. ft., assuming a 20 degree southward facing tilt and a module with 16 percent efficiency (National Renewable Energy Laboratory 2019). The exact available surface area for rooftop solar and parking lot solar shade spaces at final buildout is unknown, due to potential architectural and other physical barriers. However, based on preliminary drawings and estimates shown in Figure 2-3, rooftop and parking spaces would likely offer 91,183 and 124,254 square feet in available footprint area for solar installations, respectively. Solar panels may be installed anywhere on site, including, but not limited to rooftops, vehicle parking solar shades, and cleared on-site ground areas. Thus, the project has sufficient surface area to support a solar panel system that will fully offset on-site electricity demands. This system may involve the use of on-site batteries designed for storing solar electricity generated during the daytime for use during times when electricity demand exceeds instantaneous solar electricity generation. The designated amount of solar for each location of an installation would be subject to available rooftop and ground-level surface area and County design, siting, and permitting requirements.
- ▶ In addition to any solar photovoltaic canopies installed to meet the project's electricity demand, install solar canopies (non-electricity-generating) or plant shade trees throughout the project site to reduce cooling demands on on-site buildings, such that at least 50 percent of parking lot surfaces are shaded.
- ▶ Electrify or use alternative fuels for as many appliances as feasible, such as those traditionally using natural gas (e.g., space heating, cooking, water heating). Increase the rating of on-site solar panels to match any additional demand on electricity from the conversion of appliances to electric. Encourage tenants to use electric or alternatively-powered appliances over natural gas- or propane-powered appliances through building design and incentives. Design buildings to allow for the use of electric appliances over natural-gas or propane-powered ones. Other incentives can include the reduction of utility fees to tenants through electrification of appliances due to on-site availability of solar generated electricity. Electric alternatives to appliances include electric heat-pump or on-demand water heaters, solar water heaters, induction cooktops,
- ▶ Use cool pavements on all paved surface areas, to the extent feasible, to lower air temperatures outside buildings and reduce cooling energy demands on on-site buildings.
- ▶ For buildings or portions of buildings without rooftop solar, design new building rooftops to include Cool Roofs in accordance with the requirements set forth in Tier 2 of the ~~2019~~ 2016 California Green Building Energy Codes (CALGreen), Sections ~~A4.106.5 and~~ A5.106.11.2, or the most recent version of CALGreen effective at the time of construction.

On-Road Transportation

Reduce GHG emissions associated with on-road transportation through the following measures:

- ▶ Install at least 10 percent of parking spaces to include Electric Vehicle Service Equipment (EVSE), or a minimum of 2 spaces to be installed with EVSE for buildings with 2–10 parking spaces. EVSE includes EV charging equipment for each required space connected to a 208/240-Volt, 40-amp panel with conduit, wiring, receptacle, and overprotection devices.

- ▶ All new loading docks shall be equipped to provide electric power from the grid, including connections for Transportation Refrigeration Units. Signage shall be posted adjacent to loading docks prohibiting engine idling for more than five minutes.
- ▶ Dedicate preferential parking spaces to vehicles with more than one occupant and Zero Emission Vehicles (including battery electric vehicles and hydrogen fuel cell vehicles). The number of dedicated spaces should be no less than two spaces or five percent of the total parking spaces on the project site, whichever is greater. These dedicated spaces shall be in preferential locations such as near the main entrances to the buildings served by the parking lot and/or under the shade of a structure or trees. These spaces shall be clearly marked with signs and pavement markings. This measure shall not be implemented in a way that prevents compliance with requirements in the California Vehicle Code regarding parking spaces for disabled persons or disabled veterans.
- ▶ Provide adequate, safe, convenient, and secure on-site bicycle parking racks at retail and commercial buildings. Bicycle parking racks shall be permanently anchored, be located in a convenient location within 200 feet of the primary visitor's entrance, and be easily visible. The number of bike parking spaces shall be a minimum of 15 percent of new visitor motorized vehicle parking spaces (rounded up to the nearest whole number). At minimum, there should be one two-bike capacity rack.

All bicycle parking racks shall:

- support bicycles at two points of contact in order to prevent bicycles from falling;
 - allow locking of bicycle frames and wheels with U-locks;
 - be constructed of square tubes to resist illegal rack cutting;
 - be constructed of low-maintenance, weather-resistant materials (galvanized finish resists corrosion);
 - not require lifting of a bicycle;
 - be mounted securely to the floor or ground;
 - be visible to approaching cyclists and pedestrians; and
 - be under a shelter and protected from rain.
- ▶ Businesses shall include amenities for employees who commute by bicycle including a shower and changing room, as well as a secure bicycle parking area. The bicycle parking area shall be under a roof and in a locked area that is only accessible by employees. Bicycle parking facilities should be designed in a manner which provides adequate space for all bicycle types, including e-bikes, tandems, recumbent bikes, and cargo bikes, as well as bike trailers.

Off-Road Transportation

Reduce GHG emissions associated with on-road transportation through the following measures:

- ▶ All forklifts used at loading docks and truck loading areas shall be electric Class 1, 2 or 3 (based on the vehicle's gross vehicle weight). All loading docks and truck loading areas shall include a dedicated charging station for electric forklifts. Verification shall be provided to or by the lead agency through a regular reporting program, as determined by the lead agency.
- ▶ Multiple electrical receptacles shall be included on the exterior of new buildings and accessible for purposes of charging or powering electric landscaping equipment and providing an alternative to using fossil fuel-powered generators. The electrical receptacles shall have an electric potential of 100 volts. There shall be a minimum of one electrical receptacle on each side of the building and one receptacle every 100 linear feet around the perimeter of the building.

Water

Reduce GHG emissions associated with water use through the following measure:

- ▶ Newly developed buildings shall comply with requirements for water efficiency and conservation as described in the CALGreen Divisions 4.3 and 5.3.

The above actions align with local action measures identified in the 2017 Scoping Plan.

The following edits are made to Draft EIR Mitigation Measure 3.7-1c on page 3.7-13 in order to make this mitigation measure consistent with *Golden Door Properties v. County of San Diego* (June 12, 2020) __ Cal.App.5th __ decision:

Mitigation Measure 3.7-1c: Purchase Carbon Offsets

The CEQA Guidelines recommend several mitigation options for mitigating GHG emissions. Section 15126.4(C)(3) of the Guidelines states that measures to mitigate the significant effects of GHG emissions may include “off-site measures, including offsets that are not otherwise required...” Through the purchase GHG credits from an approved registry, GHG emissions may be reduced at the project level. ~~GHG reductions must meet the following criteria:~~

Such offsets shall meet the requirements of State CEQA Guidelines Section 15126.4(C)(3) and meet the following criteria, consistent with the standards set forth in Health and Safety Code Section 38562, subdivisions (d)(1) and (d)(2):

- ▶ Real—they represent reductions actually achieved (not based on maximum permit levels),
- ▶ Additional/Surplus—they are not already planned or required by regulation or policy (i.e., not double counted),
- ▶ Quantifiable—they are readily accounted for through process information and other reliable data,
- ▶ Enforceable—they are acquired through legally binding commitments/agreements,
- ▶ ~~Validated~~ Verifiable—they are verified through accurate means by a reliable third party, and
- ▶ Permanent—they will remain as GHG reductions in perpetuity.

In partnership with offset providers, the project applicant shall purchase carbon offsets to reduce the project’s net annual emissions to 0 MTCO_{2e} from a verified program that meets the above criteria. The applicant shall purchase credits to offset up to 2,876 MTCO_{2e} of the project’s construction-related GHGs prior to the start of construction. Also, prior to commencing operation, the applicant shall also purchase credits to offset the project’s operational emissions of up to 2,842 MTCO_{2e}/year multiplied by the number of years of operation between commencement of operation and 2050, which is the target year of Executive Order S-3-05. Actual credits to be purchased may be lower than these upper bounds depending on the effectiveness of Mitigation Measures 3.7-1a and 3.7-~~1b~~2 and any additional reductions due to legislation.

Such credits shall be based on protocols that are consistent with the criteria set forth in subdivision (a) of Section 95972 of Title 17 of the California Code of Regulations, and shall not allow the use of offset projects originating outside of California, except to the extent that the quality of the offsets, and their sufficiency under the standards set forth herein, can be verified by El Dorado County and/or the El Dorado County Air Quality Management District (EDCAQMD). Such credits must be purchased through one of the following: (i) a CARB-approved registry, such as the Climate Action Reserve, the American Carbon Registry, and the Verified Carbon Standard; (ii) any registry approved by CARB to act as a registry under the California Cap and Trade program; or (iii) through the CAPCOA’s Greenhouse Gas Reduction Exchange (GHG Rx).

~~Offset protocols and validation applied to the project could be developed based on existing standards (e.g., Climate Registry Programs) or could be developed independently, provided such protocols satisfy the basic criterion of “additionality” (i.e. the reductions would not happen without the financial support of purchasing carbon offsets).~~

Prior to issuing building permits for development within the project, the County shall confirm that the project developer or its designee has fully offset the project’s remaining (i.e. after implementation of GHG reduction measures) GHG emissions by relying upon one of the following compliance options, or a combination thereof:

- ▶ demonstrate that the project developer has directly undertaken or funded activities that reduce or sequester GHG emissions that are estimated to result in GHG reduction credits (if such programs are available), and retire such GHG reduction credits in a quantity equal to the project’s remaining GHG emissions;
- ▶ provide a guarantee that it shall retire carbon credits issued in connection with direct investments (if such programs exist at the time of building permit issuance) in a quantity equal to the project’s remaining GHG emissions;
- ▶ undertake or fund direct investments (if such programs exist at the time of building permit issuance) and retire the associated carbon credits in a quantity equal to the project’s remaining GHG emissions; or
- ▶ if it is impracticable to fully offset the project’s GHG emissions through direct investments or quantifiable and verifiable programs do not exist, the project developer or its designee may purchase and retire carbon credits that have been issued by a recognized and reputable, accredited carbon registry in a quantity equal to the project’s remaining GHG Emissions.

Section 3.10, Noise and Vibration

The following edit is made to the first bullet of Draft EIR Mitigation Measure 3.10-1 on page 3.10-17:

- ▶ All noise-generating construction activity shall occur between the hours of 7:30 a.m. and 57 p.m., Monday through Friday, and 8 a.m. and 5 p.m. on Saturdays ~~weekends~~, and on federally recognized holidays. No construction shall occur on Sundays.

The following edit is made to Draft EIR Mitigation Measure 3.10-4a on page 3.10-24:

Mitigation Measure 3.10-4a: Noise Barrier

The project applicant shall design a solid noise barrier (e.g., CMU wall) measuring at least 8 feet in height relative to the truck pass-by route elevation shall ~~should~~ be constructed along the eastern boundary of the site. The 8 feet in height can be achieved by either a sound wall, a retaining wall, or a combination of the sound wall and retaining wall, provided the barrier blocks line of sight to the residential backyards. The barrier will ~~would~~ need to be long enough to ensure that sound will ~~would~~ not flank around the ends of the barrier into the neighboring backyards and will ~~would~~ need to be constructed at the same base elevation as the final grading of the truck route.

Section 3.12, Transportation/Traffic

The following corrections are made to Draft EIR Table 3.12-10 on page 3.10-28:

Table 3.12-10 Intersection Operations – Cumulative (2035) Conditions

Intersection	Traffic Control	Peak Hour	Cumulative Conditions	
			Delay ¹	LOS
471. El Dorado Hills Blvd and Saratoga Way/Park Dr	Signal	AM	28.5	C
		PM	63.1	E
482. El Dorado Hills Blvd and US 50 WB Ramps	Signal	AM	32.8	C
		PM	65.3	E
493. Latrobe Rd and US 50 EB Ramps	Signal	AM	27.1	C
		PM	36.1	D
204. Latrobe Rd and Town Center Blvd	Signal	AM	58.2	E
		PM	123.0	F

Intersection	Traffic Control	Peak Hour	Cumulative Conditions	
			Delay ¹	LOS
245 Latrobe Rd and White Rock Rd	Signal	AM PM	84.6 124.5	F F
226 Latrobe Rd and Project Driveway	SSSC	AM PM	— —	— —
237 Latrobe Rd and Golden Foothill Pkwy (North)	Signal	AM PM	12.4 49.1	B D
248 Latrobe Rd and Suncast Ln	Signal	AM PM	10.0 10.3	A B
259 Latrobe Rd and Golden Foothill Pkwy (South)	Signal	AM PM	74.1 52.1	E D
2610 White Rock Rd and Stonebriar Dr/Four Seasons Dr	Signal	AM PM	12.9 12.1	B B
2711 White Rock Rd and Windfield Way	Signal	AM PM	49.3 40.9	D D
2812 White Rock Rd and Post St	Signal	AM PM	44.4 70.7	D E
2913 White Rock Rd and Valley View Pkwy	Signal	AM PM	66.2 45.2	E D
3014 Silva Valley Pkwy and Tong Rd	SSSC	AM PM	0.0(11.9 WB) 0.1(18.5 WB)	B C
3415 Silva Valley Pkwy and US 50 WB Ramps	Signal	AM PM	79.3 12.7	E B
3216 Silva Valley Pkwy and US 50 EB Ramps	Signal	AM PM	8.0 10.7	A B

Notes: LOS = Level of Service. SSSC = Side-Street Stop-Controlled; **Bold** represents unacceptable LOS and delay

¹ For signalized intersections, average intersection delay is reported in seconds per vehicle for all approaches. For SSSC intersections, the LOS and control delay for the worst movement is shown in parentheses next to the average intersection LOS and delay. Impacts to intersections are determined based on the overall LOS and average delay. Intersection LOS and delay is calculated based on the procedures and methodology contained in the HCM 2010 (TRB 2010). All intersections were analyzed in SimTraffic.

Source: Kimley Horn 2019

The following corrections are made to Draft EIR Table 3.12-14 on page 3.12-38:

Table 3.12-14 Intersection Operations – Project Effects under Existing and Near-Term Conditions

Intersection	Traffic Control	Peak Hour	Existing Conditions		Existing Plus Project		Near-Term Conditions		Near-Term Plus Project	
			Delay ¹	LOS	Delay ¹	LOS	Delay ¹	LOS	Delay ¹	LOS
331 El Dorado Hills Blvd and Saratoga Way/Park Dr	Signal	AM PM	12.9 22.6	B C	13.9 23.4	B C	41.9 62.3	D E	42.8 74.8	D E
342 El Dorado Hills Blvd and US 50 WB Ramps	Signal	AM PM	30.9 44.2	C D	45.0 32.5	C D	31.5 44.0	C D	31.0 44.2	C D
353 Latrobe Rd and US 50 EB Ramps	Signal	AM PM	14.5 13.7	B B	20.1 14.8	C B	15.7 19.7	B B	15.8 18.2	B B
364 Latrobe Rd and Town Center Blvd	Signal	AM PM	16.3 48.3	B D	25.9 52.7	C D	21.3 101.3	C F	20.9 100.5	C F
375 Latrobe Rd and White Rock Rd	Signal	AM PM	33.2 33.4	C C	34.7 49.6	C D	45.7 82.9	D F	44.7 98.3	D F

Intersection	Traffic Control	Peak Hour	Existing Conditions		Existing Plus Project		Near-Term Conditions		Near-Term Plus Project	
			Delay ¹	LOS	Delay ¹	LOS	Delay ¹	LOS	Delay ¹	LOS
386 Latrobe Rd and Project Driveway	SSSC	AM PM	— —	— —	0.1(11.8 WB) 0.7(19.5WB)	B C	— —	— —	0.2(15.1WB) 0.9(24.8WB)	C C
397 Latrobe Rd and Golden Foothill Pkwy (North)	Signal	AM PM	13.0 16.5	B B	14.5 34.8	B C	22.3 39.3	C D	20.7 55.3	C E
408 Latrobe Rd and Suncastr Ln	Signal	AM PM	6.5 8.1	A A	6.7 8.4	A A	10.1 10.5	B B	10.3 10.8	B B
419 Latrobe Rd and Golden Foothill Pkwy (South)	Signal	AM PM	59.5 104.3	E F	24.2 108.2	E F	36.4 44.4	D D	36.6 46.3	D D
4210 White Rock Rd and Stonebriar Dr/Four Seasons Dr	Signal	AM PM	22.8 12.0	C B	24.0 12.3	C B	16.5 11.7	B B	16.2 12.1	B B
4311 White Rock Rd and Windfield Way	Signal	AM PM	13.3 15.1	B B	13.3 15.2	B B	72.7 27.9	E C	72.7 28.1	E C
4412 White Rock Rd and Post St	Signal	AM PM	23.5 43.7	C D	32.1 69.9	C E	35.8 40.9	D D	35.3 60.2	D E
4513 White Rock Rd and Valley View Pkwy	Signal	AM PM	22.5 21.2	C C	28.5 24.5	C C	79.6 26.1	E C	78.6 27.6	E C
4614 Silva Valley Pkwy and Tong Rd	SSSC	AM PM	0.0(9.4 WB) 0.0(0.0 WB)	A A	0.0(9.4WB) 0(0.0 WB)	A A	0.1(9.9 WB) 0.1(11.7 WB)	A B	0(10 WB) 0(11.8WB)	A A
4715 Silva Valley Pkwy and US 50 WB Ramps	Signal	AM PM	47.4 52.5	D D	47.3 52.5	D D	47.3 19.5	D B	47.4 19.5	D B
4816 Silva Valley Pkwy and US 50 EB Ramps	Signal	AM PM	47.9 51.4	D D	47.7 50.8	D D	18.8 20.9	B C	18.8 21.2	B C

Notes: LOS = Level of Service. SSSC = Side-Street Stop-Controlled; **Bold** represents unacceptable LOS and delay. Shaded means a project generated effect.

¹ For signalized intersections, average intersection delay is reported in seconds per vehicle for all approaches. For SSSC intersections, the LOS and control delay for the worst movement is shown in parentheses next to the average intersection LOS and delay. Effects to intersections are determined based on the overall LOS and average delay. Intersection LOS and delay is calculated based on the procedures and methodology contained in the HCM 2010 (TRB 2010). All intersections were analyzed in SimTraffic.

Source: Kimley Horn 2019

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